

MISSISSIPPI HOME CORPORATION

Housing Tax Credit Program

Compliance Monitoring Plan

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MISSISSIPPI HOME CORPORATION

Housing Tax Credit Program

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Last Revised November 2007

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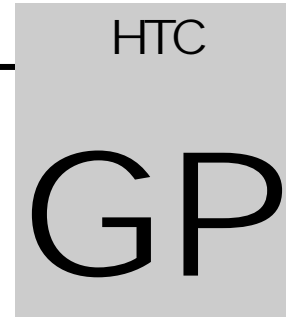
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MISSISSIPPI HOME CORPORATION'S

GENERAL POLICIES & PROCEDURES

The Corporation will adhere to the following policies and procedures when carrying out its compliance monitoring obligations:

1. Applicants should verify prior to submitting an application for tax credits that they are in compliance with any and all programs offered or administered by the Corporation. The Corporation must receive a request for the compliance status of a development (i.e., the owner and any associated entities) at least forty-five (45) working days before the tax credit application cycle. A charge of \$55.00 per hour will be assessed to cover the cost of researching and processing an applicant's compliance status request. Requests received after this time may not be processed by the anticipated deadline date. Each request for a compliance status letter should consist of:
 - Written request from the owner and/or approved registered agent;
 - List of development's owned/managed, organized by the development's name, number, and location (i.e., city);
 - Specify a deadline date or date request needed;
 - Outline the type of information needed (copies of 8823's, general "good status" letter, compliance status, etc.)

In addition, any request for a compliance status letter received from the owner or authorized official of a Housing Tax Credit (HTC) development for submission to an unrelated third-party source (entity other than the owner) must include written approval from the owner outlining the specific information needed, as well as the items noted above (if applicable).

2. Any owner/developer who fails to respond to the Corporation's request for a monitoring review (i.e., on-site, desk audit or physical inspection, Annual Owner Certification (AOC) Report or special request for certain information) for three consecutive years will be deemed "out of program and out of compliance" for egregious noncompliance as outlined on IRS Form 8823 Report of Noncompliance.
3. The Corporation will monitor all HTC developments according to the applicable Qualified Allocation Plan and approved HTC application. Any discrepancies and/or problems noted with said documents should be clarified before receipt of IRS Form 8609. After the issuance of IRS form 8609, the Corporation will monitor for compliance strictly by what is noted therein.
4. Effective January 1, 2007, the Annual Owner Certification (AOC) Report is due *on or before* January 31st of each calendar year for the preceding calendar year. Additionally, two components of the AOC Report, the Owner Certification of Continued Program Compliance (OCCPC) Report and the Occupancy (Rent Roll) Report, must be submitted electronically using the Corporation's Applied Oriented Design/Certification On-Line (AOD/COL) system. AOC Reports submitted past the deadline date will be assessed a late fee of \$100 per day for every day beyond the deadline date. Financial penalty not to exceed 30 days.
5. The Corporation will report all instances of noncompliance (corrected or not) to IRS' Philadelphia Service Center cited as a result of an examination of compliance matters for a development that has received an allocation of HTCs AND having received IRS form 8609 from its Allocation Division within 45 days of the end of the correction period. Noncompliance identified prior to the Corporation's issuance of IRS form 8609 will be completed and sent directly to the IRS' Headquarter in Washington.
6. The Corporation requires household members age 18 and older and emancipated minors to execute all HTC certification documentation. In the event said person(s) is physically unable to execute said documents, an authorized agent (i.e., power of attorney, etc.) may do so on his/her behalf with written authorization to do so from the physically challenged household member. For household members executing eligibility documents with an "x", said execution (signature) must be witnessed by a third party, generally someone other than management and/or owner and of legal age and sound mind to do so.

7. The **ORIGINAL** HTC tenant file and the **ORIGINAL** support documents must be available for review upon request. Failure to provide said documents will result in the issuance of IRS form 8823.
8. All requests for technical assistance training must be received at least 10 working days prior to the date of the requested training. All requests must be in writing and contain the following:
 - The intent of the training (staff training, income calculations, AOC doc's);
 - The number of persons to be trained;
 - The location of the training; and
 - The desired training date(s)
9. The Corporation will issue final audit result letters, in writing, within 45 days of the date of the inspection.
10. The Corporation, at its discretion, may allow "same-day correction of minor discrepancies" at the time of an on-site/desk audit inspection.
11. The Corporation will charge \$55.00 per hour and an additional 15 cents per copy to research the compliance status of a development and/or to retrieve and provide copies of agency stored compliance correspondence. All research fees must be received and processed by the Corporation before the requested information will be released.
12. An owner of a HTC development in the process of selling his/her development **must** notify the Corporation, in writing, of the intended sale. All disposition notifications must include the following:
 - Anticipated closing date;
 - Name, address and phone number of the prospective buyer;
 - Copy of IRS Form 8693 Low-Income Housing Credit Disposition Bond or applicable bond disposition application;
 - Copy of warranty deed or transfer documentation (within 30 days of the closing date of the sale)
13. All AOC Reports **must** be executed by the owner of the HTC development and submitted to the Corporation on the approved Certification forms. Documents submitted in a format other than that prescribed by the Corporation **will be** returned unprocessed. In addition, in the event said documents are returned, the owner will be responsible for any late fees (at \$100.00 per day) accrued.

14. Effective January 1, 2003, **Fundamental Compliance Monitoring** training is mandatory for owners and/or managing agents of “NEW” tax credit developments after receiving IRS Form 8609 *Low-Income Housing Credit Allocation Certification*. Generally, this mandatory training session will be administered by the Corporation AND will be required within 45 days of the Form 8609 issuance date.

15. Effective January 1, 2008, an owner of a development/building(s) receiving an allocation of HTCs will be required to submit quarterly Occupancy Reports to the Corporation for each HTC building in the development. The due dates of these reports are*:

Jan. – March	April 15
April – June	July 15
July – Sept.	October 15
October – Dec.	January 15

**The commencement date for the submission of the initial Quarterly Occupancy report is the 15th day of the month immediately following the quarter in which the first building placed in service. The requirement to submit quarterly reports continues until the later of the 100% occupancy OR the issuance of IRS form 8609 by the Corporation’s Allocation Division.*

16. The Compliance Division will report to the IRS all instances of noncompliance that are corrected within three years of the original noncompliance correction period. The Division will not review nor issue a “corrected” 8823 for instances of noncompliance corrected after such time period has elapsed.

17. Effective January 1, 2007, an owner of a tax credit development will be required to annually provide to the Corporation a *Development Financial Analysis Report*, including but not limited to the development’s income, expenses, and debt service ratio, and operating & replacement reserve expenditures and balances for the reporting period. **NOTE:** Financial information to be submitted annually on a date to be determined by the Corporation.



HOUSING TAX CREDIT (HTC) COMPLIANCE MONITORING PLAN

INTRODUCTION

The information contained in these instructions is provided by the Mississippi Home Corporation (the "Corporation") for use by owners and managers of developments in the State of Mississippi who have received an allocation of Housing Tax Credits (HTC).

This Compliance Monitoring Plan (the "Plan") is to assist owners, developers and managing agents in complying with the monitoring requirements of Section 42 of the Internal Revenue Code (the "Code", *See Regulation #1*) and the monitoring requirements of the Corporation. Additional actions or documentation concerning occupancy and rent restrictions may be required by the Code, by the Internal Revenue Service (IRS) or by the Corporation in order to satisfy reporting and low-income use requirements.

The Corporation, in an effort to fulfill its monitoring obligation under the Code, implemented a compliance monitoring program (as outlined herein) that went into effect on January 1, 1992. Under this program, the Corporation seeks to ensure that development owners and management staff follow the requirements as set forth in the Code.

Because laws governing the HTC Program are frequently amended, occasional updates, revisions and/or modifications to this Plan may be necessary.

A flowchart of the compliance monitoring process is included in *Appendix A* of this Plan.

This Plan is provided as a service to HTC participants in the State of Mississippi and should not be considered as legal advice. Questions concerning compliance issues or any items noted herein should be discussed with personal legal counsel.

This Plan is a guide for informational purposes only and in no way alters, varies, modifies, or changes any executed legal documents such as the Reservation, Commitment, Extended Use Agreement, Carryover Agreement, or the Low Income Housing Credit Allocation Certification (IRS Form 8609).

The Housing Tax Credit Program

1.1 BACKGROUND

Congress adopted the Low-Income Housing Tax Credit (“HTC”) Program as part of the Tax Reform Act of 1986 (Section 42 of the Internal Revenue Code) to encourage the construction and rehabilitation of rental housing for lower income households.

Tax credits offer direct federal income tax savings and benefits to owners of affordable rental housing developments who are willing to set-aside a minimum portion of the development’s units for households earning 60 percent or less of the gross area median income. The tax credit amount is calculated based on the cost of the development and the number of qualified low-income units. Also, the credit amount cannot exceed the amount needed to make the development financially feasible. The tax benefit to the owner is a dollar-for-dollar credit against the owners’ tax liability each year for 10 years.

HTC’s are available for one-unit developments and for developments with hundreds of units. Owners can also use HTC’s on developments undergoing new construction, substantial rehabilitation, acquisition of existing developments with moderate rehabilitation, and rehabilitation repairs. Additionally, a development financed with tax-exempt bonds may also receive an allocation of tax credits. However, the Corporation is not the issuer of the tax-exempt bond and thus will only perform the tax credit compliance review. While the rules for tax-exempt bond financed developments may overlap with the rules of the HTC program, they do not exactly match. In this instance, the owner is responsible for being aware of and in compliance with both sets of requirements.

An owner of a development that has received an allocation of HTC’s post 1990 must maintain low-income occupancy and restricted rents for a minimum period of 30 years, a 15-year compliance period and a subsequent 15 year extended use period as authorized under the terms specified in the development’s *Declaration of Land Use Restrictive Covenant Agreement*, also known as the “LURA”. For developments that received tax credits prior to 1990, low-income occupancy and restricted rents must be maintained generally for a minimum period of 15 years. There is no federal requirement mandating an extended low-income affordability period beyond the 15-year compliance period.

1.2 HTC - BASIC PROGRAM REQUIREMENTS

An owner or developer of a tax credit development can begin utilizing the housing credit once they have applied and received an allocation of credits from the Corporation provided s/he has complied with all program requirements. Tax credits are allocated by the Corporation pursuant to its Qualified Allocation Plan (QAP). The QAP sets forth the criteria for development selection including, but not limited to, preference to developments which will serve the lowest income households and offer the longest period of affordability. For additional information regarding the application process, interested parties may contact the Corporation and request a copy of the QAP.

Tax credit benefits are tied directly to the characteristics of the development, and because of this, proper management of a tax credit development throughout the compliance period and extended use period is vitally important.

Participation in the HTC program mandates adherence to the following basic requirements:

A. Low-Income Occupancy

An owner of a tax credit development must agree to make a portion, a minimum set-aside of the units in the development available for occupancy to low-income families. This portion of units, which is generally selected by the owner at the time of application and as shown on the IRS Form 8609 *The Low-Income Housing Tax Credit Allocation Certification*, establishes the minimum low-income occupancy required by the development.

According to federal regulations, in the state of Mississippi, an owner must elect and maintain one of the following minimum set-asides (i.e., test) to participate in the HTC program:

20/50 Set-Aside: 20 percent or more of the residential units in the building are both rent restricted and occupied by individuals whose gross household income is 50 percent or less of the area median gross income adjusted for family size; or

40/60 Set-Aside: 40 percent or more of the residential units in the building are both rent restricted and occupied by individuals whose gross household income is 60 percent and less of the area median gross income adjusted for family size. The area median gross income adjusted for family size; or

The percentage of units chosen by an owner to serve low-income households directly affects the amount of HTC's s/he can potentially claim. If an owner reaches and maintains the required minimum set-aside, then s/he is eligible to claim the full credit amount allocated by the Corporation throughout the development's credit period. *Once an election is made, the decision is irrevocable, and thereby cannot be changed.*

Special Building Regulations

In addition to the above noted federal minimum low-income occupancy requirements, HTC development owners must also be aware of other special building regulations that directly affects the credit claiming ability of the owner. These regulations are:

Applicable Fraction: A building's applicable fraction, or required percentage of qualified units, must be acquired and/or maintained each year upon placing a building in service.

Generally, an owner targets the building's applicable fraction at the time of application for tax credits, formally assigns it at the time of final credit allocation (the issuance of IRS Form 8609), and validates it at the close of the first year of the credit period. This validation of the applicable fraction marks the maximum applicable fraction for the building.

The maximum applicable fraction (the lessor of the targeted applicable fraction or the actual applicable fraction on the last day of the initial credit year) is highly significant because it establishes the maximum tax credit available for the building.

The applicable fraction is calculated based on the lessor of the:

1. The number of low-income units (numerator) divided by the actual number of units in the building (denominator). OR
2. The total square footage of low-income units (numerator) divided by the total square footage of the building, less any staff units, if applicable. (For more information on staff units, the inclusion or exclusion of, see Subsection entitled "Staff Units" under Special Occupancy Restrictions in this chapter.

Note:

When determining which units to include as low-income in the numerator and which to include in the denominator, be sure NOT to include EMPTY units (i.e., units never occupied) in the numerator. Since these units have never been occupied, they should only be counted in the denominator. Include in the numerator any units reported as "Vacant" at the end of the first year IF these units were occupied for at least 30 days AND were previously occupied by a qualified household.

First Year Credit Percentage: In order to determine the first year credit percentage (i.e., amount of credits allowed), an owner must use a modified percentage to reflect the average portion of units in a building that were occupied by low-income households. To calculate the modified percentage as of the end of each FULL MONTH of a building's in service year, add each monthly percentage together and divide by 12.

Example:

BIN #1	MONTH	OCCUPIED	TOTAL UNITS	OCCUPIED BY TOTAL	MONTHLY APPLICABLE FRACTION
	JAN.	1	10	1/10	10.00%
	FEB.	3	10	3/10	30.00%
	MARCH	3	10	3/10	30.00%
	APRIL	4	10	4/10	40.00%
	MAY	5	10	5/10	50.00%
	JUNE	7	10	7/10	70.00%
	JULY	7	10	7/10	70.00%
	AUGUST	7	10	7/10	70.00%
	SEPT.	8	10	8/10	80.00%
	OCT.	9	10	9/10	90.00%
	NOV.	10	10	10/10	100.00%
	DEC.	10	10	10/10	100.00%
TOTAL of Monthly Applicable Fraction					740
TOTAL Divided by 12					61.67%

NOTE: The tax credit amount allowed on this building for the first year would be 61.67% based on the lease-up schedule.

Special Occupancy Restrictions

HTC development owners must also be aware of other special occupancy restrictions that may affect the operations of the development. These restrictions are:

Small Owner-Occupied Rental Buildings:

An existing building, with four rental units or less and with one additional unit occupied by the owner or a related person, can qualify for tax credits if it is rehabilitated under a development plan sponsored by a qualified nonprofit organization or by a state or local government agency. Not more than 80 percent of the building can be eligible for tax credits.

Units that are vacant and not rented out for a period of 90 days or more are considered to be owner-occupied and are not eligible for tax credits. Additionally, a building with four rental

units or less, and one unit occupied by an owner or a related person, is not eligible for tax credits.

Students:

A household comprised entirely of full-time students generally disqualifies the unit for tax credit purposes. A full-time student is defined by the Code (Section 151(c)(4)) as an individual, who during each of 5 calendar months during the calendar year in which the taxable year of the taxpayer begins, is a full-time student at an educational organization, that is one that normally maintains a regular faculty and curriculum, and normally has an enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on. The term “educational organization” includes elementary schools, junior and senior high schools, colleges, universities, and technical, trade and mechanical schools. It does not include on-the – job training. The only noted exemptions to this rule are students in pre-school and correspondence school.

A full-time student household can occupy a tax credit unit if *at least* one of the following four exceptions exists:*

- If the tenant(s) is(are) married and file a joint Federal Tax Return;
- If all tenants are receiving Title IV of the Social Security Act - Temporary Assistance to Needy Families (TANF);
- If the household consists of a single parent(s) with children who are a dependent of at least one of the parents, either the mother or the father, whether or not the absent parent will reside in the unit;d;
- If students enrolled in a job training program under the Job Training Partnership Act (JTPA) or a similar federal, state, or local program.

**Written documentation supporting the qualifying exception must be included in the tenant file of all full-time student households.*

Non-transient Use (Initial Lease Term):

HTC units must be rented or made available for rent on a non-transient basis. Generally, a unit is considered occupied on a non-transient basis if the initial lease term under the HTC program is for six (6) months or longer. The only exception to this rule is for Single-Room Occupancy (SRO) housing which may be rented on a month-to-month basis. A lease can be renewed on a month-to-month basis, but only after an initial lease term of a full six (6) months has expired.

Elderly Housing:

The Fair Housing Act exempts certain types of elderly housing developments from the law of discrimination against families with children. The exemption applies to the “62 or over housing” and to the “55 or over housing,” each of which must meet particular standards. The “55 or over” elderly housing requires ~~that~~ **at least** 80 percent of the units in a development have one resident who is at least 55 years of age.* The “62 and older” elderly housing requires that all residents in the unit be at least 62 years of age.

Developments that set-aside 100% of its units for the elderly population age fifty-five (55) or older, or developments that set-aside 100% of its units for elderly persons that meet the requirements as defined by Rural Housing Service (RHS) or the Department of Housing and Urban Development (HUD) for elderly housing and accessibility for handicapped persons, must adhere to the following requirements:

- At least 100% of the units must be occupied by an elderly household, age fifty-five (55) years old or older, or by persons meeting RHS or HUD definitions.
- The development must establish policies and procedures which demonstrate intent to provide housing to the fifty-five (55) or older age group, or for persons meeting the RHS or HUD definitions.
- The development must normally have significant facilities and services specifically designed to meet the physical or social needs of older persons or for persons meeting RHS or HUD definitions.

Note (1):

RHS and HUD's definition of "Elderly" is where the tenant or co-tenant is 62 or older or handicapped/disabled so long as they are members of the elderly household.

*Note (2):

In a "55 and older" elderly development whereby tax credits were awarded under the point selection criteria for elderly housing, *at least* one resident must be age 55 (or older) in 100% of the units.

Assisted Living Facilities

Assisted living facilities are facilities designed to help individuals who are unable to live safely on their own by providing assistance with activities of daily living such as bathing, dressing, laundry, housekeeping, meals, and assistance with medication. Assisted living facilities are not an alternative to skilled nursing facilities (i.e., hospitals, nursing homes, sanitariums, life care facilities, intermediate care facilities, etc.) but rather provide a level of long term care suitable for many seniors and people with disabilities.

Section 42 of the Internal Revenue Code (IRC) allows tax credits on assisted living facilities if the facility is a "residential rental property" available to the general public. Likewise, an assisted living facility may qualify for tax credits if non-housing related services are offered to residents AND the amount of skilled nursing, medical or psychiatric care is limited.

In the state of Mississippi, in order to qualify as a tax credit eligible assisted living development, the development must adhere/provide/offer the following:

- Non-transient housing;
- Restricted income and rent;
- Basic Services Package which is typically offered for a fixed monthly fee;
- Optional Service Package whereby the resident(s) is (are) allowed to choose to receive certain services (i.e., assistance with bathing, dressing, grooming, ambulation, eating, laundry, housekeeping, physical therapy, visiting the barber or stylist, shopping, and self-administered medication (including opening packaging, reading labels and checking dosages))*;
- Tenant Selection process/criteria that ensure that residents are healthy enough to live independently, yet requires minimal assistance with activities of daily living, nursing, medical or psychiatric services; and
- Individual sleeping quarter(s)/unit(s) have a lockable door that is (are) separate and distinct from the other units in the unit/facility

***Note:**

For a service to be considered optional, a resident(s) must be allowed to take occupancy under the Basic Care Package ONLY whereby rejecting the Optional Service Package provided by the agency. In doing so, the resident(s) can be required to prove said services are/will be provided by an alternative service provider. Forced participation in an agency-provided Optional Service Package makes the package non-optional as a condition of occupancy thus making the cost of the service "rent".

Staff Units:

Tax credit regulations allow certain units in a tax credit development to be designated as staff units. A staff unit(s) designation is a unit that has been set-aside (usually in the development's original tax credit application) for occupancy by a full-time resident manager, maintenance person, and/or security officer.* A staff unit(s) is (are) not considered a residential rental unit(s) available for the general public. As a result, a staff unit(s) is considered an approved common area/unit that is not subject to the income eligibility requirement of Section 42 of the IRC.

A residential rental unit (i.e., a unit that was NOT identified as a staff unit in the development's original tax credit application) MUST meet (qualify) tax credit eligibility requirements in order for the unit to be eligible for the tax credit (**See Regulation #2**). Under special circumstances (and at the sole discretion of the Corporation), a residential rental unit may be converted to a staff unit(s) after submission of the original tax credit application. In this instance, the development owner must submit a written request (and any additional documentation) to the Corporation outlining the reason for the request that would assist the Corporation in making a decision (**See Appendix N for staff unit request procedures**).

Note:

The Corporation requires prior notification and approval of any changes in the designation of common area (i.e., low-income units).

**Full-time is defined as whatever is reasonably required at the development.*

Evictions:

Pursuant to Revenue Ruling 2004-82 (*see Regulation #2*), during the compliance and extended use periods, an owner may only evict residents occupying qualifying tax credit units for good cause. Generally, good cause means (1) serious or repeated violation of material terms of the lease as that phrase is applied with respect to federal public housing at 24 CFR Section 966.4(1) (2); OR (2) the failure or refusal to vacate the premises when there is a defective condition or damage that is so substantial that it is economically infeasible to remedy the defect with tenant in possession. Non-renewal of a lease by the owner without “good cause” is also prohibited. (See Chapter 7 for more information on “Good Cause” Evictions.)

B. Restricted Rents

An owner of a tax credit development must agree to keep the rents of tax credit units affordable to low-income tenants. The maximum rents allowable under the HTC program are established for qualified low-income units based on the area median income, the development’s minimum set-aside election, utility allowance and any mandatory charges, if applicable.

C. Compliance Period

Once an allocation of tax credits has been made and the development has been placed in service (PIS), an owner must comply with the program’s minimum affordability requirements of 15 years. Additionally, an owner receiving his/her tax credit allocation in 1990 or subsequent years must execute an Extended Use Agreement for the development that establishes, at a minimum, an additional 15 year affordability period. For developments receiving a tax credit allocation between 1987 and 1989, no additional extended use period exist.

D. Resale Requirements

According to IRS regulations, an owner of a tax credit development may only sell his/her development to a qualified buyer that agrees to maintain the low-income occupancy requirements of the development. Owners of earlier developments (pre-1990) that have a low-income occupancy period of only 15 years may sell the development to any buyer once they’ve fulfilled their initial compliance period.

1.3 KEY PROGRAM DOCUMENTS

Section 42 of the IRC and the State of Mississippi’s QAP are two key documents needed by program participants in order to meet and understand the requirements of the HTC program. Section 42 of the IRC outlines the rules and regulations of the HTC program, as well as an owner’s reporting

requirements. The QAP outlines state underwriting guidelines, point selection criteria and any additional requirements of the state.

Other documents designed to assist owners with understanding and complying with the requirements of the HTC program are:

- Internal Revenue Service Notices and Rulings;
- Extended Use Agreement; and
- Mississippi Home Corporation Housing Tax Credit Compliance Monitoring Plan.

A. IRS Revenue Notices and Rulings

Periodically, the IRS publishes notices and revenue rulings that specify additional requirements under the HTC program. Owners should be familiar with all notices and rulings that relate to the operation of their tax credit development. The Corporation will make reasonable attempts to keep owners abreast of all new notices received from the IRS as they are published. However, it is ultimately the responsibility of the owner to keep informed of up-to-date tax credit requirements by obtaining current IRS regulations, notices, and revenue rulings.

B. Extended Use Agreement

An Extended Use Agreement is defined as a deed restriction that owners of tax credit developments (which received a 1990 or subsequent allocation) must sign and record in the local land records office no later than the date the development is PIS for tax credit purposes. This agreement, also known as the Declaration of Land Use Restrictive Covenant (LURA), is designed to establish occupancy and affordability requirements for the development, as well as outline additional agreements made between the owner and the Corporation. In signing the LURA, the owner agrees to the restrictions on the use of the development as set forth in the document.

The LURA is a recorded restriction on the deed for the development and its conditions remain in effect regardless of whether the document is formally re-executed at the time of resale.

C. Mississippi HTC Compliance Monitoring Plan

This Compliance Monitoring Plan has been designed to help owners of tax credit developments in the State of Mississippi meet their obligations that are outlined in the provisions of Section 42 of the IRC and of their extended use agreements. This Plan focuses on the responsibilities of owners once they are required to begin leasing tax credit units to low-income families.

The term “compliance,” as used in this Plan, refers to the obligations and responsibilities of the development owners, which are:

- to comply with minimum occupancy requirements;
- to evaluate tenant income and assets and determine eligibility upon initial move-in and on an annual basis thereafter;
- to charge no more than the maximum allowable rent for low-income units;

- to follow proper procedures in processing tenants with over-income and vacant units;
- to maintain the development in a low-income occupancy status, subject to the applicable rent and income restrictions and for the applicable required period of time;
- to maintain the development in habitable conditions: safe, decent and affordable;
- to dispose of the development and/or terminate the low-income requirements in a manner consistent with the applicable agreement and law;
- to comply and cooperate with the Corporation and the IRS with the record keeping requirements and submitting annual certifications;
- to pay all applicable fees in a timely manner.

This Plan is intended to serve only as a reference guide for owners of tax credit developments located in the State of Mississippi. It does not attempt to describe the day-to-day operating procedures for managing tax credit developments. It is suggested that development owners develop internal procedures that will help fulfill their responsibilities under the tax credit program and train their staff to properly implement these procedures.

Additional copies of this Plan can be requested from the Corporation at a minimal charge.

1.4 PRINCIPAL PLAYERS & RESPONSIBILITIES

A. Owners and Development Managers

Once a development has been placed in service (PIS) for tax credit purposes, tax credit development owners are required, at a minimum, to comply with the following responsibilities:

- Maintain occupancy and rent requirements specified in the developments' extended use agreements (i.e., minimum set-aside elected);
- Report to the Corporation as required;
- Certify compliance on an annual basis;
- Maintain safe, decent and affordable housing units;
- Inform on-site personnel of program requirements;
- Cooperate with the Corporation during on-site/desk audit compliance monitoring review(s);
- Take required corrective actions when development is out of compliance;
- Keep up-to-date with tax credit program changes and revenue rulings; and
- Pay all applicable fees in a timely manner.

B. Residents

Any resident(s) occupying qualifying units on a tax credit development is required to provide information and documentation needed about each household member's income, assets, and student status to accurately determine eligibility.

C. The Corporation

Once an owner has been issued IRS Form 8609 *Low-Income Housing Credit Allocation Certification* (**See Appendix B**), the Corporation will:

- Provide guidance and assistance to owners and managers on program requirements;
- Monitor developments for program compliance;
- Report all compliance violations to the IRS (whether corrected or not);
- Monitor and enforce corrective action in instances of a noncompliance; and
- Collect applicable fees.

D. Internal Revenue Service

The Internal Revenue Service (IRS) performs the following activities:

- Provides the Corporation with guidance of tax credit requirements;
- Processes owners' tax returns and accompanying documentation claiming tax credits for a development; and
- Recapture tax credits from owners who do not properly maintain the applicable low-income occupancy requirements for their development.

1.5 ORGANIZATION OF THIS PLAN

This Compliance Monitoring Plan contains seven chapters. Each chapter is divided into several sections, using its chapter numbers as a prefix (e.g., this is Section 1.5).

Chapter 1: ***The Housing Tax Credit ("HTC") Program*** outlines the basic requirements pertaining to occupancy and key program documents used in understanding the program, the principal players and their responsibilities.

Chapter 2: ***Determining Tenant Eligibility*** discusses the process of determining the eligibility of low-income households, including occupancy set-aside requirements, special occupancy restrictions, the determination of household size, as well as the initial eligibility and recertification process.

Chapter 3: ***Income Restrictions*** discusses the process of determining the income eligibility of low-income households, including a discussion of gross annual income inclusions and exclusions, developments using other funding sources, calculating income using the HUD income schedule, tax credit verification requirements, documenting income from assets, tax credit income limits and restrictions, and recertifying tenants.

Chapter 4: ***Gross Rent and Rent Restrictions*** discusses the process of determining the maximum rent requirements for low income households, including gross rent defined; rent restrictions; utility allowances; rent calculation Post-1990 developments; rent calculation Pre-1990 Developments; Rent Election - Pre-1990 developments, IRS 94-9; Gross Rent Floor, IRS 94-57; Rents for Over Income Tenants at Recertification and treatment of vacant units.

Chapter 5: ***Compliance Procedures*** discusses the tax credit compliance requirements for low income developments, including the placed-in-service date, the tax credit compliance period; development records; compliance requirements; development inspections; noncompliance; transferring ownership or selling tax credit developments; compliance monitoring cost; legal and professional costs; liability; and technical assistance.

Chapter 6: ***Fair Housing*** discusses the Fair Housing Act of 1968, new Fair Housing accessibility guidelines, Laws and Codes that mandate accessibility, as well as information on the Fair Housing Enforcement Agency.

Chapter 7: Post ***Year 15 Compliance Monitoring Procedures*** discusses both the role of the federal government and the Corporation beyond the initial 15-year compliance period. It also provides a detailed discussion of the procedures the Corporation and the owner should follow should s/he choose to dispose of the development in its 14th year of operation.

Finally, this Plan includes a set of Regulations and Appendices which contains a glossary of terms (***See Appendix B***), program documents, sample verification forms, as well as additional information that may be helpful to owners and managers of a tax credit development.

DETERMINING TENANT ELIGIBILITY

2.1 OVERVIEW

The primary requirements of participants involved in the HTC program is to comply with the maximum income and rent level restrictions throughout the development's compliance monitoring period when leasing units to qualifying households. In order to do this, an owner must understand how to properly qualify families for tax credit purposes.

This chapter will provide guidance on how to properly qualify a household for occupancy of a tax credit unit. This includes determining which occupants of a household are considered members, how to qualify a full-time student household, calculate income and assets, as well as how to maintain a household's continued eligibility at the time of recertification.

2.2 THE INITIAL ELIGIBILITY PROCESS

To determine whether a household is eligible under the tax credit program, an owner must gather and verify some basic information regarding the household's size and composition, gross annual income and assets, as well as full-time student status.* Each prospective family should be advised early in their initial visit to the development that the development receives tax credits and certain income restrictions apply. In addition, it should be explained to prospective families that the program is based on anticipated income, and, as a result, the income and assets of all persons expected to occupy the unit and/or considered as part of the household must be verified and later certified (using a Tenant Income Certification (TIC) form) prior to occupancy and thereafter on an annual basis.

Initially, obtaining a qualified household can be accomplished by consistently acquiring the following information:

- The name, sex, birth date, and relationship of each person who will occupy the unit (legal name should be given just as it will appear on the Lease and TIC Form) or is/will be considered apart of the household during the next 12-months.
- An employment history (consisting of the name of the company, supervisor, address, telephone number, and salary) of each adult household member expected to occupy the unit or is/will be considered apart of the household during the next 12-months. If an individual is unemployed, the unemployment status must be stated on the application and an affidavit of non-employment form must be acquired from said individual at each certification as long as the person remains unemployed. **NOTE:** Date of termination is required on any changes in employment status from the time of initial application for residency and /or recertification questionnaire to the time of most recent certification.
- All sources and amounts of current and anticipated annual income expected during the next twelve months, including the current and/or estimated value of assets.
- Full-time student status of each household member expected to occupy the unit or is/will be considered apart of the household during the next 12-months. *Note: a full-time student household must meet one of the four IRS exceptions as noted in Chapter 1 of this Plan.*
- The signature of the applicant and the date the application was completed. It may be necessary to explain to the applicant that all information is considered sensitive and will be handled accordingly.

Waiting Lists:

If more applications for tax credit units are received than units available, a waiting list must be maintained. All rental applications must be dated and time stamped to ensure proper placement on the waiting list. Consistency and fairness is essential when administering and maintaining the waiting list. (See Appendix D for a sample Rental Application).

All documents obtained through the application process must be retained for future reference by the Corporation. The documentation requirement commences upon receipt of the initial rental application.

Note: (1)

A Tenant Release and Consent Form which authorizes an owner to verify the information provided by the tenant(s) must be acquired from each adult household member age 18 and older at the time the application is completed and on an annual basis thereafter. A sample Tenant Release and Consent Form is included in "Appendix D" of this Plan. The use of a particular Tenant Release and Consent Form is optional, yet a form of some sort is required when attempting to verify household income and asset information. Tenant Release and Consent form should be no more than 12 months in duration.

***Note: (2)**

A complete list of required forms necessary to document compliance with the eligibility requirements can be found in Section 5.4 or Appendix D of this Plan.

Full-time Student Status

Before making a determination that a household is eligible to reside in a tax credit unit, an owner must ascertain whether the prospective family is comprised entirely of full-time students. If the household is NOT comprised entirely of full-time students, then the owner should proceed to determine if the household is income eligible. If the household **IS** comprised entirely of full-time students, then the owner must determine if the full-time student household is eligible under tax credit student eligibility guidelines (**See Chapter 1**). The best way to initially make this determination is to ask the household a series of questions pertaining to the overall student status. Some good questions to ask are:

- Do all occupants of the household meet the full-time student definition as noted by the IRS?
- Does the applicable educational institution deem the occupant a full-time student? and
- Has/will all occupants attend school at least 5 months out of the 12-month calendar?

If the answer to any of the questions is “no,” then the household is not considered a full-time student household, and support documentation from the educational institution is NOT needed (unless a household member(s) other than the head, co-head or the spouse is eligible for the maximum \$480 full-time student’s earned income calculation). On the other hand, if the answer to EACH question above is “yes,” then the household should be noted as a full-time student household and a determination of the IRS’ exception qualifying the household to live on the development must be identified, along with written documentation supporting the qualifying exception. (See Chapter 1, Section 1.2)

Inquiry regarding a household’s full-time student status must be documented annually in the tenant file of each qualifying household.

Note:

The TIC form created by the Corporation is “inclusive” of the above student eligibility requirements and is considered an acceptable “inquiry” regarding student eligibility. When applicable, full-time student documentation from the institution is also needed to support student status. For further information on student eligibility, refer to Section 42 (i) (3) (D) of the IRC.

B. The Income Support Documentation - Verification

Income support documentation must be acquired verifying the ANTICIPATED income and eligibility of a qualifying household. In doing so, all income support documentation must be completed on a

verification form approved by the Corporation and in accordance with the income verification guidelines as stated in Section 3.3 of this Plan.

For a list of mandatory forms, refer to Appendix D of this Plan.

C. The Approval Process

Once income support documentation has been acquired for all income listed on the rental application and/or disclosed verbally by the prospective family, an owner must then begin the approval process. The approval process consists of ascertaining information regarding a prospective family's household size, full-time student status, and gross annual income.

When approving a household(s) for a tax credit unit, special care should be given to the following:

Household Size

The actual household size of a prospective family is highly essential in determining eligibility because the size of a household determines the maximum allowable income the household can make in order for the household to be considered an eligible for occupancy under the tax credit program. If the gross income of a household (based on the verified household size) exceeds the maximum allowed under tax credit rules and regulations, then the household is not eligible to reside in a tax credit unit. Therefore, in order to ascertain the appropriate qualifying income limit, an owner must know the actual household size of a prospective family.

Generally, identifying the actual household size of a prospective family relies heavily on what constitutes a household and who does or does not count as a household member.

What Constitutes a Household?

Any group of persons living together, other than ineligible full-time students, can constitute a household. The total gross income for all members of a household (with the exception of those persons listed in Section 3.2A of this Plan) should be combined for purposes of determining the required income limits.

Who counts as a Household Member?

A household or family includes the applicant, co-applicant, and all other persons who will make the dwelling their primary residence for all or part of the next 12 months. Also inclusive are temporarily absent family members (e.g., students away at school, an unborn child, Armed Forces or temporary duty) or children under joint custody that live at least 50 percent of the time with this household and can be documented through third-party written documentation (i.e., guardianship or custody papers, etc.).

Who does NOT count as a household member?

Verified live-in aides, nurses or attendants; absent children (less than 18 years of age) who will be in the unit less than 50% of the time; verified foster children or foster adults and permanently absent family members do not count as household members.

Note:

When applicable, the name and relationship of verified live-in aides and foster children and/or foster adults must be listed on the TIC form as such with support documentation in the file.

Gross Household Income

Once a determination has been made as to the individual(s) expected to occupy the unit or is/will be considered apart of the household during the next twelve months, the next step is to determine the household's annual income. Using the income verifications acquired from all sources on income (including both actual and anticipated), an owner must calculate the total gross household income in accordance with the income determination/calculation guidelines discussed in Chapter 3 of this Plan. This amount must be compared to the applicable income limit for the household. If the verified total gross household income is at or below the current income limit for the unit or household, then the household is considered income eligible and must certify to the validity and accuracy of the information on the TIC form before occupancy can be granted.

Maximum Allowable Rent

Once a household has been determined income and student eligible, a determination of the maximum allowable rent (MAR) for the unit must be obtained and calculated in accordance with the rental determination procedures discussed in Chapter 4 of this Plan.

D. The Tenant Income Certification (TIC)

One of the most important steps required in documenting a household's eligibility is to certify the accuracy of the information provided. As a result, Section 42 of the IRC requires an owner to acquire a properly completed TIC form at the time of initial move-in (initial tax credit eligibility date for acquisition/rehabilitation developments) and thereafter on an annual basis for each qualifying household. The TIC form must be executed by each household member age 18 and older AND the owner or a representative of the management company no earlier than five (5) days before the move-in/initial tax credit eligibility date. The effective date of the TIC should, in most cases, coincide with the move-in/initial eligibility date of the household.

Effective February 15, 2001 (January 1, 2003 for RHS 515 developments), the Corporation's TIC form is mandatory when completing a household income eligibility documentation.

Note:

Eligibility certifications are generally tracked on an annual basis from the household's original tax credit move-in date (initial tax credit eligibility date for acquisition/rehabilitation developments) of the unit OR the twelve-month anniversary date of the most recent 2002 TIC form on file (for RHS financed developments only).

E. The Lease

According the rules and regulations governing the HTC program, an initial lease agreement with a period of at least six (6) months must be acquired from all tax credit eligible households.

The Corporation considers a lease to be valid if it is properly completed, contains all the necessary signatures, has a term effective from the date of move-in and/or the tax credit initial eligibility date AND at least six (6) months in length.*

In addition to the above, the Corporation strongly encourages lease agreements that cover the following provisions:

- Residents who intentionally misstate household size or income or otherwise attempt to mislead the owner as to the resident's eligibility will be evicted;
- Failure to provide the required certifications, sources of income, and permission to verify income are grounds for eviction;
- Any changes in the household composition within the first six (6) months of occupancy must be reported to the owner; *(Refer to Section 2.3(A) of this Plan for the Corporation's policy on additional household members)*
- The owner and/or owner's representative, a representative of the Corporation, and a representative of the IRS reserve the right to enter the unit to inspect the physical conditions of such unit.

*Note:

Lease agreements/ lease addendum for an Acquisition/Rehabilitation and/or Rehabilitated only development must be for a term of at least six (6) months and commencing on the effective date of the initial certification for the HTC program.

2.3 INTERIM CERTIFICATIONS

The guidelines for the HTC program do not require qualifying households to report interim changes to the development owner after the initial certification and/or annual recertification has been completed.

However, often times, interim certifications may be required to maintain compliance under other affordable housing programs OR to verify ongoing compliance upon notification of a change in household composition. Interim certifications completed to comply with other program requirements are NOT a requirement of the Corporation and are thus not subject to agency review. However, if during an interim certification, it is found that there is/has been a change in household composition whereby resulting in the vacancy of ALL initial occupants or the addition of an adult household member (age 18 and older) within the first six-months of occupancy, a NEW certification may be required. (See Section 2.3 (A) and (B) of this section from specifics on how to process such changes).

Note (1):

Through the household's lease agreement, an owner, at his/her discretion, may impose an interim certification requirement on a household in order to meet the requirement of other affordable housing programs. *Please note, however, that if an interim certification is implemented at a development, that the effective date of the tax credit TIC form should NOT be effected/changed unless the interim certification is the scheduled annual recertification.*

Note (2):

Although an interim certification is not required in the tax credit program, any change in the monthly gross rent amount of a household must be reflected in the resident file. Notation of a rental change may be made to the applicable TIC form as an "adjustment". A new certification is not needed simply to document a revised rental amount.

A. Change in Household Composition – Additional Residents

If an additional adult(s) (age 18 and older) (future occupants such a husband, wife, etc.) desires to move into the unit of an existing, previously "qualified" household *within the first six months of initial occupancy*, then the income of the new person(s) must be added to the income of the existing household to determine if the household remains initially income eligible. Likewise, an assessment of the household's income must be re-examined (including the income of the additional household member) in order to ensure the additional person will not income disqualify the household. If s/he does, the new tenant may NOT move-in the unit without the unit disqualifying as an eligible tax credit unit.

After the first six months of occupancy, a household may continue to add members as long as at least one member of the ORIGINAL household composition continues to reside in the unit. Once all original occupants vacate the unit, the remaining household member(s) must be certified in accordance with tax credit guidelines and section B below.

Note:

When household changes are made within the first six (6) months of occupancy resulting in the addition of an adult household member,, the maximum income for the household is determined based on the income limit in effect at the time of initial move-in of the “existing” household.

B. Change in Household Composition – Vacancy of ORIGINAL Residents

In the event ALL ORIGINAL resident(s) (i.e., a resident that took possession of the unit at the time the unit was initially qualified for tax credit purposes) vacate a unit thereby leaving the unit to be occupied by another occupant (whether it’s a friend and/or family member), the remaining resident(s) must be IMMEDIATELY initially certified for the unit. If the anticipated total gross household income of the remaining person(s) exceeds the current applicable income limits, then the unit is not considered a qualifying tax credit unit. If the anticipated gross household income of the remaining person(s) does NOT exceed the current applicable income limit for the household size, then the unit must be certified as a new move-in thereby completing all the necessary paperwork required of an initial occupant.

C. Change in Household Composition – Reduction of Residents

If an adult(s) (age 18 and older) household member of an existing, previously “qualified” household vacates a household *within the first six months of initial occupancy*, then the income of the new remaining household member must be assessed to determine if the household remains initially income eligible. If the household’s income exceeds the income limit, the household is no longer considered an eligible tax credit unit. Certain exceptions to this rule may apply. For specifics exceptions contact the Corporation.

After the first six months of occupancy, a decrease in household size does not generally trigger an immediate assessment/certification of the remaining household member’s income. The household will generally continue to qualify as a tax credit eligible household/unit unless the remaining household’s income is more than 140 percent of the income limit at the time of the annual income recertification, at which then the Next Available Unit Rule (NAUR) becomes applicable OR if is found the household manipulated the income limits for personal gain.

2.4 RECERTIFICATION PROCESS

According to Section 42 of the IRC, an owner of a tax credit development must ensure that each resident of a qualified HTC unit have their total household income re-examined annually in order to document continuous program eligibility.* This re-examination is commonly referred to as a “recertification.” In recertifying a household, an owner must have the previously qualified household update and verify all sources of income utilizing an updated rental application or recertification questionnaire, document full-time student status and complete a new TIC form.

A. Recertification Timeframe

The time frame in which recertifications are required to be completed is no later than the anniversary date of a qualifying resident's initial occupancy/eligibility date or no later than the twelve-month anniversary date of the most recent 2002 TIC form on file for RHS financed developments whereby an re-examination of a households continued eligibility does not exceed 12 months. Because the process of acquiring recertification eligibility information (i.e., verification of income, assets, student status) is frequently a time consuming process and because income support documentation is not returned in a prompt manner, it is highly recommended that an owner initiate the recertification process 90-120 days prior to the expiration date of the existing TIC. An owner's failure to recertify a household within the appropriate timeframe is considered a noncompliance event and will be reported to the IRS.

**See Section 2.5 of this Plan for information regarding the Recertification Waiver.*

B. Recertification Procedures

The procedures for recertifying an existing, previously qualified household is virtually the same as determining initial eligibility – perform a compliance check on the household's size, income, assets, and student status. In gathering this information, an owner should have the previously qualified household complete a recertification questionnaire. A properly completed recertification questionnaire is critical in making an accurate determination of on-going eligibility. The information furnished on the recertification questionnaire should be used to determine current and anticipated household size, income, assets, and full-time student status.

At recertification, income support documentation must again be acquired verifying a tenant/household's income and eligibility. The total gross household income should be compared to the latest available income limits based on the re-verified household size. If the total "verified" household income is at or below 140% of the latest available income limits applicable for the development, then the eligibility status of the household remains unchanged. However, if the total "verified" household income is above 140% of the latest available income limits applicable for the development, the household is considered "over-income" and the ongoing eligibility of the household must be maintained and monitored in accordance with the Available Unit Rule (AUR).

The Available Unit Rule (AUR)

The AUR states that if at recertification the household's anticipated annual income exceeds the 140% limit, then the household is still eligible for residency, but the next comparable or smaller vacant unit(s) in the building must be rented to a qualified low-income household(s) for the development to remain in compliance. The AUR further states that subsequent vacant unit(s) of comparable or smaller size in the building must be leased to eligible households until the low-income unit is no longer needed to maintain a building's low-income occupancy requirements. If a comparable vacant unit is not rented to a qualified low-income household, the development owner would be leasing an unrestricted unit and thereby, the previous tax credit unit designation no longer applies for that building (***See Regulation #4***).

Unit Vacancy Rule (UVR)

According to Section 1.42-5 of Title 26 CFR Treasury Department Regulation, "if a low-income unit in the development became vacant during the year, that reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying

income before any unit in the development were or will be rented to tenants not having a qualifying income.” Therefore, in complying with this rule, an owner must, when leasing previously occupied tax credit units, rent the vacated unit or any other unit of “comparable or smaller size” that may come available to income qualified residents.

In addition to examining annual household income at recertification, an owner must also re-examine the full-time student status of the household.

Full-time Student Status

The full-time student status of ALL qualifying units must be examined annually for on-going eligibility. According to the IRC, if the student status of a household member(s) changes whereby all occupants are full-time students, then the household must meet *at least* one of the student eligibility exceptions even though they were eligible at the time of original occupancy. If the household does not meet one of the four IRS exceptions (see Chapter 1, Section 1.2 of this Plan), then it is not considered an eligible household and the unit is no longer considered a tax credit eligible unit. The AUR does not apply to a full-time student household (See *Section 42(i) (3) (D) of the Internal Revenue Code for additional information*).

Note:

<i>Household size and composition at recertification is just as significant as at the time of initial occupancy. Adjustments in rental rates may be required.</i>

2.5 ANNUAL RECERTIFICATION WAIVER

On October 11, 1994, the Internal Revenue Service (IRS) granted relief to many responsible for annually recertifying the income of households when it released Revenue Procedure 94-64 informing owners (of 100 percent low income developments) of an annual recertification waiver. This waiver was provided as part of the Revenue Reconciliation Act of 1993 and permits an owner of a building occupied entirely by low income tenants to request the IRS to waive the requirement that s/he annually re-verify a household’s income with a third party verification each year after the initial year.

The IRS, effective July 6, 2004, issued Revenue Procedure 2004-38 (***See Regulation #5***) whereby it amended the requirements of the recertification waiver. Under Revenue Procedure 2004-38, development owners receiving a Recertification Waiver no longer have to provide and/or maintain the TIC form nor income support documentation (excluding acquiring full-time student documentation) for low-income tenants who have previously had their annual income verified, documented, and certified. Developments operating under an IRS-approved Recertification Waiver will only have to acquire documentation of a household’s full-time student status on an annual basis.

A. Eligibility Requirements

In order to apply for a recertification waiver, the development must be:

- A 100% percent HTC development AND not a participant in another affordable housing program such as Project-based Section 8 or Rural Housing Service;
- PIS and operating for at least three (3) years AFTER the development received an allocation of housing tax credits;
- Have submitted to the Corporation at least three (3) Annual Owner Certification Reports during the compliance period;
- Has received at least one (1) on-site monitoring or desk audit review by the Corporation;
- Has an overall favorable compliance status with the Corporation; and
- Has received a Statement of Compliance from MHC documenting compliance.

B. Obtaining a Recertification Waiver

Owners wishing to apply for the re-certification waiver must adhere to the following:

- Submit a request for a *Development Eligibility Letter* to the Corporation granting approval to proceed with acquiring Compliance Certification;*
- The Corporation or an approved contractor performs a 100 percent file review on the development's records AND issue a written *Compliance Certification* that ALL households in the development have been properly income qualified;
- Submit a copy of the *Compliance Certification* to the Corporation for review along with IRS Form 8877 *Request for Waiver of Annual Income Recertification Requirement for the Low-Income Housing Credit*. Note: The owner must complete all applicable sections of IRS form 8877 BEFORE the Corporation can complete its Attestation and Exemption Statement;
- Upon seeking IRS approval, submit to the Corporation a copy of the OFFICIAL IRS notification granting approval of the Recertification Waiver;
- Receive Official acknowledgment of the IRS Relief Waiver from the Corporation.

**A development must have an overall favorable compliance status as of the date the request is made to the Corporation in order to proceed to the next step.*

C. HTC Compliance AFTER the Waiver

Although complying with the requirements of the HTC program once a recertification waiver has been received will be different (no longer have to provide and/or maintain MOST recertification documents (i.e., TIC, income support documentation, etc.)), it does NOT however completely relieve an owner of a HTC development of all of his/her record keeping obligations. Thus, an owner receiving a recertification waiver from the IRS is still responsible for reporting to the Corporation, on an annual basis, the eligibility information of all newly occupied units. As a result, the AOC Report will only list the compliance activity of vacancies and new occupants.

Note:

Because tax credit regulations can be violated if certain recertification issues are improperly handled (i.e., the 140% Rule under which a tenant's income can increase up to the applicable income limit without becoming income-disqualified, the full-time student rule and changes in household status), caution should be taken when adhering to the rules of the waiver.

For more information on how other program requirements may affect ongoing compliance, refer to Chapter 2, Section 2.4B of this Plan.

**The IRS is the entity designated with making the final determination of issuing a re-certification waiver AND the Corporation must agree to the waiver request. (See Appendix J for additional information)*

2.6 UNIT TRANSFERS

During the duration of a household's occupancy in a tax credit unit, circumstances (i.e., household composition changes, reasonable accommodation and/or personal desire) may warrant a household to relocate from one unit to another unit. This relocation is commonly referred to as 'unit transfer.' Under the HTC credit program, a unit transfer only occurs when a household relocates to a unit within the "same" building – an "Intra-building Transfer". Relocations, whereby a household moves from a unit in one building to a unit in another building, according to Section 42 of the Internal Revenue Code (IRC), is known as a "move-out/move-in," or building-to-building transfer, not a unit transfer.

Thus, when processing a unit transfer/relocation, it is essential to know the exact location of the request (intra-building or building-to-building) BEFORE granting the household permission to move.

A. Building - to - Building Transfers/Relocations

According to Section 42 of the IRC, a unit transfer from one building to another building is known as a "move-out/move-in" thus making it a requirement that all households (whether previously qualified or not) again qualify for the requested unit if the desired unit is in another building in the development. Thus, all required paperwork (i.e., initial certification, income support documentation, lease, etc.) pertaining to that of a new move-in must be acquired with handling a relocation of such.

NOTE: All paperwork pertaining to the previously occupied unit (vacated unit) must be maintained in a separate file and documented as a "move-out" with the corresponding date of the move-out.

B. Intra-Building Transfers/Relocations

Relocations occurring within the same building are also permitted. When this type of relocation occurs, the newly occupied unit "adopts" the status that the vacated unit had immediately before the transfer occurred, and vice versa. Therefore, if the gross annual income of the "vacating" household has been

determined to be over the income limits at the time of the most recent certification, then the “newly occupied unit” will assume that same “over-income” status, and vice versa.

When performing an intra-building transfer/relocation, the timing of the relocation (transfer) is highly significant. If the transfer request is granted any time between the initial certification and the required annual recertification OR any time between recertifications, then the transfer/relocation MUST be documented by completing a Documentation of Unit Transfer form and placing it in the resident file (*See Appendix D*). Additionally, an examination of the household’s continued eligibility would not be required UNTIL the next scheduled recertification.* On the other hand, if the transfer request is received at the time of the scheduled recertification of the household, then the transfer can be processed along with the scheduled recertification.

Example 2.1:

Example 1: A household initially qualified in unit #A of building one (1) on May 1, 2002. The household recertified on May 1, 2003 and was deemed over the applicable income limits. In October of 2003, the household wants to relocate to unit #C of building one (1).

Policy: The household may relocate to unit #C, effective October 2003, however, the date of the relocation must be CLEARLY documented in the existing resident file. No recertification would be needed at this time since the units will be “swapping” statuses. The date of the next recertification would remain May 1, 2004. At that time, all paperwork must be completed with updated information.

Note: Although the household’s income exceeds the applicable income limits, IRS regulations (26 CFR) allows an existing tax credit qualified household to relocate to a different unit in the same building, without penalty. Therefore, the file can simply be documented noting the unit in which the household was initially qualified.

Example 2.2:

A household initially qualified in unit #A of building one (1) on January 1, 2003. It is now December 15, 2003 and the household has advised you that they would like to relocate, effective January 1, 2004 to Unit #C of building one (1).

Policy: The household may relocate to unit #C, effective January 1, 2003. Since the relocation request is being granted at the same time as the recertification, all changes can be made at that time. Note: All recertification paperwork will then reflect the unit number and move-in date of the “newly” occupied unit.

Example 2.3:

A household initially qualified in unit #A of building one (1) on January 1, 2003. It is now December 15, 2003 and the household has advised you that they would like to relocate, effective January 1, 2004, to Unit #C of building two (2). The total gross annual income for the household is over 140% of the current income limits.

Policy: Due to the over-income status of the household AND the fact that the relocation is between MORE THAN ONE BUILDING, the household may NOT relocate to unit #C in building two (assuming this is a 100% tax credit development whereby ALL units must be occupied with tax credit eligible families) on January 1, 2004. On the other hand, if this is NOT a 100% tax credit development (i.e., tax credits were not allocated on ALL UNITS in the development), then the relocation may be permissible if no other tax credit rules and regulations are applicable (AUR, UVR, etc.).*

**For information on documentation needed in order to document eligibility, see Chapter 2, Section 2.4 of this Plan.*

INCOME RESTRICTIONS

3.1 OVERVIEW

One of the most essential requirements of the tax credit program is ensuring that the total “gross” annual income of a household does not exceed program established income limits. The income limits applicable for the HTC program is based on the income limits published annually by the U.S. Department of Housing and Urban Development (HUD). These figures are categorized by county and applicable at 50 or 60 percent of the area median income – two of the set-aside elections recognized by the IRS.

Under the HTC program, annual income is defined as the amount of **gross** household income (before any taxes or deduction) anticipated being received during the 12-month period following certification of eligibility (or following the re-certification of eligibility). The income eligibility guidelines for HTC program are found in HUD’s Occupancy Handbook 4350.3, the *Occupancy Requirements for subsidized Multifamily Housing*.

This chapter will provide an overview of income determination guidelines needed to properly qualify and/or re-qualify a prospective household for the tax credit program. It will also discuss income that is includable and excludable from the gross income calculation of the household, identify methods of acquiring verifications, as well as discuss the required timeframe of acquiring income support verifications.

Note:

Annual income is not the same as adjusted income. Annual income generally corresponds to gross income, with no adjustments. Adjusted income is used in some federal housing programs, such as Section 8 or Rural Housing Service, in determining the level of benefit provided to a household. ADJUSTED INCOME IS NOT USED IN THE TAX CREDIT PROGRAM.

3.2 COMPONENTS OF ANNUAL INCOME

Annual income has two components that an owner or management representative should be aware of when determining eligibility: regular income and asset income.

A. Regular Income

Regular income is considered income generated from traditional sources (i.e., gross wages and salaries, tips, bonuses, overtime and housing allowances), social security, retirement benefits, welfare and other forms of public assistance, and payments in lieu of earnings (e.g., unemployment compensation, workers' compensation, etc.).

Generally, the regular income of every person listed as a household member (age 18 or over) should be included in the tax credit income calculation procedures. This includes any non-employment income (e.g., TANF/AFDC, SSI, etc.), as well as any unearned income for the benefit of a minor (i.e., child support or asset income).

Special consideration should be given when calculating the household income of certain absent family members.

Permanently absent family member

When a family member is permanently absent from the household (e.g., a spouse who is in a nursing home), the head of household can consider said person(s) a member of the household, and count any income associated with the permanently absent family member OR NOT consider the permanently absent family member as a part of the household and disregard any income associated with the permanently absent family member. The decision to count the income of a permanently absent family member is solely the decision of the head of household.

Note:

<i>A permanently absent family member may not be named as the head of household, spouse or co-head of household.</i>
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Temporarily absent family members

Generally, the income of a temporarily absent family member (i.e., spouse and/or head/co-head in the military or away working in another city) is counted in the annual income calculation regardless of the monetary amount the absent member is actually contributing to the household.

According to HUD Handbook 4350.3 REV 1, an owner "must count all income of family members approved to reside in a unit, even if some members are temporarily absent." Additionally, a temporary absent family member (excluding the head, co-head, or spouse) on active military duty must be removed as a household member and his/her income must be

excluded unless said person(s) leaves a spouse or dependent in the unit, which in this case, the person is considered a household member and a calculation of his/her income is required.

Adult student living away from home

When an adult student (other than the head, co-head or spouse) is counted as a member of the household, the student's income must be counted in the household's income when determining the maximum income limit for the household (i.e., a student is one who spends holidays and summer recess, etc., with the household while pursuing a full-time education). *However, only the first \$480 of the student's earned income can be counted towards the total household income calculation.** (Count total income if the full-time student is the head, co-head, or the spouse.) The unearned income (i.e., grants, scholarships, etc.) of a student must always be counted! This includes all financial assistance, with the exception of tuition and student loans, of a student (both full and part-timers) enrolled at an institution of higher learning.

When calculating the unearned income of a student, an owner or management agent must adhere to the following student income calculation guidelines:

- Exclude financial assistance grants as income;
- Include as income grants for room/board; and
- Exclude the financial assistance of any kind that is received by students over the age of 23 with dependent children OR living at home with parents.

***Note:**

In order to count only the first \$480 of a full-time student's income, verification of the full-time student status must be acquired and placed in the household's resident file.

1. "Regular" Income Inclusions

The following items must be included in the calculation of total anticipated gross annual income:

1. Earned Income

- a. The gross amount before any payroll deductions of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation for personal services of all adults of the household. Included are all salaries received from a family-owned business;
- b. Net income salaries and other amount distributed from a business or profession;

2. Unearned Income

- a. The gross amount (before deductions for Medicare, etc.) of periodic social security payments. Includes payments received by adults on behalf of minors;

Note: If Social Security is reducing a family's benefits to adjust for a prior overpayment, use the amount remaining after the adjustment for the overpayment. This is usually the "gross amount" reported on the Social Security verification form.

- b. Lump-sum payments received because of delays in processing unemployment, Social Security, welfare or other benefits (but only as otherwise provided in HUD Handbook 4350.3 paragraph 3-4C);

3. Welfare Assistance or Temporary Assistance For Needy Families "TANF"

- a. If the payment includes an amount specifically designated for shelter and utilities and the welfare agency adjusts that amount based upon what the family is currently paying for shelter and utilities, special calculations are required.
- b. If the welfare agency is reducing a family's benefits to adjust for a prior overpayment, use the amount remaining after the adjustment for the overpayment. This is usually the "gross" amount reported on the welfare agency's verification form;

4. Alimony and child support, unless the exclusion of these amounts is justified by other HUD sections.

5. Lottery winnings paid in periodic payments. *Winnings paid in a lump sum are included in net family assets – not in annual income.*

6. Recurring monetary contributions or gifts regularly received from persons not living in the unit. (Includes rent or utility payments regularly paid on behalf of the family and any regular rent concessions).

Note: For Intermediate Care Facilities for the Mentally Retarded (ICF/MR) where Medicaid pays the ICF/MR directly for services and rent and pays the tenant only a small personal allowance (e.g. \$25), annual income must include:

- a. the SSI payment the tenant would receive if s/he were not living in a group home AND
 - b. all income the tenant receives from sources other than SSI (e.g. wages, training workshops, interest income, etc.).
7. Payments in lieu of earnings (such as unemployment and disability compensation, worker's compensation and severance pay).
8. All regular pay, special pay, and allowances of a member of the Armed Forces, except as provided in other HUD sections.
9. Earnings up to \$480 for each full-time student 18 years and older (exclude head, co-head, spouse).
10. The full amount of student financial assistance (education scholarships, grants, fellowships, work study, and any other kind of student financial assistance) paid directly to the student or educational institution beyond the cost of tuition. Exception: student over the age 23 with a dependent child(ren) and students living with parents.

2. "Regular" Income Exclusions

The following items should be excluded from the calculation of total anticipated gross annual income:

1. Employment income of MINORS (including verified foster children younger than 18);
2. Meals on Wheels or other programs that provide food for the needy, groceries provided by persons not living in the household;
3. Grants or other amounts received specifically for:
 - auxiliary apparatus for handicapped person;
 - expenses for attendant care provided by other than a family member living in the household;
 - medical expenses;
 - out-of-pocket expenses for participation in publicly assisted programs and only to allow participation in these programs. These expenses include special equipment, clothing, transportation, child-care, etc.
4. Income associated with persons that live in the unit but are not regular household members. Includes:
 - Payments received for care of verified foster children;
 - Income of verified live-in attendants:
5. Amounts paid by a state agency to a family with a member who has a developmental disability and is living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home
6. The special pay to a family member serving in the Armed Forces who is exposed to hostile fire (e.g., in the past, special pay included Operation Desert Storm);
7. Temporary, nonrecurring or sporadic income (including gifts);
8. Annual rent credits or rebates paid to senior citizens by government agencies;
9. Income adoption assistance payments in excess of \$480, per adopted child; excluded by Federal Statute:
 - a) Allotment value of coupons made under the Food Stamp Act of 1977;
 - b) Payments received under Domestic Volunteer Services Act of 1973 (employment through VISTA, Retired Senior Volunteer Program, Foster Grandparents Program, youthful offender incarceration alternatives, senior companions);
 - c) Payments received under Alaskan Native Claims Settlement Act;
 - d) Payments from certain sub-marginal U.S. land held in trust for certain Indian tribes;
 - e) Payments, rebates or credits received under Federal Low-Income Home Energy Assistance Programs. Include any winter differentials given to the elderly;

- f) Payments under the Job Training Partnership Act (employment and training programs for Native Americans and migrant and seasonal farm workers, Job Corps, veterans, employment programs, State job training programs, career intern programs);
 - g) Payments received from the disposal of funds to the Grand River Band of Ottawa Indians;
 - h) Share payments up to \$2,000 received from judgment funds awarded by the Indian Claims Commission or the U.S. Claims Court, etc.;
 - i) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965 (including federal work-study programs or under the Bureau of Indian Affairs Student Assistance Programs;
 - j) Payments received under Title V of the Older Americans Act (Green Thumb, Senior Aides, Older American Community Service Employment Program);
 - k) Payments under the Maine Indian Claims Settlement Act of 1980;
 - l) Payments received after January 1, 1989 from the Agent Orange Settlement Fund and any other fund established pursuant to the settlement fund;
 - m) Any amount of crime victim compensation received through crime victim assistance as determined under the Victims of Crime Act;
 - n) Monies received under the provisions of 38 U.S.C. 1805 to a child suffering from spinal bifida who is the child of a Vietnam veteran;
 - o) Allowances, earnings, and payments to AmeriCorps participants under the National and Community Service Act of 1990;
 - p) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant of 1990;
 - q) Earned income tax credit (EITC) refund payments received on or after Jan. 1, 1991, including advanced earned income credit payments;
 - r) Payments by the Indian Claims Commission to the Confederated Tribes and Bands of Yakima Indian Nation or the Apache Tribe of Mescalero Reservation;
 - s) Allowances, earnings, and payments to individuals participating in programs under the Workforce Investment Act of 1998;
- 10. Adoption assistance payments in excess of \$480.00, per adopted child.
 - 11. Deferred periodic payments of Social Security Income and Social Security benefits that are received in a lump sum payment or in prospective monthly amounts.
 - 12. Reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
 - 13. The full amount of student financial assistance (education scholarships, grants, fellowships, work study, and any other kind of student financial assistance) paid

directly to the student or educational institution for students over the age 23 with a dependent child(ren) or students living with parents.

14. Income amounts received and/or set-aside for:
 - a) Use under a Plan to Attain Self Sufficiency (PASS) for purpose of Social Security eligibility;
 - b) Participant in other publicly assisted programs that are specifically for, or in reimbursement of out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program.
 - c) A resident stipend. Amount not to exceed \$200 per month.
 - d) Training programs funded by HUD (e.g., training received under Section 3);
 - e) Incremental earnings and benefits resulting to any family member from participation in qualifying state or local employment training programs (including training programs not affiliated with a local government and training of a family member as a resident management staff person.
15. Amounts received by the family in the form of refunds under state or local law for Development taxes paid on the dwelling unit.
16. Earnings in excess of \$480 for each full-time student 18 years and older (exclude head, co-head, and spouse).
17. Amounts received by the family that are specifically for, or in reimbursement of, the cost of medical expenses for any family member.

Source: The income inclusions and exclusions as outlined above were taken from HUD Handbook 4350 REV-1.

B. Asset Income

Income that is normally generated by savings accounts, real estate, stocks, bonds and other forms of capital investment, excluding interest in Indian trust land, to which any household member has access to is considered asset income. The calculation of asset income depends on the **cash value** of the asset. The **cash value** of an asset is the amount the household would receive should the asset be converted to cash. When calculating **cash value**, consider the fair market value of the asset minus any reasonable expense(s) that would incur in selling or converting the asset to cash (e.g., penalties for early withdrawal, broker and real estate commissions, legal fees, settlement costs, etc.).

Effective October 11, 1994, under IRS Revenue Procedure 94-65 *Income From Assets* (**See Regulation #3**), an owner does not need to verify the income from assets of a household, as long as the household's combined assets do not exceed \$5,000 AND s/he provides a signed and sworn statement to this effect. On the other hand, if the cash value of all assets is greater than \$5,000, an owner is required to include the greater of either: 1) the actual annual income received from these assets or 2) an imputed income (total of all assets (X) HUD passbook rate). If the total cash value of all assets is \$5,000 or less, owners are to include the actual income received (i.e., monthly, quarterly or annual from interest checks, dividend checks, etc.) into its total gross household income calculation.

Note:

Asset income of minors should be included in the gross household income calculation. All income derived from Assets should be listed on the applicable TIC form, and calculated in accordance with the appropriate procedures.

1. "Asset" Income Inclusions
 1. Annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts;
 2. Interest, dividends and other income from net family assets (including income distributed from trust funds). On deeds of trust or mortgages, only the interest portion of the monthly payments received by the applicant is included.
 3. Imputed income from assets when net family assets exceed \$5,000.
 4. Lottery winnings in lump sum. *Lottery winnings paid in periodic payments are to be included as regular income.*
2. "Asset" Income Exclusions

Lump-sum additions to family assets - such as inheritances, cash from the sale of assets, one-time lottery winnings, insurance settlements under health and accident insurance and worker's compensation, and settlement for personal and development losses. *Amount to be included as regular income.*

Note (1):

The Passbook Rate is an interest rate determined by HUD and is used when calculating imputed asset income (presently at 2%).

Note (2):

An Under \$5,000 Asset form is required of all household members age 18 and over for each certification year.

*Refer to Regulation #3 and **Appendix E** for further guidance on Asset documentation.*

3.3 VERIFICATION OF ANNUAL INCOME

One of the key requirements of the HTC program is to ascertain the anticipated income of a household throughout the household's residency. In doing so, it is necessary to acquire a verification(s) of a household's gross annual income at the time of initial move-in/eligibility and again at the time of the household's annual recertification. Tax credit regulations require the verification of all regular sources of income, including asset income over \$5,000. Verifications must include information acceptable to the Corporation and consistent with income determinations procedures noted under Section 8 of the U.S. Housing Act of 1937, as amended.

A. Verification Requirements

When verifying income, an owner must:

- a). Verify all regular sources of income for all household members age 18 and older, including the assets of all applicable household members;
- b). Obtain written verification of income directly from the source (Under NO circumstance should a prospective resident(s) be allowed to deliver income verification documents to verifying officials); and,
- c). Retain all verification documentation for at least three years after an applicant is rejected or a unit has been vacated.

Inaccurate information/verification can lead to an incorrect determination of a household's eligibility which could result in leasing a unit(s) to ineligible households.

B. Methods of Verification

HTC regulations require an owner of a tax credit development to count all "reasonably anticipated" income when determining the total gross household income. In acquiring income support documentation/verification, an owner must use a method acceptable to the Corporation. Verifications transmitted via third party, second-hand, and oral (documented) are considered acceptable methods of verification.

Third-Party Written Verification

Third-party written verification, the most preferred verification method, is defined as documentation of income received from an independent outside source (i.e., an applicant's employer, caregiver, etc.). Third party verifications transmitted via mail, fax or hand delivery are acceptable to the Corporation if acquired in accordance with the verification procedures as outlined in this chapter.

Note:

Hand-delivered verifications must include an agency stamp.

Second-hand Verification

Second-hand verifications are defined as verifications received by check stubs, grant awards letters and W-2 forms. This method of verification, although acceptable to the Corporation, should be used with extreme caution. Oftentimes second-hand verifications don't produce enough information in order to make an accurate determination of the household's income (i.e., no name, frequency of pay, etc.).

Check stubs are the most common form of second-hand verification. When using check stubs to verify a household's annual income, be sure to acquire the following information:

1. Six (6) consecutive check stubs issued within 120 days (or 6 months for those paid monthly) of move-in or recertification date;
2. Pay frequency, number of hours worked and rate of pay;
3. The resident's name, social security number and pay period.

Additionally, second-hand verifications, when applicable, must include the signature and date of authorized personnel.

Verbal/Oral Verification

When a third-party written verification and/or second-hand verification are not possible prior to move-in and/or recertification, direct contact or oral verification with the source is acceptable to the Corporation. This method of verification should only be used AS A LAST RESORT. The conversation of the oral/verbal verification must be documented in the applicant's file to include all the information that would be included in a written verification (i.e., the name and title of the contact, the name of the on-site management representative accepting the information and the time and date the information was provided). In addition, the file of the prospective resident must be well documented detailing the attempts made to obtain the third-party written verification. Failure to follow the above noted requirements constitute an invalid verification and will be noted as such. A sample form, for optional use by owners, is included in **Appendix D** of this Plan.

Note (1):

Absolutely no changes, corrections, and/or clarifications are to be made to any verification documents. Document changes, corrections, and/or clarifications on a Communication/Telephone Conversation Report. The use of white-out to make corrections is strictly prohibited!

Note (2):

All income verifications must be date-stamped as they are received and processed prior to a prospective resident taking occupancy of a HTC unit or the scheduled recertification.

C. Method of Verifications - Special Sources

Income support documentation from certain sources is subject to specific verification requirements:

Social Security Verification:

The following sources are considered sufficient verification of Social Security benefits:

- *Copy of awards or benefit statement.* This statement is generally issued when benefit commences or when a change in the benefit amount occurs (i.e., cost-of-living increase). The awards benefit verification must be applicable for the certification period. Once received, it remains valid for one (1) year. OR
- *Third-party Benefit Verification.* Third-party benefit verifications are generally acquired from the agency providing the benefit. The third-party benefit verification must be received and issued within 120-days of the certification (or recertification) effective date.

Supplemental Income (SSI) Verification:

- *Copy of awards or benefit statement.* This statement is generally issued when benefit commences or when a change in the benefit amount occurs (i.e., cost-of-living increase, employment). The awards benefit verification must be received within the 120-days of the applicable certification/recertification IF the person(s) receiving the benefit payment is employed and/or has received (or subject to receive) other income and/or resources (child support, inheritances, etc.) since release of the annual awards statement. Otherwise, said verification is valid for one (1) year. OR
- *Third-party Benefit Verification.* Third-party benefit verifications are generally acquired from the agency providing the benefit. The third-party benefit verification must be received and issued within the 120-days of the applicable certification/recertification.

In the event a Social Security benefit statement and/or agency verification is not obtainable, the Corporation recommends/accepts the following:

- *Option One – Telephone Request.* The prospective and/or existing resident calls the regional office of the Social Security Administration at 1.800.772.1213 and requests a written copy of the benefit statement. Benefit statements are generally mailed out within one day of receiving the request.
- *Option Two – Written Request via Regular Mail.* Rental Agent/Resident(s) mail a written request of Social Security Benefits to the Social Security Administration (postage-paid, self addressed envelope):

Or

- *Option Three – Written Request via the Internet.* A request for a Benefit Statement via the website at www.socialsecurity.gov is considered an acceptable method of verifying income provided via the Social Security Administration. Click under *Online Direct Services* and look under *Services for people Who Get Benefits* and select Request a Benefit Verification Letter.

Zero/Very-Low Income Household

If it is found that a household has a total gross household income of \$2,500.00 or less, the household must complete a *Certification of Daily Needs* form detailing how basic needs is/will be satisfied. The Certification of Daily Needs form must be completed in addition to an individualized *Certification of Zero Income* form **(See Appendix D)**.

Under the HTC program, no minimum amount of income is necessary in qualifying applicants for residency. However, management has the authority to set minimum income requirements as long as such requirements are not in conflict with the requirements of the HTC program and/or any Fair Housing Law. Some applicants for housing may receive rental assistance from a federal or state agency that allows them to rent a tax credit unit even if they do not earn sufficient income. In this case, an owner can not refuse to rent to a household that is otherwise income qualified solely because s/he is the holder of a Section 8 Rental Assistance voucher or certificate.

Note (1):

The Section 8 Verification for Households with Section 8 Certificates is no longer considered a viable verification of income. The gross income associated with households receiving assistance through Section 8 must be verified via any of MHC approved and accepted verification methods.

***Note (2):**

Inquiry regarding the receipt of income amounts (including material contributions) received to maintain daily needs (bills, food, etc.) is required for any household claiming income at or below \$2,500 utilizing the Certification of Daily Needs form provided in Appendix D of this Plan.

D. Term of Verification

In accordance with HUD Handbook 4350.3 REV. 1, all verifications of income are valid for 120 days prior to a resident(s) move in and/or recertification date. If a TIC has not been properly completed and signed within 120-days of the household's move-in and/or recertification date (documented), then a new verification must be acquired to document the household's gross annual income. Oral follow-up verifications previously used to extend verification are no longer permissible or accepted.

*Acceptable forms of verification for specific types of income situations are listed in **Appendix D** of this Plan.*

3.4 TAX CREDIT INCOME CALCULATIONS

The income limits used for the HTC program are published by the HUD on an annual basis and includes income level schedules for various family sizes at 80 percent (lower income) and 50 percent (very low income) of the area median gross income (AMGI). Because the HTC program is based on income restrictions at 60 percent (lower income) and 50 percent (very low income) of AMGI, the Corporation distributes to each development owner a revised tax credit income schedule, reflecting the 50 percent and 60 percent figures.

A. Calculating Income

In calculating the total anticipated income for a household, an owner must adhere to the applicable tax credit income restriction levels (based on the area median gross income, the minimum occupancy set-aside election, and the household size) for a development.

However, before doing so, a proper determination of a household's gross annual income must be performed. When doing so, calculations must be completed according to the following:

Full-time/Part-time Employment

Calculate annual income from full-time employment by multiplying:

- Hourly wages by 2080 (based on a 40 hour/wk)
- Weekly wages by 52
- Bi-weekly wages by 26
- Semi-monthly wages by 24
- Monthly wages by 12

In calculating annual income from employment other than full-time employment, multiply:

- Hourly wages by the number of hours the individual is expected to work per week X 52. If a range of hours is given, you may use either an average of the range or the higher. The lower spectrum of the range should NEVER be used in calculating income.
- Weekly pay by the number of weeks the individual expects to work; if the pay is irregular, calculate a weekly average pay.
- Other periodic amounts (monthly, bi-weekly, etc.) by the number of periods the individual expects to work.

Bonus/Over-time/Tips

When determining the gross annual income of a household, calculation of reported bonuses, overtime and/or tips is required. All amounts should be converted to annual amounts. When calculating earnings from overtime hours worked, an owner, when given a range, may use either an average or the higher of the range in calculating overtime earnings.

Income from tips must also be determined for inclusion in gross income calculation. Individuals working in the food industry or in personal services (i.e., such as hair stylists, or manicurists) and the

gaming industry typically receive tips. Effective March 1, 2005, if tip income is **NOT** separately listed on the Verification of Employment Form, then 20% of the verified gross annual must be included in the income calculation.

Anticipated Raises

When calculating income from earnings, always include verified, anticipated raises/increases. If the employer indicates that a raise is anticipated AND provides the amount of the raise; yet, does not indicate the effective date of the increase, then calculate the anticipated raise for the entire 12 month/52 week period. If the employer indicates that a raise is anticipated AND provides the effective date as well as the amount of the raise, then calculate the anticipated raise for the applicable period only.

Self-Employed

When determining income from a business, include salaries paid to adult household members, net income from the business, and other cash or assets withdrawn by any family member – except if the withdrawal is the reimbursement of cash or assets the family invested in the business.

Compute net income in accordance with the requirements outlined in HUD Handbook 4350.3 Rev 1.

Alimony/Child Support

Any child support amount received and/or reasonably anticipated by a prospective and/or existing resident must be included when determining income. Child support income should be calculated in accordance with the following:

- **Child Support Obligated, yet sporadically received and/or in sporadic amounts**

MDHS clients: Calculate average amount of child support received over the last 12 months OR since the inception of child support payments if payment(s) commencement date is less than 12 months.

Non-MDHS clients: Calculate full obligated amount unless it can be evidenced that payment has not been received and legal enforcement steps have been taken to acquire support. If evidence of legal steps is provided, calculate child support income by taking an average of the amount of child support received over the last 12 months.

- **Child Support Obligated, yet NOT received**

No calculation needed*

**Acquire verification (i.e., Benefit Statement) from the MS Division of Child support Enforcement (MDHS) showing at least a 12 month history of non-payment.*

- **Child Support NOT obligated, yet support is received**

Calculate average amount of child support received over the last 12 months OR since the inception of child support payments if payment(s) commencement date is less than 12 months.

Unemployment Compensation

In accordance with HUD Handbook 4350.3 Rev. 1, “income that may not last for a full 12 months (e.g., unemployment compensation) should be calculated assuming current circumstances will last a full 12 months.”

B. Income Eligibility Methodology

The methodology required in order to properly determine income eligibility is as follows:

- Step 1 Determine the household size (HHS).
- Step 2 Determine the development’s minimum set-aside.
- Step 3 Find the corresponding HHS and minimum set-aside amount listed on the applicable income and rent limits chart. The point where the two meet is the maximum income the household can have (per that household size) in order to reside in the unit.

Example 3-1:

The manager for CBA Apartments, a tax credit community, has a two-person household with a verified income of \$17,500 wanting to rent a two (2) bedroom tax credit unit. The owner agreed to rent 40 percent of the units at 60 percent (40/60) of the area median income.

STONE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS
MFI \$38,000					
	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00
	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00

Question: What is the maximum allowable income for this household?

Answer: **\$18,720.00**

Methodology:

- Step 1 Determine the household size, HHS = 2
- Step 2 Determine the development’s minimum set-aside (20/50 or 40/60); CBA’s min. set-aside is 40/60.
- Step 3 Find the corresponding HHS and minimum set-aside amount listed on the chart above. The maximum allowable income for this household is the point at which these two items meet. { \$18,720 }

Example 3-2:

The manager for CBA Apartments, a tax credit community, has a three person household with a verified income of \$21,000 wanting to rent a 2-bedroom tax credit unit. The owner agreed to rent 20 percent of the units at 50 percent (20/50) of the area median income.

STONE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS
MFI \$38,000					
	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00
	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00

Question: What is the maximum allowable income for this household?

Answer: **\$17,550.00**

Methodology:

- Step 1 Determine the household size, HHS = 3
- Step 2 Determine the development's minimum set-aside (20/50 or 40/60); CBA's min. set-aside is 20/50.
- Step 3 Find the corresponding HHS and minimum set-aside amount listed on the chart above. The maximum allowable income for this household is the point at which these two items meet. { \$17,550 }

c. Differences in Reported Income

An owner should give prospective and/or existing residents the opportunity to explain any significant differences between the amount reported on the application/recertification questionnaire and amounts reported on third-party verification in order to determine actual income. The file should be documented to explain any differences.

Likewise, an owner must keep accurate records of the dates and sources of verification of tenant data but need not submit such information to the Corporation at that time. However, the Corporation reserves the right to inspect the tenant files, after reasonable notice, to ensure that the proper verification procedures are followed.

3.5 MULTIPLE FUNDING SOURCES

HTC development owners must also be aware of other income requirements and special restrictions that may apply to the development, particularly when recertifying a household. These special restrictions are:

When a development receives financing or funding from another program or lender (i.e., HOME, RHS, Tax-exempt bonds, etc.) that imposes stricter tenant income requirements or longer restrictions, the development must comply with those provisions, as well as the tax credit provisions. It is strongly suggested that the income limit for the HTC program be determined first, then the applicable income set-aside election of the other funding sources. Once the *minimum set-aside election* is determined, it governs the remaining limits in your development. For example, if the HOME program maximum income requirement is at 50% of the AMGI; you cannot have 60% units in a 50% deal, but you can have 40% or 50% units in a 60% deal. Also, the HOME program may require certain units to be designated possibly by a certain floor or a certain building; the tax credit program requires a minimum percentage, based on a building.

Tax-Exempt Bond Financed Developments and Income

Tax-exempt bond financed developments are generally income restricted only. However, when paired with tax credits, it becomes income and rent restricted. Likewise, when a development receives an award of HTCs, the rents should be restricted in accordance with the applicable minimum set-aside for the development. (*Refer to Chapter 1, Section 1.2A for more information regarding a development's MSA*)

Tax-exempt bond developments paired with tax credits are required to utilize the same rent and income tables published annually by HUD. In doing so, the maximum income levels must be adhered to whereby the gross annual income of all residents in the unit is at or below the applicable income limit. Generally, income restrictions on a tax credit development apply to all units except common use areas such as staff/managers unit.

Note:

Generally speaking, a development financed with tax-exempt bonds should adhere to the same requirements of a straight tax credit development.

3.6 AREA MEDIAN GROSS INCOME (AMGI)

IRS Revenue Procedure 94-57 *Maximum Rents and Maximum Rent Floor: Changes in Area Median Gross Income (AMGI)* (**See Regulation #6**) provides guidance to development owners on the effect of changes in AMGI on initial tenant qualification and the next available unit rule. Owners must apply this revenue ruling regardless of when a development received a tax credit allocation. The ruling explains that the income limit used to initially qualify tenants in a tax credit unit fluctuates with changes in AMGI, which must be in effect at the time of initial occupancy as the qualifying income limit. Lowering of the applicable AMGI does not retroactively disqualify a tenant who initially qualified under a higher AMGI.

A decrease in AMGI decreases the income limit used to determine whether a development owner must rent any available unit to a new low-income tenant, and an increase in AMGI likewise increases the

income limit used to determine whether a development owner must rent any available unit to a new low-income tenant. A building does not have one AMGI level.

GROSS RENT AND RENT RESTRICTIONS

4.1 OVERVIEW

Section 42 of the IRC requires that low-income units be rent-restricted and that the total rental amount charged to the household be no more than a rent limit calculated in the manner provided by law and intended to be affordable to prospective households. As a result, an owner must ensure that the gross rent, the total tenant-paid rent charged for a unit, plus an allowance for tenant-paid utilities and mandatory charges, if applicable, charged to eligible households is within the rent limit requirements. The rent limit is defined as 30% of the applicable income limit for an imputed occupancy, less an allowance for all utilities paid by the household and all mandatory charges.

The gross rent limitation applies only to payments made directly by the tenant. It does not include any payments made under other government agencies or nonprofit organizations, such as Section 8 rental assistance, RHS 515 rental assistance, or any other comparable rental assistance program. ***(See Section 4.7B for more information on maximum rent and rental assistance payments.)***

This chapter will provide an owner with guidance in understanding what is considered rent, how to treat changes in rent, as well as provide guidance on how to properly calculate the low-income housing tax credit rents utilizing either the 20/50 or the 40/60 minimum set-aside election.

4.2 MAXIMUM ALLOWABLE RENT (MAR)

Participants of the HTC program must establish a tenant-paid rent amount that does not exceed the HTC maximum allowable rent (MAR). Calculation of the MAR for a particular household/unit is determined primarily by the year of the tax credit allocation. Developments allocated tax credits post-1989 calculate the MAR based on the number of bedrooms in the unit with an adjustment for tenant-paid utilities and mandatory charges. Developments allocated tax credits prior to 1990 determined the MAR based on the size of the household occupying the unit with an adjustment for tenant-paid utilities and mandatory charges.

Generally, to determine the MAR for an eligible household, owners must utilize the following:

1. The development's minimum set-aside as noted in the HTC Application (50% or 60% of AMI);
2. The applicable tax credit rent limit chart for the household/unit and certification type;
3. The county in which the development is located;
4. Utility Allowance estimates for any tenant-paid utilities, if applicable; and
5. The cost of any mandatory charges, if applicable.

A. Allocations Post-1989

Developments allocated tax credits post-1989 calculate the MAR based on the number of bedrooms in the unit (see Omnibus Budget Reconciliation Act of 1989). In order to calculate the MAR utilizing this method, the IRS established a basis for the number of people to occupy a unit. This basis was determined based on an "imputed occupancy" assumption for each unit size of 1.5 persons. The imputed occupancy assumption allows a development receiving tax credit allocation post-1989 to identify the number of bedrooms a prospective household desires (when determining rents) and multiply it by an imputed occupancy of 1.5 persons to get the tax credit rent limit for the unit before adjustments for any tenant-paid utilities and/or mandatory charges. The IRC notes, however, that efficiency units (i.e., units without a separate bedroom) are to be treated as being occupied by a one-person household as oppose to an imputed occupancy of 1.5.

Note:

Efficiency units (i.e., units without a separate bedroom) are to be treated as being occupied by a one-person household as opposed to an imputed occupancy of 1.5 allowed by the imputed occupancy assumption.

Methodology for computing Post 1989 MAR:

1. Determine the unit size desired.
2. Multiply unit size by an imputed occupancy of 1.5 persons.
3. Find the corresponding minimum set-aside for the development.
4. Find the point in which the imputed bedroom size and the minimum set-aside meet.
This is the tax credit rent limit.
5. If applicable, subtract the applicable utility allowance estimate and any mandatory charges. *This is the MAR for the unit.*

Example 4-1:

The manager of CBA Apartments, a tax credit community, has a three-person household with a verified income of \$14,500 wanting to rent a two (2) bedroom tax credit unit. The owner agreed to rent 40 percent of the units at 60 percent (40/60) of the area median income. The owner does not pay the utilities at the development. (Utility allowance estimates are as follows: 1 bdrm = 60; 2 bdrms = 75; and 3 bdrms = 85)

STONE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS
MAXIMUM RENT AT					
	50%	\$341.25	\$365.63	\$390.00	\$438.75
	60%	\$409.50	\$438.75	\$468.00	\$526.50

This is the rent limit for the unit size

Question (1): What is the maximum allowable rent (MAR) for this unit size?

Answer (1): **\$451.50**

Methodology:

- Step 1 Determine the unit size
Unit size = 2
- Step 2 Multiply unit size by an imputed occupancy of 1.5
(2 (bedroom unit) x 1.5 (imputed occupancy) = 3
- Step 3 Find the corresponding minimum set-aside for CBA
Minimum set-aside is 40/60.
- Step 4 Find the point in which the imputed household size and the minimum set-aside meet.
Corresponding HTC rent limit = {\$526.50}.
- Step 5 If applicable, subtract the applicable utility allowance and any mandatory charges. The MAR for this household is the point at which these two items meet, less the applicable utility allowance and mandatory charges.*
{ \$526.50- \$75.00 = 451.50 }

Example 4-2:

The manager of CBA Apartments, a tax credit community, has a two-person household with a verified income of \$11,500 wanting to rent a one (1) bedroom tax credit unit. The owner agreed to rent 20 percent of the units at 50 percent (20/50) of the area median income. The owner pays the utilities at the development.

STONE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS
MAXIMUM RENT AT					
	50%	\$341.25	\$365.63	\$390.00	\$438.75
	60%	\$409.50	\$438.75	\$468.00	\$526.50

Question (2): What is the maximum allowable rent (MAR) for this unit size?

Answer (2): **\$365.63**

Methodology:

- Step 1 Determine the unit size
Unit size = 1
- Step 2 Multiply unit size by an imputed occupancy of 1.5
(1 (bedroom unit) x 1.5 (imputed occupancy) = 1.5
- Step 3 Find the corresponding minimum set-aside for CBA
Minimum set-aside is 20/50.
- Step 4 Find the point in which the imputed household size and the minimum set-aside meet.
Corresponding HTC rent limit = {\$365.63}.
- Step 5 If applicable, subtract the applicable utility allowance and any mandatory charges. The MAR for this household is the point at which these two items meet, less the applicable utility allowance and mandatory charges.*
{\$365.63- \$0 = 365.63}

Note:

The gross rent for a unit may be *at or below* the unit's MAR. A gross rent amount that exceeds the MAR is an overage which is a noncompliance event reportable to the IRS.

B. Allocations Prior to 1990

Computation of the rent limit for development's receiving an allocation of tax credits in the years 1987, 1988 or 1989 (including carry-overs) is based directly on the household size (rather than the unit size for post 89 allocations) and is no more than 30% of the applicable AMGI. The gross rent charged for a unit must be reduced according to an approved utility allowance estimate and any mandatory charges.

Because of the rent computation methods for the year of the tax credit allocation, unit size versus household size, it is possible for the rents charged for identical apartments to differ depending on the size of the household renting the unit. Note: Most of these developments exited the program in 2005 as the compliance period was only fifteen years.

C. Services

Generally, the gross rent should not include fees for services required for occupancy at the development. Examples of non-optional services include meals, transportation, assistance with medicine, etc. The only way a fee can be assessed for the said services is IF the charge is optional and a realistic alternative to the service is available.

Additionally, gross rent should not include fees paid to the owner of a development by a governmental assistance program or by a 501(c) (3) nonprofit organization for supportive services which also provides rental assistance if the amount of assistance provided for rent cannot be separated from the amount provided for supportive services [Section 42(B)]. A supportive service includes any service provided under a planned program of services designated to enable residents of a residential rental development to remain independent and avoid placement in a hospital, nursing home, or intermediate care facility for the mentally or physically handicapped. In the case of a SRO unit or transitional housing for the homeless, supportive services include any service provided to assist tenants in locating and retaining permanent housing [Section 42(g)(2)(B)(iii)].

D. Development Facilities

The gross rent of a unit should not include a fee for use of project facilities (such as swimming pool, club house, etc.) IF said facility was included in the development's eligible basis. If the facility (ies) was/were not included in the development's eligible basis, then an owner may assess fees for optional use of said facilities. In this instance, the fee amount charged is not considered rent.

4.3 UTILITY ALLOWANCE

The gross rent must include the cost of utilities paid directly by the tenant, except for telephone and cable services. When applicable, the rent limit must be adjusted according to a utility allowance schedule whereby granting qualified residents a utility allowance estimate for tenant-paid utilities.

According to IRS Reg. 1.42-10, documentation of a development's utility allowance estimate must be acquired from an authorized utility allowance provider. Authorized utility allowance providers include the following:

A. Public Housing Authority

The Public Housing Authority (PHA) generates utility allowance estimates based on average usage consumption data for a particular area. Unless a development is subject to the utility allowance guidelines as stated in IRS Reg. 1.42-10, the PHA is the appropriate utility allowance estimate provider.

B. HUD Utility Allowance:

Buildings whose rents and utility allowances are reviewed by HUD annually must use the HUD approved utility allowances. When there is a below-market HUD loan on a building, the applicable utility allowance for all rent restricted units in the building is the HUD utility allowance. On the other hand, the applicable utility allowance for any rent restricted unit occupied by residents receiving HUD Section 8 assistance is the Section 8 utility allowance. This utility allowance only applies to the unit in which a resident receives Section 8 assistance, and not to any other units in the building.

Note (1):

HUD has an allowance for "Single Family Resident" developments and another allowance for "Multifamily" developments. It is the responsibility of owners to assure the correct utility allowance is utilized for their respective developments.

C. Rural Housing Services (RHS) Utility Allowance:

A Rural Housing Service (RHS) approved utility allowances must be used in a development that is RHS assisted (this includes any units occupied by households receiving Section 8 Rental Assistance payments). Additionally, *if a unit receives RHS rental assistance, then the entire building becomes subject to RHS regulation thus making RHS utility allowance the applicable utility allowance.*

D. Local Utility Company:*

Alternatively, the owner (or the tenant) may obtain utility cost estimates from the appropriate local utility company. If the owner intends to use such estimates, at the time of application for tax credits, the owner must furnish the Corporation with a copy of the utility company's estimated utility costs for units of similar size, construction and geographic area to the low-income development. If such estimates are higher than the PHA allowance, those estimates must be used and the rent must be adjusted, if necessary.

**Final approval is subject to review of all support documentation by MHC.*

Note (1):

If the development is not regulated by HUD or RHS, the owner may use the applicable PHA utility allowance.

Note (2):

Utility allowances should be updated annually and at the time rents are being determined and/or revised. Documentation of the utility allowance used for a particular year should be kept in each resident file. The utility allowance is subject to periodic increases to be determined by HUD, RHS, the local PHA, or the local utility company, whichever is applicable. If at any time during the development's compliance period the applicable utility allowance changes, the new utility allowance must be used to compute the MAR within 90 days of the change.

*See **Appendix F** for sample utility allowances and more information on procedures required when petitioning a local utility company for estimates.*

4.4 CHANGES IN RENT

The MAR that can be charged may fluctuate up and down as the county median income fluctuates year to year. When this happens, special care must be taken to ensure the proper rental amount is being charged.

A. Rental Decreases

If the rent limits for a development changes in the middle of a lease term and the gross rent charged by the owner exceeds the new HTC MAR, the owner must reduce the gross rent of all affected units to conform to the new schedule, regardless of the rent change date stated in the lease. Generally, changes in rent may be made at the time of a tenant's recertification based on updated income limits from HUD.

Through the Omnibus Budget Reconciliation Act of 1989, congress established a "rent floor" by providing that the maximum permissible rent for any unit may not fall below the initial rent when the unit was first occupied. Thus, if the median income in the area falls, the rents do not need to be reduced below original levels.

Under IRS Revenue Procedure 94-57 *Maximum Rent and Maximum Rent Floor (See Regulation #6)*, effective for developments receiving initial allocations or determination letters after September 23, 1994, the rent floor is established on the date of allocation. However, an owner may establish the rent floor for a development at the PIS date provided the owner has informed the Corporation of the designation before the PIS date.

If the owner does not make the election by a building's PIS date, the IRS will treat the rent floor as taking effect on the date of allocation. For those developments receiving an initial allocation or determination letter prior to September 23, 1994, an owner may establish the rent floor for a building using either the allocation date or the PIS date. Additionally, these development owners are not required to notify the IRS of this election.

B. Rental Increases

Rent increases for low-income units are computed in the same manner as the initial rent. However, there are certain rules that apply when processing rent increases. They are:

1. Any rent increases due to changes in income limits or adjustments in the utility allowance are to be implemented at the time of lease renewal or when the tenant is recertified.

An increase in the rent paid by a HUD Section 8 or RHS Section 515 tenant to an amount in excess of HTC rent limit is allowable at recertification provided the rent increase is mandated under the provisions of the Section 8 or RHS 515 rental assistance programs.* Typically, an increase occurs if a household's income increases significantly, more than 30 percent, of the household's adjusted monthly income.

Rental increases that causes the amount of rent paid by the tenant to exceed the HTC MAR rent limit is known as "overage." Rental overages must be handled in accordance with following:

Section 8 Project Based: The increase is allowable if the Section 8 subsidy is reduced by the rent overage.

RHS Section 515: Developments allocated credits before 1991, the rental overage is not allowed to be paid by the tenant. The owner must pay the difference in the rental overage amount. Developments allocated credits after 1991, rental overage can be collected in so long as the overage is repaid to RHS.

2. The rent for a unit occupied by an over-income household is still subject to the rent restrictions of the credit program if the unit is to remain in compliance.

Hence, an increase in the maximum tax credit rent does not automatically entitle an owner to increase rents in the middle of a lease term.

**In order for a household to have a rent amount in excess of HTC rent amount, the household must be previously qualified as tax credit eligible.*

4.5 RENT FOR UNITS WITH OVER-INCOME HOUSEHOLDS

After initial occupancy, the gross annual income of a household may exceed the applicable tax credit income limit by more than 140%. In this instance, the unit(s) must remain rent restricted until the over income unit(s) is (are) no longer considered a tax credit unit(s). Depending on the type of development, mixed or 100% low-income, the manner in which the over-income household is to be replaced differs.

A. Mixed Income Developments

At a mixed income development, once a household has been determined over-income, that is, the gross annual income exceeds the applicable income limit by 140%, the gross rent for the household/unit(s) must remain rent restricted until a tax credit unit of comparable or smaller size is rented. Upon renting of the available unit rule (AUR), an owner may then set the rent for the over-income unit at the market rate or an unrestricted amount.

B. 100 Percent Tax Credit Developments

At a 100% low-income development, if the gross annual income of a low-income unit exceeds the limit by 140%, the gross rent of the household/unit can never exceed the maximum allowable tax credit rents. Although the gross annual income exceeds the tax credit limit, the tax credit program allows the over-income household to remain in the unit and the unit would still be eligible for tax credit purposes. All vacant units or next available unit(s) must be rented to a qualified tenant.

*Refer to **Regulation #4** or **Chapter 2** for additional information regarding the AUR.*

4.6 RENT FOR UNITS WITH RENTAL SUBSIDY

Generally speaking, the MAR rent limitation for a tax credit unit (i.e., rent limit less the utility allowance and any mandatory charges) does not include any payments made under other government agencies or nonprofit organizations, such as Section 8 rental assistance, RHS 515 rental assistance, or any other comparable rental assistance program. **(See Section 42(O)(2)(B)(i) of this Plan).** . Thus, an owner, when establishing the MAR for a rental assisted unit should generally disregard any rental assistance payment(s). However, there are certain rules that apply based on the type of assistance the development receives/offers. These rules are based on tenant-based rental assistance and development-based rental assistance:

A. Tenant-based Rental Assistance

Tenant-based rental assistance (TBRA) is financial assistance offered to help individual households in an effort to better afford housing costs (i.e., rent, utilities, etc.) associated with market-rate units. Under the HTC program, although TBRA provides rental assistance to qualifying households, said assistance does not affect the gross rent for the unit, only the payments made directly by the tenant. **(See Section 42(O)(2)(B)(i))**

B. Development-based Rental Assistance

The gross rent of a household residing at a tax credit development receiving and/or providing development-based rental assistance (i.e., rental assistance payments made on the behalf of needy families directly to the development owner through a federal or owner-generated subsidy) is generally not affected by the rental assistance “subsidy” payment.

However, the manner in which the subsidy payment is to be applied depends on the type of assistance provided: Project-based Section 8 or RHS or Owner-subsidized.

Section 8/RHS:

Under most development-based programs, the household generally pays 30% of monthly adjusted income in rent. In turn, the development owner has a contract under which the applicable federal agency pays the owner the difference between the contract rent and the household’s portion. Although HUD/RHS makes rental payments to the owner on the behalf of the household, in this instance, it is not treated as a part of the household’s gross rent calculations as the MAR for units receiving development-based rental assistance (i.e., Section 8 or RHS) only applies to payments made directly by the tenant(s) with an adjustment for any tenant-paid utilities.

Note:

On April 1, 2006, HUD issued a Final Rule for Project-based (PBV) program stating that the maximum gross rent may not exceed federal tax credit rent limits for tax credit units that are also receiving PBV subsidies, even if Fair Market Rent limits are higher than the tax credit rent limits (24 CFR Part 983). Effective December 19, 2007, this rule was revoked by HUD thereby again allowing the rents to be established following standard procedures for the tenant-based voucher program. HUD still urges, however, PHAs to subsidize a reasonable market rent for a unit assisted through a PBV contract.

Owner's Rental Assistance:

Owner Rental Assistance (ORA) is a development based rental subsidy paid to a household by an owner whereby offering a direct reduction to the household's net rent. The intended purpose of the ORA is to serve as a direct rental benefit to the subsidized household's out-of-pocket rental amount thereby offsetting the household's net tenant-paid rent.

When administering ORA payments, to ensure the fair and equitable distribution of an owner's rental assistance/subsidy, adherence to the following criteria is required:

1. Maintain documentation proving assistance is/was being provided to a minimum of fifty-one percent (51%) of the development's units that are eligible under the tax credit program;
2. Provide rental assistance payments for a period not less than five (5) years commencing *on the later of* the development's placed in service date or the date of issuance of the first owner subsidy payment;
3. Provide a minimum of fifty dollars (\$50) per unit per month in rental assistance whereby the tenant-paid rent is reduced by the amount of the owner rental assistance payment ;
4. Establish and maintain throughout the rental assistance period comparable rental amounts for assisted and unassisted units of the same size, square footage, and amenities. **NOTE:** The MAR for units of the same size, location, square footage, and/or amenities must NOT differ between assisted and unassisted units.
5. Maintain documentation proving the establishment and continued maintenance of a rental assistance account. Note: Annual funding must be evident.
6. Establish a plan that identifies how households will be selected for housing assistance payments (including the maintenance of a waiting list) to be reviewed periodically by the Corporation. Additionally, included in this plan, an owner, in determining eligibility as to who will receive owner's rental assistance, preference should be given to households with "no tenant-based" assistance whose annual gross income is *at or below* 50% of the AMI.

Maximum Allowable Rent (MAR)

When determining the applicable rent for a household receiving ORA, the MAR should be used to determine the maximum rent payment allowable for the unit size (i.e., the same size, location, square footage and amenities), which is, according to MHC's definition, the HTC rent limit less tenant-paid utilities and any mandatory charges. This is the most rent you can charge for a particular unit. The gross rent may be used to determine the total out-of-pocket rent-related expenses for a household.

How is ORA applied?

To apply ORA, an owner/manager should first establish the MAR for the unit. Once the MAR has been determined, the owner should apply all rental credits (i.e., Section 8 Housing Choice Voucher) (with the exception of the ORA). This will generate the households' net rent. From the net rent, the ORA should be subtracted, if the net rent is the amount being charged. Otherwise, the ORA should be subtracted from the net tenant-paid contribution.

Example:

A unit with a MAR of \$550.00 and the unit receives \$200.00 from HUD, the net rent, before applying the ORA, is \$350.00. To apply the ORA, take the net rent of \$350.00 and subtract the subsidy amount (which is typically \$50.00). This yields a "new" net rent of \$300.00 to be paid by the tenant.

ORA Reassignment/Revocation

Reassignment

At the time of recertification, the subsidized household's income needs to be re-examined for continued eligibility. Effective March 1, 2007, in order to remove/reassign ORA from a subsidized household, the household's gross income must be ***at or above 60% AMGI***. When this happens, the ORA must be pulled and reassigned to the next qualifying household on the waiting list. When reassigning ORA, preferences must be given to the elderly, single-parent households and non-subsidized households.

Revocation

ORA may be discontinued and/or revoked for an assisted household/unit for two reasons:

1. The ORA contract period has expired. Since the inclusion of ORA as a Selection Criteria in the Qualified Allocation Plan (QAP), the required period for owner-provided rental assistance has been five (5) years with the exception of years 2001 and 2002, which is 15 years. An owner must provide assistance through the end of the subsidized families certification period unless a lease addendum exists specifying the ORA expiration date; or
2. Household is deemed in noncompliance for failure to comply with requests for certification in a timely manner (i.e., failure to respond to 90, 60, 30 day recertification renewal notices). ORA can be removed from a subsidized household if the

resident(s) fail to provide the necessary paperwork within 10 business days of the recertification due date.

ORA Expiration

Generally, an owner's obligation to provide rental assistance payments expires 12/31 of the fifth year after placing the development in service (PIS) unless the development was allocated credits under the 2001 and 2002 QAP's, which in these instances, it expires 12/31 of the 15th year.*

*Note:

The expiration date of the ORA payment may change depending on the date of the first rental assistance payment.

COMPLIANCE PROCEDURES

5.1 OVERVIEW

HTC owners should be aware that good files are essential to maintaining a favorable compliance status. Failure to adequately maintain good files (i.e., TIC, verifications, lease, etc.) can result in numerous compliance violations.

In accordance with IRS regulations, all instances of noncompliance, whether corrected or not, must be reported to the IRS as a noncompliance event.

This chapter will provide owners with guidance in understanding compliance procedures, as well as provide guidance on how to properly document the resident file of qualifying households and satisfy the owner's annual reporting requirement from the development's placed in service (PIS) date throughout the compliance period. Additionally, this chapter provides an overview of what constitutes federal and state noncompliance.

5.2 PLACED IN SERVICE (PIS) DATE

The placed in service (PIS) date of a tax credit building is the date when the building is ready for occupancy for the first time. It is NOT the date when the building is actually occupied. Identifying the actual PIS date of a building/development is highly essential because it marks the date the owner of a tax credit building must officially begin qualifying residents for the tax credit program, AND it is the trigger date for the beginning of the compliance monitoring period. Determining the actual PIS date of a building and subsequently the applicable method of qualifying units vary depending on whether the development is newly constructed, recently acquired or has undergone rehabilitation.

A. New Construction

The PIS date of a building(s) in a newly constructed development can be determined with relative ease since it is a definitive date – the date the building is ready for occupancy for the first time (i.e., issuance of certificate of occupancy). Qualifying residents for the HTC program on newly constructed developments is also a straightforward task - begin the qualification process the minute the first applicant walks through the door. *For information on documentation needed in order to document eligibility, see Chapter 2 of this Plan.*

B. Acquisition/Rehabilitation

Determining the PIS date for a building(s) in a development undergoing acquisition and/or rehabilitation is a slightly more challenging task because the dates are less decisive. Generally, the PIS date on an “acquired” development has already been established at the time of purchase since in most instances the building/development is already occupied. In some instances, developments are acquired empty (due to its inhabitable condition) thereby making the PIS date the date the development/building is restored.

In developments undergoing rehabilitation, the PIS date is an arbitrary date chosen by the owner generally at the end of any 24-month period of time in which the rehabilitation expenditure threshold (which in 2005 for the State of Mississippi is \$10,000 per low-income unit (or \$15,000 for existing HTC units) or 10 percent of the original basis amount, whichever is greater) has been met.

Qualifying Existing Residents for Initial Eligibility

Qualifying units/residents for the HTC program on developments that have undergone acquisition/rehabilitation or simply rehabilitation is a little more challenging. In many instances there is the presence of “existing residents” whose qualification must first be determined. As a result, all existing residents (as is the case of any new occupants), must be initially qualified for the tax credit program.

According to Rev. Procedure 2003-82, a unit occupied before the beginning of the credit period will be considered a low-income unit at the beginning of the credit period, even if the household’s income exceeds the income limit at the beginning of the first year of the credit period, if the following two conditions relative to income eligibility are met, and the unit must be rent restricted. These conditions are:

1. The household initially qualified the unit at the time the owner initially acquired the building or the date the household started occupying the unit, whichever is later; and
2. Written documentation of the initial HTC eligibility is maintained. In order to determine the eligibility of existing residents with HTC regulations, a properly completed Tenant Income Certification (TIC) form and all support documentation must be acquired in accordance with the following guidelines:

For acquisition/rehab developments

The initial certification for households occupying a unit at the time of acquisition must be completed within 120 days of the development’s acquisition placed in service (PIS) date. The move-in date on the TIC should be no earlier than the acquisition PIS date. The effective date of the initial HTC eligibility certification is the date of acquisition since there is no move-in date. The income limits in effect at the time of the acquisition PIS date should be used when determining income eligibility.

The initial certification for households occupying a unit at the time of acquisition; yet, failed to certify within 120 days of the development’s acquisition PIS date should be treated as a new move-in. The move-in date on the TIC should be no earlier than the acquisition PIS date. The effective date of the TIC should be the date the last adult household member executes all certification documents. The income limits in effect at the time of the effective date should be used when determining income eligibility.

If a household moves into a unit after the building is acquired but before the beginning of the first year of the compliance period, the tenant income certification is completed using the income limits in effect at the time of the certification and the effective date is the date the household moves into the unit.

Testing for Purposes of Next Available Unit Rule

Individuals occupying a unit before the beginning of the first year must be first tested for purposes of the Next Available Unit rule under IRC`42(g) (2)(D)(ii) and Treas. Reg. 1.42-15 at the beginning of the first year of the building's credit period.

Test Requirements:

1. Test must be completed within 120 days before the beginning of the first year of the credit period (applicable to households with an effective date of an initial certification greater than 120 days of the first year of the credit period);
2. The test must consist of confirming with the household that sources and amounts of anticipated income included on the TIC are still current. If additional sources or amounts of income are identified, the TIC will be updated based on the household's documentation. It is not necessary to complete third party verifications.
3. If the household is over-income based on current income limits, the NAUR is applied.

For rehab ONLY developments

The initial certification must be completed within 120 days of the development's rehab placed in service date. The move-in date on the TIC should be no earlier than the rehab PIS date. The effective date of the initial HTC eligibility certification may be any date the owner chooses on or after the PIS date; however, the date should not exceed the 120 day timeframe and must coincide with the initial eligibility date. NOTE: Verifications must be no older than 120 days from the effective date and all verifications must be completed and received prior to the effective date.

Common Violations

Some of the most common compliance violations made when it comes to qualifying units with existing residents are:

1. **Leasing to income ineligible households** – This violation is seen when an owner assumes everyone qualifies upon acquisition and/or rehabilitation of a tax credit development and fails to perform a “pre-lease survey” or an initial certification to document the current development status. As a result, when the household's income is certified, it is determined they are over the income limits.
2. **Charging rents which exceed maximum tax credit rents** – This violation occurs when an owner never assesses the rent charged to existing residents once the development has been PIS for tax credit purposes. As a result, the current rental charge exceeds the maximum allowable tax credit rent.

3. **Failure to certify households for HTC eligibility.** This violation is typically seen on developments that participate in another affordable housing program (i.e., RHS, Section 8, etc.). In these cases, owners continue with their existing eligibility procedures without taking into account the rules and regulations of the tax credit program whereby causing the unit to never qualify for tax credit purposes. This violation impacts the applicable fraction of the building.
4. **Failure to acquire an initial six (6) month lease term** – This violation is seen when an initial lease agreement is not acquired from an existing resident at the time the development has been PIS for tax credit purposes. When this happens, the unit is seen as being occupied on a transient basis.
5. **Failure to document/verify full-time student status.** This violation is commonly seen when owners are unaware of the rules and regulations of the HTC program OR in elderly developments whereby an owner assumes that because the development is reserved for the elderly, the full-time student status does not apply.

Identifying the actual PIS date of a building on a tax credit development is highly significant because once the tax credits have been allocated for a development built, acquired and/or rehabilitated), the focus shifts for the next 15 years to compliance monitoring.

Refer to Chapter 2 of this Plan for information on documentation needed in order to document eligibility.

5.3 COMPLIANCE PERIOD

Although tax credits are generally taken over a 10-year period, developments receiving an allocation of credits must comply with the income and rent restrictions for at least 15 years beginning with the first taxable year of the credit period. This 15 year period identifies the compliance period for the development.

During the 15 year compliance and extended use periods, the Corporation has the right to audit the development's tenant records and physical condition for compliance with Section 42, as amended, of the Internal Revenue Code (the "code"). The Code provides for partial recapture of tax credits for violations occurring within the first 15 years.

In addition, the Code requires an owner to retain all tax credit files and records for at least six (6) years after the tax return has been filed for that year.

Note:

The initial tenant files must be retained for six (6) years after the filing of the tax return for the last year of the compliance period of the development or for a total of 21 years.

The records to be retained are:

1. the number of units in the building,
2. the percentage that are low income and the rent charged on each,
3. low-income vacancies and rentals of next available units,
4. and income certification and supporting documentation for each low-income tenant.

5.4 DEVELOPMENT RECORDS

It is the responsibility of owners to maintain (by building) the following types of records in accordance with program record keeping requirements:

- A. Tenant Files
- Rental Application/Recertification Questionnaire
 - Tenant Release and Consent Form
 - Income/Asset Verifications, or applicable verification of non-employment or zero-income
 - Child Support Affidavit
 - Tenant Income Certification (TIC)
 - Inquiry/Verification of full-time student status
 - Initial dwelling Lease/HTC Lease Addendum
 - Utility allowance documentation (to support all UA figures listed in file), *if applicable*
 - Social Security Card/Picture I.D. Card/Drivers License (all residents)
 - Notes to file, *if applicable*

*See **Appendix D** for a complete list of mandatory certification forms.*

- B. Monthly Unit Listing:
- Listing of each unit number
 - Listing of number of bedrooms
 - Listing of tenant names

- Floor space of units
- Move-in date for occupied units
- Move-out date for vacant units
- Number of household members in each unit
- Household income for each unit
- Rent paid by household
- Utility allowance
- Unit status (low-income or unrestricted)

C. Development Files

Owners must maintain all development records documenting the eligible basis and qualified basis of each building for the first year of the credit period, as well as six years after the tax filing date for the last year of the compliance period or extended use period, if applicable. Long-term retention of development records may be stored in a method other than paper format (i.e., scanned, microfilm, etc.). The IRS cautions, however, that the files be saved in a method easily retrievable in the future if ever needed.

Note:

The Corporation requires the actual file when performing a tenant-file review of the records associated with a qualifying household.

D. Community Services & Significant Amenities

Owners must maintain development records documenting services and amenities to be provided as indicated in the HTC application noted at the time of allocation. For example, if the owner agreed to provide home ownership classes, parenting classes, neighbor night out, etc., this must be well documented and available to the Corporation upon request. Failure to provide documentation of such is considered a noncompliance event with the Corporation and will be noted as such.

At a minimum, annually during the period of time in which any community services are to be provided, an owner must maintain a roster detailing the date, time and topic of any class held. Additionally, roster should include the name and unit number/address of attendee(s). In the event of a “no-show”, the owner should indicate such on the roster and maintain a copy for personal records and agency review, if requested.

E. Documentation of Selection Criteria

For developments receiving points for items such as deeper income targeting, non-profit participation, renting to residents included on public housing waiting lists, or providing rental subsidy, etc., separate records must be maintained documenting the participation and/or inclusion of each. The selection criteria associated with a development is based on a specific year and according to the development’s

original application for HTC's. Thus, it is highly essential that an owner know the point selection criteria associated with the development in order to maintain compliance (See **Appendix L**).

5.5 COMPLIANCE REPORTING REQUIREMENTS

Periodically, an owner of a HTC development is required to submit certain reports to the Corporation documenting compliance with program rules and regulations and any state-mandated requirements. Once a development has been placed in service, the owner must start submitting compliance reports (quarterly and/or annually) to the Corporation. At a minimal, these reports document a development's low-income occupancy by providing specifics as it relates to a qualifying household's eligibility (i.e., income, rents and full-time student status). The Corporation performs a review of an owner's compliance report(s) to assess owner compliance with tax credit requirements.

A. Quarterly Reporting:

During lease-up, an owner of a development/building(s) receiving an allocation of HTCs will be required to submit to the Corporation for review a **Quarterly Status Report** detailing lease-up activity of a development. This report documents project activity during the lease-up period and commences on the 15th day of the month immediately following the quarter in which the first building is placed in service. An owner is required to submit the Quarterly Status Report *until the later* of the 100% occupancy (provided the development is in compliance and has resolved all compliance matters during this period) OR the issuance of IRS form 8609 *Certification of Tax Credit Allocation* by the Corporation's Allocation Division. Upon meeting these requirements, the Corporation will convert the development to reporting on an annual basis. (See *Appendix H for quarterly reporting forms*).

The Quarterly Status Report consists of the following:

- Quarterly Status Compliance Report – Part A (with Part I and the top of Part II completed, signed and dated); and
- Occupancy (Rent Roll) Report – Part B (per building)

All quarterly occupancy reports must be submitted electronically to the Corporation in accordance with the following report schedule/dates:

Reporting Period	Report Due Date
January – March	April 15 th
April – June	July 15
July – Sept.	October 15
October – Dec.	January 15

B. Annual Reporting

According to Section 1.42 of the Internal Revenue Code (IRC), during the compliance period, an owner of HTC development is required to submit, on an annual basis, information pertaining to the development's compliance status. This information which is commonly referred to as the Annual

Owner Certification Report (AOC) includes data relating to the status of each tax credit building in the development (i.e. report of any casualty losses), as well as eligibility information of each qualifying tax credit unit and is due to the Corporation *on or before* January 31st of each calendar year for the preceding calendar year, effective January 1, 2007.

Owners must begin submitting an AOC Report when a development has been placed in service and annually thereafter until the end of the development's compliance and extended use periods.

The annual Compliance Report consists of the following:

- An Owner Certification of Continued Program Compliance Certification (OCCPC);

NOTE: Electronic submission required

- Supplemental Certification of HTC Compliance;
- Applicable Utility Allowance support documentation;
- An Occupancy (Rent Roll) Report for each HTC building in the development;

NOTE: Electronic submission required

1. Owner Certification of Continued Program Compliance

An owner of a HTC development must certify, under a penalty of perjury, that the development meets the requirements of Section 42 by noting that:

- the development meets the minimum set-aside election test (the 20/50 test, the 40/60 test or the 25/60 Test, under sections 42(g)(4) and the 15/40 test);
- the development has received annual low income certification and documentation for each low income tenant;
- each low income unit is rent restricted;
- all units are for use by the general public on a non-transient basis (an original lease term of a full six months or longer) and each building is suitable for occupancy;
- reasonable attempts will be made to rent any vacant low income units and no comparably sized or smaller units will be rented to non-low income tenants while the vacancy exists;
- if the income of tenants in a low-income unit increases sufficiently, the next available comparable or smaller unit will be rented to low-income tenants;
- there has been no change in eligible basis and all tenant facilities included in eligible basis are available to all tenants without charge;
- the state or local unit responsible for making building code inspection did not issue a report of a violation for the development. If the governmental unit issued a report of a violation, the owner is required to attach a copy of the report of the violation to the annual certification submitted to the Corporation. An owner must state on the certification whether the violation has been corrected. Retention of the original

violation report is not required once the Corporation reviews the violation and completes its inspection, unless the violation remains uncorrected;

- the owner has not refused to lease a unit in the development to a Section 8 applicant because the applicant holds a Section 8 voucher or certificate;
- the owner did not evict or otherwise have a resident's lease terminated for other than good cause;
- no finding of discrimination under the Fair Housing Act has occurred for the development (a finding of discrimination includes an adverse final decision by HUD, an adverse final decision by a substantially equivalent state or local fair housing agency, or an adverse judgment from a federal court).

2. Supplemental Certification of HTC Compliance: State specific obligations

Effective January 1, 2007, in an effort to acquire an annual update of participating owner's specific compliance obligations as outlined in the development's HTC application, the Corporation requires all program participants, including those which have received a carryover allocation of tax credits (even if the development has not yet been placed in service), to certify to compliance with certain state specific obligations, using the *Supplemental Certification of HTC Compliance* (SCHTCC) form. Included in the SCHTCC is an owner's compliance with rent limit guidelines, any deeper income targeting obligations, owner rental assistance, and/or social service requirements. Also included in this report is an owner's certification to the overall physical condition of the development.

3. Occupancy (Rent Roll) Report

Under the record keeping and record retention provisions of 26 CFR Section 1.42-5, an owner of a HTC development is required to retain certain information for each qualified tax credit building. This includes specific data on each low-income unit (occupied or unoccupied) in the development. The Occupancy (Rent Roll) Report grants an owner the ability to identify, at a minimum, specific eligibility information (such as household composition, move-in/move-out date, tenant's rental amount, utility allowance amount, and total gross household income). Likewise, it grants the Corporation the opportunity to monitor the minimum set-aside and applicable fraction of each building in the development from the development's initial rent-up through the end of the compliance period, as well as monitor changes in occupancy, rent and income qualifications.

Tax credit development owners are required to submit an Occupancy Report for each tax credit building in its development electronically utilizing the Corporation's COL system or, with approval, in hard-copy format utilizing the Occupancy (Rent Roll) Report in Appendix G.

Note:

Depending on extenuating circumstances, the Corporation may approve an owner submission of the OCCPC and Occupancy Reports solely in hard-copy format. Minimal fees may apply.

4. Utility Allowance Support Documentation

HTC gross rent must include the cost of utilities paid directly by the household, except for telephone and cable services. As a result, when applicable, documentation from an authorized official must be provided reflecting the latest utilities estimates for the unit size, location, etc. Documentation of utility allowance estimates must be acquired from an authorized utility provider, based on development type (i.e., PHA, HUD, RHS or a Local Utility Company).

Note:

Depending on circumstances, the Corporation may ask an owner to include additional material with the AOC report to assist in evaluating a development's compliance with tax credit rules and regulations.

C. Financial Reporting

Effective January 1, 2007, an owner of a tax credit development will be required to annually provide to the Corporation a *Development Financial Analysis Report*, including but not limited to the development's income, expenses and debt service ratio, operating & replacement reserve expenditures and balances, and the amount of tax credits claimed (*per building*) upon request for the reporting period.

1. Debt Service Ratio

Debt Service ratio is the amount of cash flow available to meet annual interest and principal payments on debt. A debt service coverage ratio (DSCR) of less than one (1) would mean a negative cash flow. A DSCR of .95 would mean there is only enough operating income to cover 95% of annual debt payments. The QAP defines an acceptable range between 115% and 130% of annual debt payments. **NOTE:** Financial information to be submitted annually on a date to be determined by the Corporation.

2. Replacement and Operating Reserves

At the time of the tax credit allocation, the Corporation requires all applicants for tax credits to have established replacement reserves in which periodic contributions are made. At the end of the first year of the credit period, and on an annual basis thereafter, an owner must show evidence that the operating and replacement reserve accounts have been established and maintained (i.e., funded) in accordance with the minimum (per unit) contribution as outlined in the applicable Qualified Allocation Plan for the development. Failure to properly fund reserve accounts is considered a major noncompliance event and will be noted as such in the compliance records for the referenced development.

Replacement Reserves

Replacement reserves are monetary contributions made to a FDIC-insured financial institution on the behalf of a development to be used for capital improvements and system replacements. Capital improvements means improvements to the real estate, such as re-roofing, structural repairs, or major costs to replace or upgrade existing furnishings, but not including replacement of individual appliances or minor repairs. The cost of these capital improvements and system replacements should exceed \$5,000

for developments with 24 units or less and exceed \$10,000 for developments above 24 units. Replacement reserves requirements increase at a rate of four percent (4%) per year. Usage of replacement reserves for expenditures other than capital improvements and/or system replacements is strongly prohibited. Generally, funding of the replacement reserve account commences on the date a building/development places in service (PIS). However, depending of when the permanent financing closed on the development, this date may differ.

Operating Reserves

Operating reserves must be six months of the development's operating expenses. Calculation of operating reserves should include replacement reserves.

**Both the Replacement and Operating reserve accounts must be maintained in a FDIC-insured financial institution.*

D. Report Submission Requirements:

Effective January 1, 2007, an owner's submission of his/her AOC, Quarterly Occupancy Status and Financial Reports must be transmitted electronically (where applicable) to the Corporation using the Corporation's Applied Oriented Design/ Certification On-Line (AOD/COL) system. The AOD/COL system is an electronic reporting program that interfaces with the Corporation's internal multifamily compliance tracking system, AOD/MF, thereby allowing an owner/manager the ability to log onto the Corporation's secured internet site and enter specific development and unit occupancy information, as well as generate, print and submit certain owner reports. All other components of the Report must be prepared and remitted to the Corporation in hard-copy format on or before the prescribed deadline date.

E. Consequences of No Submit/Late Submissions:

The failure of an owner to comply with the noted reporting requirements is considered a noncompliance event reportable to the IRS. Additionally, in the event of noncompliance with an owner's reporting requirements, an owner may also incur the following fees:

- Any additional expenses incurred by the Corporation as it relates to an owner's noncompliance shall be the responsibility of the owner; and
- A late fee of \$100.00, per day, per development, for every day the AOC, Quarterly, or Financial Report is received after the prescribed deadline date.

Note:

A five (5) day grace period is granted for submission of all reports. However, grace period covers the reporting of noncompliance to the IRS ONLY and thus does not cover the assessment of any late fees.

5.6 COMPLIANCE REVIEWS

Beyond requiring the annual certifications, the Corporation will, at least once every three (3) years, conduct on-site inspections of all buildings in each low-income housing development and for each resident in at least twenty percent (20%) of a development's low-income units, review the low-income certification of each qualifying household, the documentation supporting such certification, and the rent record for these units. In addition, the Corporation will conduct on-site inspections for all buildings in a development. For developments PIS after January 1, 2001, an inspection will be performed by the end of the second calendar year following the year the last building in the development is PIS.

A. Tenant File Reviews

In order to meet its monitoring obligations to the IRS, the Corporation is required to inspect each HTC development at least once every three years. These periodic inspections include a tenant file review to be conducted either externally (on-site audit), internally (desk audit), or both.

1. Desk Audit Procedures (24 Units or less)

The Corporation may, at its discretion, inspect units with 24 units or less utilizing the desk audit (internal) procedure. Developments audited utilizing this method will be given a specified period of time to prepare and submit to the Corporation a legible photocopy of all inspection items requested, along with the *Desk Audit Questionnaire* Form (See **Appendix I**). Ample notification will be given to owners to allow them time to prepare the requested documents. When utilizing the desk audit method of auditing, the physical inspection of the condition of the units and the buildings will follow shortly thereafter. In some cases, depending on the circumstances, the physical inspection may take place before the desk audit is actually conducted. In this case, the same procedures will apply.

2. On-site Audit Procedures

Developments audited utilizing this method will be given a specified period of time notifying them of the date and time of the inspection. Typically, two weeks written notice to the owner is given. At this time, an *On-site Audit Acknowledgment Form* is mailed outlining the date and time of the inspection along with a specified return deadline date (See **Appendix I**). Scheduling conflicts, staff vacations, etc., should be addressed at this time. An *On-site Audit Acknowledgment* form not returned to the Corporation by the noted deadline date will result in the development being audited as outlined in the original correspondence. In the event staff proceed with the noted inspection and is unable to perform the inspection as scheduled (no show, no records, etc.), the owner will be responsible for reimbursing the corporation for any cost associated with the inspection (**See Section 5.7 of this chapter**).

When utilizing the on-site method of auditing, the physical inspection of the units/ buildings may occur at the same time. In some cases, depending on the circumstances, the physical inspection may take place before or after the onsite audit is actually conducted. In this case, the same procedures will apply.

B. Physical Inspection

The Corporation has the right to perform an on-site physical inspection of any tax credit housing development at least through the end of the development's compliance and extended use periods. This inspection provision exists in addition to any review of low-income certifications, supporting documents, and rent records. Generally, the inspection will allow the Corporation to determine if a tax

credit unit is suitable for occupancy. Inspection standards to be used are intended to ensure that the housing is decent, safe, sanitary, and in good repair. Irrespective of the physical inspection standards selected by the Corporation, a low-income housing development under Section 42 must continue to satisfy local health, safety and building codes.

The Corporation will consider a building exempt from the physical inspection requirement if it is financed by the Rural Housing Service (RHS) under the Section 515 program, the RHS inspects the building (under & CFR part 1930 (c)) and the RHS and the Corporation enter into a Memorandum of Understanding (MOU), or other similar arrangement, under which the RHS agrees to notify the Corporation of the inspection results. **MHC RESERVES THE RIGHT TO CONDUCT PHYSICAL INSPECTIONS REGARDLESS OF ITS MOU WITH THE RHS.**

1. Physical Inspection Standards

The physical inspection of units and buildings of HTC developments will be conducted utilizing the physical condition requirements for HUD's Uniform Physical Condition Standards (UPCS). Owners of HTC developments must maintain such housing in a manner that meets the physical condition standards set forth below in order to be considered decent, safe, sanitary and in good repair. These standards address these major areas: the site, building exterior, the building systems, the dwelling units, the common areas, and health and safety considerations.

Site:	The Site components such as fencing, retaining walls, grounds, lighting, mailboxes, development signs, parking lots, driveways, play areas and equipment, refuse disposal, roads, storm drainage and walkways must be free of health and safety hazards and be in good repair. The site must not be subject to material adverse conditions, such as abandoned vehicles, dangerous walkways or steps, poor drainage, septic tank back-ups, sewer hazards, excess accumulation of trash, vermin or rodent infestation or fire hazards.
Building Exterior:	Each building on the site must be structurally sound, secure, habitable and in good repair. Each building's doors, fire escapes, foundations, lighting, roofs, walls and windows where applicable must be free of health and safety hazards, operable and in good repair.
Building Systems:	Each building's domestic water, electrical system, elevators, emergency power, fire protection, HVAC, and sanitary system must be free of health and safety hazards, functionally adequate, operable and in good repair.

<p>Dwelling Units:</p>	<p>Each dwelling unit within a building must be structurally sound, habitable and in good repair. All areas and aspects of the dwelling unit (for example, the unit's bathroom call-for-aid (if applicable), ceiling doors, electrical systems, floors, hot water heater, HVAC systems, kitchen, lighting outlets/switches, patios/porch/balcony, smoke detectors, stairs, walls and windows) must be free of health and safety hazards, functionally adequate, operable and in good repair.</p> <p>Where applicable, the dwelling unit must have hot and cold running water including an adequate source of potable water (note, for example, Single-Room Occupancy (SRO) units need not contain water facilities).</p> <p>If the dwelling unit includes its own sanitary facility, it must be in proper operating condition, usable in privacy and adequate for personal hygiene and the disposal of human waste.</p> <p>The dwelling unit must include, at a minimum, a battery-operated or hard-wired smoke detector in proper working condition on each level of the unit and/or (s) adjacent to all bedrooms.</p>
<p>Common Areas</p>	<p>The common areas must be structurally sound, secure and functions adequately for the purpose intended. The basement/garage/carport, restrooms, closets utility/mechanical/community rooms, day care, halls/corridors, stairs, kitchens, laundry rooms, office, porch, patio, balcony and trash collection areas, if applicable, must be free of health and safety hazards, operable and in good repair. All common area ceilings, doors, floors, HVAC, lighting outlets, switches, smoke detectors, stairs, walls and windows to the extent applicable, must be free of health and safety hazards, operable and in good repair. These standards for common areas apply in particular to congregate housing, independent group homes, residences and single room occupancy units in which the individual dwelling units (sleeping areas) do not contain kitchen and/or bathroom facilities.</p>

Health and Safety Concerns	All areas and components of the housing must be free of health and safety hazards. These areas include but are not limited to air quality, electrical hazards, elevators, emergency/fire exits, flammable materials, garbage and debris, handrail hazards, infestation and lead based paint. For example, the buildings must have fire exits that are not blocked and have handrails that are undamaged and have no other observable deficiencies. The housing must have no evidence of infestation by rats, mice, or other vermin or of garbage and debris. The housing must have no evidence of electrical hazards, natural hazards or fire hazards. The dwelling units and common areas must have proper ventilation and be free of mold and odor(s) (e.g. propane, natural gas, methane gas) or other observable deficiencies. The housing must comply with all requirements related to the evaluation and reduction of lead-based paint hazards and have available proper certification of such.
Compliance with State and Local Codes	The physical condition standards in this section do not supersede or preempt State and local codes for building and maintenance with which housing tax credit developments must comply. Tax credit developments must continue to adhere to these codes.

Source: The physical condition standards outlined above were taken from 24 CFR 5.703.

2. Physical Inspection Procedures

The Corporation will notify owners in advance of an upcoming on-site physical inspection through official written correspondence. A *Building Physical Inspection Form* is provided outlining the date and time of the inspection along with a specified return date. The most current rent roll must be included. Scheduling conflicts, staff vacations, etc., should be addressed at this time. A *Building Physical Inspection Reference Form* not returned to the Corporation by the noted deadline date will result in the development being inspected as outlined in the original correspondence.

Residents should be notified in writing of the scheduled inspection. All buildings and residential units within the development should be readily accessible. Maintenance personnel and a management representative should be present during the inspection.

Noncompliance fees will be assessed against the development for reimbursement of expenses incurred to conduct all follow-up inspections of noted deficiencies from the initial inspection, if applicable. In the event the staff proceeds with the noted inspection and is unable to perform the inspection as scheduled (no show, no records, etc.), the owner will be responsible for reimbursing the Corporation for any cost associated with the inspection (***See Section 5.7 of this chapter***).

When performing a physical inspection of the condition of the tax credit units and buildings, an on-site or desk audit review of the development's tenant files may occur at the same time. In some cases, depending on the circumstances, the physical inspection may take place before or after the on-site/desk audit tenant file review. In this case, the same procedures will apply.

Note (1):

If an owner and/or designated agent miss a scheduled physical condition inspection, IRS Form 8823 will be issued and an additional financial penalty of \$55.00 (per day) for each day the physical inspection is outstanding past the originally scheduled inspection date. Any physical inspection rescheduled/ approved by the Corporation is exempt from this penalty.

Note (2):

The Corporation reserves the right to retain an agent or other private contractor to perform compliance monitoring. In this event, the agent or other private contractor may be delegated the functions of the Corporation to monitor compliance, except for the responsibility of filing IRS Form 8823.

5.7 NONCOMPLIANCE

Noncompliance can be defined as an owner's failure to meet and maintain the requirements provided in Section 42 of the IRC, the Corporation's Compliance Monitoring Plan, the development's Qualified Allocation Plan (QAP) and/or Declaration of Land Use Restriction Agreement (LURA), if applicable. Owners will be allowed up to a 90-day correction period to supply missing documentation or to correct noncompliance. The correction period begins on the date the Corporation provides written notification to the owner and/or owner's authorized agent of any noted deficiencies. If deemed necessary, the Corporation may grant an extension of up to six months to correct instances of noncompliance.

The Corporation will notify the IRS of an owner's noncompliance, whether or not the noncompliance is corrected, no later than 45 days after the end of the time allowed for correction by filing Form 8823 *Low-Income Housing Credit Agencies Report of Noncompliance* (See **Appendix M**). The Corporation will not review nor submit to the IRS a "corrected" 8823 for instances of noncompliance submitted for correction beyond three years of the allotted correction period.

Note: All instances of noncompliance are reported and corrected on a building-by-building basis. Corrections of noncompliance made by an owner/manager prior to the Corporation's notification of an upcoming monitoring review and/or inspection are not required to be reported to the IRS as an instance of noncompliance. As a result, the Corporation will not notify the IRS of instances of noncompliance that are identified and corrected prior to an owner's original notification of a monitoring review.

A. Major Noncompliance

Major noncompliance can be defined as any noncompliance violations that have a significant impact on the minimum set-aside, eligible basis, applicable fraction, habitability, and affordability of the development. Examples of major noncompliance include, but are not limited to:

- Leasing to tenants whose initial gross household income exceeds the applicable maximum HTC income limit;
- Rents charged to tenants that exceed maximum limit;
- Failure to follow the Available Unit Rule (AUR);
- Numerous instances of administrative noncompliance (failing to execute the procedures and policies stated in the Corporation's Compliance Monitoring Manual);
- Severe health and safety violations generally affecting more than one (1) unit (structural problems, severe water damage, blockage of fire exits, fire hazards, pest infestations, elevators functioning improperly, smoke detectors or sprinklers not functioning, inoperable fire extinguishers, etc.);
- Down units (not suitable for occupancy for extended period of times generally more than ninety (90) days);
- Improper disposition and/or sale of development.

B. Minor Noncompliance

Minor instances of noncompliance can be defined as non-major, less severe, more technical violations. Examples of minor noncompliance include, but are not limited to:

- Isolated instances of administrative noncompliance (failing to execute the policies and procedures stated in the Mississippi Compliance Monitoring Plan);
- Less critical health and safety violations (dirty flooring/walls, minor leak under sink, etc.);
- Violations that require correction but do not impair essential services and safeguards for tenants.

C. Noncompliance Fees

The owner of a development found in noncompliance will be responsible for reimbursing the Corporation for all expenses incurred. Expenses for conducting additional on-site, desk-audit, or physical inspections will be billed in accordance to the following schedule:

	<i>Violation</i>	<i>Fee</i>
1	General Noncompliance	\$55.00
2	Subsequent Review Fee	\$55.00 per hour
3	Missed Deadline date	\$55.00 per day
4	Reports late submission Fee	\$100.00 per day
5	Reinspection Fee(s)	\$55.00 per hour Standards Mileage & Overnight accommodations, <i>if applicable</i> Meal allowance in accordance w/applicable federal regulations
6	Copy	\$.15 per copy
7	Research Fee	\$55.00 per hour
8	Missed inspection Fee (No show)	\$55.00 per day
9	AOC COL manual submission Fee	\$20.00 per unit

Reinspection/Late Fees

The Corporation will charge \$55.00 (per hour) with a \$55.00 minimum to review documents forwarded to the Corporation to correct any instance of noncompliance. In addition, the Corporation will assess a late penalty of \$55.00 (per day) for any documents received past the noted deadline date or audits outstanding past the originally scheduled audit date. NOTE: THIS AMOUNT IS SEPARATE AND DISTINCT FROM THE \$55.00 (PER HOUR) REVIEW FEE.

Note:

<i>All noncompliance fees MUST be received by the Corporation before any noncompliance event will be corrected with the IRS.</i>
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5.8 COMPLIANCE VIOLATIONS

A. Common Violations

Some of the most common compliance violations made by owners and managing agents are:

1. ***Leasing to ineligible households*** – An owner who leases a unit to a household whose income exceeds the applicable tax credit limit for the area of median income should not be claim credits on that unit. The unit remains an ineligible unit as long as the household continues to lease the unit or the unit has been vacated, not re-rented to a qualifying household.
2. ***Charging rents which exceed maximum tax credit rents*** - When an owner and managing agent leases a unit with a rental charge exceeding the applicable tax credit rent, the rent charge is classified as a “rental overage.” An Owner MUST reimburse to the tenant any rental overage by either:
 - Refunding the tenant the amount of the overage in the form of money order or cashiers check; or
 - Refunding the tenant the amount of the overage by decreasing subsequent rental amounts to equal the amount of the overage.
3. ***Failure to certify and/or recertify a household***
4. ***Failure to verify all sources of income***
5. ***Inadequate and/or lack of utility allowance documentation***
6. ***Lease Term Violations*** - Under the tax credit program an original lease term must be for a full six months or longer. The lease can be renewed on a month-to-month basis. The

IRS requires that low-income units be available on a non-transient basis, the only exceptions are transitional housing units, which can be on a month-to-month basis.

B. Uncorrectable Violations

Items of noncompliance that can never be corrected are:

- Out of program/out of compliance; and
- Not meeting the occupancy minimum set-aside election by the deadline date

5.9 TRANSFER OR SALE OF DEVELOPMENT

An owner of a HTC development desiring to dispose of said development, may do so by posting a surety bond notifying the IRS through the filing of Form 8693 *Low Income Housing Credit Disposition Bond* (See **Appendix M**), and the Corporation (utilizing the Change in Ownership Form (See **Appendix N**). Currently, IRS regulations (section 42(j) (6)) require the posting of a surety bond to avoid a recapture of tax credits due to the sale or transfer of a development during the development's 15 year compliance period. It is the intent of the bond to ensure that the principal taxpayer: 1) does not attempt to defraud the United States of any tax violations under Section 42; 2) file all returns and statements as required by law or regulations; 3) pays all taxes including any penalties and interest charged; and 4) complies with all other requirements of the law and regulations under Section 42.

Taxpayers interested in disposing of a tax credit development must do so within 60 days of the scheduled disposition. In addition, the liability stated on the bond must be in accordance with the period of years remaining in the 15 year compliance period of the building, and an additional 58 months thereafter.

Owners, individual investors, partnerships and corporate investors choosing to dispose of a tax credit development, yet lacking the desire and/or experiencing difficulty in acquiring a surety bond, may still adhere to IRS guidelines by posting U.S. Treasury Securities. The IRS offers as an alternative to the surety bond, the posting of U.S. Treasury Securities through a "Collateral Program". Under this program, treasury securities (i.e., prepaid premiums) can be used in lieu of posting a surety bond to secure an owner's liability for credit recaptures (Section 42(j)). However, the owner will be deemed by the IRS to continue to own the disposed of interest for the sole purpose of the disposition under the rules of Section 42(c).

The owner(s) will not have any credit claiming authority from that point and could possibly forfeit Treasury Securities if any decrease in the qualified basis of the development is uncovered before or after the disposal of interest in said development.

Foreclosure:

When a building or HTC development is no longer in compliance or participating in the HTC program as a result of foreclosure, the new ownership entity must IMMEDIATELY provide to MHC a copy of the following documents:

- ☐ Evidence of Foreclosure Sale and/or anticipated date of sale;

- ☐ Occupancy Report as of the date of sale listing all residents and the current rental rate*; *and*
- ☐ Development Transfer Form identifying the name, address, and telephone number of owner and/or owner contact

Generally, the term of the Land Use Restriction Agreement (LURA) expires when there is a loss of development due to foreclosure or a deed-in-lieu foreclosure. According to Section 42(E) (i) (I), “the extended use period for any building shall terminate on the date the building is acquired by foreclosure (or instrument in lieu of foreclosure) unless the Secretary determines that such acquisition is part of an arrangement with the taxpayer for a purpose of which is to terminate such period.” If the Mississippi Home Corporation (MHC) has cause to believe that an owner or a related entity attempted to avoid the LURA’s lower-income requirements through foreclosure and again holds an interest in the development, MHC may take the appropriate steps to activate the LURA’s requirements.

The revival provision is intended to prevent an owner from escaping the LURA’s occupancy requirements while retaining the effective control and use of the development. This provision should not be applied when a bona fide foreclosure has occurred and an owner later reacquires an interest on a reasonable commercial basis.

**This report may be generated by agency rent roll records or compiled using the Occupancy Report included in this package.*

Compliance Requirements Post-Foreclosure Sale:

When a building or HTC development is no longer in compliance or participating in the HTC program, state agencies are required (before terminating a LURA) to address two key issues of compliance: Extended Low-Income Housing Commitment and Protecting Tenant Rights. As a result of such, the NEW entity acquiring ownership interest in the foreclosed development must adhere to the requirements as follows:

1. Extended Low-Income Housing Commitment: Internal Revenue Code (IRC) Section 42(h)(6)(D) requires a development owner to commit to the low-income housing program for a minimum of 30 years. The commitment is documented as a restrictive covenant against the development and is recorded against the development as a deed restriction governed by state law. When a building or project is removed from the HTC program before the end of the extended use period, state agencies have discretionary authority to release the extended use agreement and remove the deed restriction.

2. Protection of Tenants Rights: Internal Revenue Code (IRC) Section 42(h)(6)(E)(ii) requires a development owner to adhere to the following requirements in the event of a termination of a development’s extended use agreement. These requirements are:

- a. No eviction or termination of tenancy (other than for good cause) of an existing tenant of any low-income unit before the close of the three (3) year period following the termination of the extended use agreement, *and*
- b. No increase in the gross rent of any unit occupied by an existing tenant before the close of the three (3)-year period following the termination of the extended use agreement, not otherwise permitted under Section 42.

Upon the fulfillment of the above noted requirements and written request from the development owner, MHC will consider releasing the development from the extended use requirements. In such event, the release will set forth the particular condition giving rise to the end of the term.

Future Use of Available Tax Credits:

Upon the foreclosure of a tax credit development, the rights to the annual low-income housing tax credit ceases.

Tax Credit Recapture: Any tax consequences (i.e., recapture of previously claimed credits) as a result of the foreclosure or program noncompliance prior to the foreclosure sale is strictly determined by the IRS.

Reporting Requirement(s) Post-Foreclosure Sale:

An owner of a HTC development that has undergone foreclosure is required to submit, for the three (3)-year period immediately following the date of the foreclosure sale, information pertaining to the occupants and the applicable rental rate charged. This information, which must be reported to MHC via an Annual Owner Certification (AOC) Report is due to MHC on or before January 31st of each calendar year (or on another date prescribed by MHC) for the preceding calendar year. Please note: The first Occupancy Report identifying occupants as of the date of the foreclosure sale and the rental rate charged is due to MHC within 30 days of the sale.

The AOC Report must include the following*:

- ☐ Part A: Post-Foreclosure Certification
- ☐ Part B: Rent-Vacancy Report

***THIS REPORT MUST BE PREPARED AND REMITTED IN THE FORMAT PRESCRIBED BY MHC.**

Note:

Any additional information regarding the "Collateral Program" can be obtained from Daniel Kwiecinski or Kati Cary with the Hays Group at (800) 747-0006.

5.10 MONITORING COSTS

Under current monitoring regulations and guidance, the Corporation will charge monitoring fees to all HTC developments. The Corporation may require additional monitoring charges if subsequent guidance or regulations warrant changes to the Corporation's monitoring procedures. For developments receiving tax credits before 2007, the initial fee of 2.5% of the total credit amount over the ten year period based on the first year's credit amount allocated is applicable. This fee is non-refundable and must be provided to the Corporation in the form of certified funds or a cashier check.

Extended Use Period:

Owners of tax credit developments operating solely under its LURA will be assessed, beginning with the first year of the extended use period, a \$20.00 per low-income unit fee to cover staff costs to monitor tax credit developments during the extended use period, excluding developments financed by RHS. RHS financed developments will pay an annual administrative fee of \$10 per low-income unit. This reduced administrative fee will remain in effect in so long as a valid MOU exist between MHC and RHS and RHS provides MHC with the latest Supervisory Visit for the development.

Effective January 1, 2007, the annual administrative fee will be due no later than January 31st of each year. Owners are still subject to all other fees as stated in Chapter 5 of this Plan. Additional monitoring fees will be calculated in accordance with monitoring fee adjustments (if applicable) included in the Corporation's Compliance Monitoring and Qualified Allocation Plans on an annual basis.

5.11 LEGAL AND PROFESSIONAL COSTS

If the Corporation shall incur legal fees or other expenses in enforcing its rights and/or remedies, or the owner's obligation under Section 42 of the IRC and the LURA for the HTC program or these monitoring procedures, the owner shall reimburse the Corporation for those fees and other expenses within ten (10) days of receipt of written demand thereof.

5.12 LIABILITY

Compliance with requirements of Section 42 is the responsibility of the owner of the development for which the tax credit is allowable. The Corporation's obligation to monitor for compliance with the requirements of Section 42 does not make the Corporation or the State of Mississippi liable for an owner's noncompliance. Neither the Corporation nor the State of Mississippi shall be held liable for any expenses or losses incurred by the owner for failure to adhere to the LURA, the requirements of Section 42 or the monitoring procedures established by the Corporation for Mississippi's Tax Credit Program.

5.13 TECHNICAL ASSISTANCE

The Corporation offers technical assistance on an as needed basis. Technical assistance is available to owners, developers, managing agents and/or staff via one-on-one trainings, group trainings, and conference. Generally speaking, all technical assistance trainings are available free of charge, twice a month, by appointment and availability.

In addition to the above noted technical assistance efforts, the Corporation also host quarterly compliance monitoring briefings. The goal of the briefings is to allow any party interested in developing or managing a HTC development or seeking to obtain a broader knowledge of the HTC program information on:

- Understanding federal regulations as it relates to determining tenant eligibility

- Understanding specific program rules implemented by the Corporation
- Developing an effective rental application and getting the information you need
- Income and rent limits
- Income verifications
- Annual income and asset verification
- How to complete the Corporation required forms and documentation
- Other topics which the Corporation or representative of may deem necessary to satisfy and/or maintain compliance.

Quarterly briefing are open to the public and seating is available on a first come, first serve basis. The Corporation reserves the right to limit the number of briefings conducted per year.

Note (1):

<i>No group and/or conference training request will be granted during the months of July, November and December.</i>
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Note (2):

<i>Technical assistance training should be requested in writing utilizing the Technical Assistance Request Form included in Appendix N of this Plan.</i>

Source: Some of the information for Chapter V, Compliance Procedures were taken from the Guide for Completing form 8823 Low-Income Housing Credit Agencies Report of Noncompliance or Building Disposition, January 2007.

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FAIR HOUSING

6.1 OVERVIEW

State Housing Finance Agencies who administer the Housing Tax Credit (HTC) Program have been advised to include language as part of their QAP's that addresses Fair Housing requirements. All tax credit developments, as well as other housing in the United States, are covered by the U.S. Department of Housing and Urban Development's ("HUD") Fair Housing Legislation.

This chapter will provide an overview of fair housing policies and procedures thereby outlining some basic requirements of an owner concerning reasonable modifications/accommodations, accessibility, as well as fair housing laws.

6.2 PURPOSE

In 1988, Congress passed the Fair Housing Amendments Act as a supplement to Title VIII of the Civil rights Act of 1968, commonly known as The Federal Fair Housing Act. The Amendments expand coverage of Title VIII to prohibit discriminatory housing practices based on disability and familial status. The Fair Housing Act establishes design and construction requirements for multifamily housing built for first occupancy after March 31, 1991. The law provides that failure to design and construct certain multifamily dwellings to include certain features of accessible design, will be regressed as unlawful discrimination.

Under the Fair Housing Act, it is illegal to discriminate in the sale, rental, financing, advertising or operation of housing. It is also illegal to discriminate in residential lending decisions and to make discriminatory statements in advertising. The law covers both private housing providers and housing providers who receive financial assistance from HUD.

6.3 GENERAL PROVISIONS

The Fair Housing Act covers most types of housing. The broad objective of the Fair Housing Act is to prohibit discrimination in housing because of a person's race, color, national origin, religion, sex, familial status, or disability.

The Fair Housing act includes two important provisions: (1) a provision making it un-lawful to refuse to make reasonable accommodations in rules, policies, practices, and services when necessary to allow the resident with a disability equal opportunity to use the development and its amenities; and (2), a provision making it unlawful to refuse to permit residents with disabilities to make reasonable modifications to their dwelling unit or to the public common use area, at the resident's cost.

In some circumstances it exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

A. Reasonable Accommodations

- In buildings with a "no pets" rule, the rule must be waived for a person with a visual impairment who uses a service dog, or for other persons who uses a service dog, or for other persons who use service animals.
- In buildings that provide parking spaces for residents on a "first come, first served" basis, reserved parking spaces must be provided, if requested by a resident with a disability who may need them.

B. Reasonable Modifications

When a resident wishes to modify a dwelling unit under the reasonable modification provisions of the Fair Housing Act, the resident may do so. The landlords or manager may require that the modifications be completed in a professional manner under the applicable building codes, and may also require that the resident agree to restore the interior of the dwelling to the condition that existed before the modification, with reasonable wear and tear excepted.

Landlords may not require that modifications be restored that would be unreasonable (i.e., modifications that no way affect the next resident's enjoyment of the premises). For example, if a resident who uses a wheelchair finds that the bathroom door in the dwelling unit is too narrow to allow his or her wheelchair to pass, the landlord must give permission for the door to be widened, at the resident's expense. The landlord may not require the doorway be narrowed at the end of the resident's tenancy because the wider doorway will not interfere with the next resident's use of the dwelling.

Residents may also make modifications to the public and common use spaces. For instance, in an existing development it would be considered reasonable for a resident who uses a wheelchair to have a ramp built to gain access to an on-site laundry facility. If a resident cannot afford such a modification, the resident may ask a friend to do his or her laundry in the laundry room, and the landlord must waive any rule that prohibits nonresidents from gaining access to the laundry room.

6.4 ACCESSIBILITY GUIDELINES

The Seven Technical Accessibility Requirements for covered buildings, based on the Fair Housing Act of 1968, as amended, are:

1. Accessible Entrance on an Accessible Route
2. Accessible Public and Common Areas
3. Usable Doors
4. Accessible Routes Into and Through the Dwelling Unit
5. Accessible Light Switches, Electrical Outlets, and Environmental Controls
6. Reinforced Walls in Bathroom
7. Usable Kitchens and Bathrooms

6.5 LAWS THAT MANDATE ACCESSIBILITY

Certain dwellings, as well as certain public and common use areas, may be covered by several of the laws listed below to ensure nondiscrimination against people with disabilities. The law covers both in the design of the built environment and in the manner that programs are conducted.

A. Section 504 of the Rehabilitation Act (1973)

Under Section 504 of the Rehabilitation Act of 1973, as amended, no otherwise qualified individual with a disability may be discriminated against in any program or activity receiving federal financial assistance. The purpose of Section 504 is to eliminate discriminatory behavior towards people with disabilities and to provide physical accessibility, thus ensuring that people with disabilities will have the same opportunities in federally funded programs as do people without disabilities.

Program accessibility may be achieved by modifying an existing facility or by moving the program to an accessible location, or by making other accommodations, including construction of new buildings. HUD's final regulation for Section 504 may be found at 24 CFR, Part 8. Generally, the Uniform Federal Accessibility Standards (UFAS) is the design standards for providing physical accessibility, although other standards that provide equivalent or greater accessibility may be used.

B. The Fair Housing Act of 1968, as Amended

(Refer to section 6.2, for additional information)

C. The Americans with Disabilities Act (1990)

The Americans with Disabilities Act (ADA) is a broad civil rights law that guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, state and local government services, and telecommunications. Title II of the ADA applies to all programs, services, and activities provided or made available by public entities. With respect to housing, this includes, for example, public housing and housing provided for state colleges and universities.

D. State and Local Codes

All states and many cities and counties have developed their own building codes for accessibility, usually based in whole or in part on the specifications contained in the major national standards such as ANSI (American National Standards for Buildings and Facilities) and UFAS. Many states also have nondiscrimination and fair housing laws similar to the Fair Housing Act and the Americans with Disabilities Act.

When local codes differ from the national standards, either in scope or technical specification, the general rule is that the more stringent requirement should be followed.

6.6 FAIR HOUSING ENFORCEMENT

HUD is the federal enforcement agency for compliance with the Fair Housing Act.

Designers and builders were guided by the requirements of the ANSI A117.1-1986, American National Standards for Buildings and Facilities; providing Accessibility and Usability for physically Handicapped People, until March 6, 1991. The Fair Housing Accessibility Guidelines were published on March 6, 1991 (56 Federal Register 9472-9515, 24 CFR Chapter I, Subchapter A, Appendix II and III). The Guidelines provide technical guidance on designing dwelling units as required by the Fair Housing Act. These Guidelines are not mandatory, but are intended to provide a safe harbor for compliance with the accessibility requirements of the Fair Housing Act.

The Guidelines published on March 6, 1991, remain unchanged. However, on June 28, 1994, HUD published a supplemental notice to the Guidelines, "Supplement to Notice of Fair Housing Accessibility Guidelines: Questions and Answers About the Guidelines." This supplemental notice reproduces questions that have been most frequently asked by members of the public, and HUD's answers to those questions.

Under the Fair Housing Act, HUD is not required to review builder's plans or issue a certification of compliance with the Fair Housing Act. The burden of compliance rests with the person(s) who design and construct covered multifamily dwellings. HUD or an individual who thinks he or she may have been discriminated against may file a complaint against the building owner, the architect, the contractor, and any other persons involved in the design and construction of the building.

Note:

For additional information regarding Fair Housing accessibility requirements you may contact your local Fair Housing Representative (HUD Office) or call the Washington, DC Office at 1-800-343-FHIC (3442) or (202) 708-2618.

Source: Some of the information for Chapter VI, Fair Housing, were acknowledged from the Fair Housing Act Design Manual, designed and developed by Barrier Free Environments, Inc., Raleigh, North Carolina for The U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity and The Office of Housing, August, 1996.

POST YEAR 15 COMPLIANCE MONITORING PROCEDURES

7.1 OVERVIEW

IRC Section 1.42-5 contains the regulations for agencies' compliance monitoring during the compliance period. There is no language in the IRS regulations that specifies whether or not agencies are subject to these regulations after the compliance period, generally year 16 and beyond of the development's participation in the HTC program. The tax benefit to the owner is exhausted and the IRS can no longer recapture or disallow credits. Because of this fact, the Corporation has established policy regarding how HTC developments will be monitored and consequences for noncompliance during the extended use period.

This chapter outlines Post-Year 15 Compliance Monitoring Procedures and is applicable to all HTC developments that currently operate or will operate under an extended use agreement.

7.2 FEDERAL "CODE" REQUIREMENTS

A. Compliance Period

Section 42(j)(1) of the IRC defines the compliance period with respect to any building, as the period of 15 taxable years beginning with the first taxable year of the credit period. The first year of the compliance period is the first year in which the owner claimed credits. All requirements of Section 42 including the monitoring regulations are in effect during the 15 year compliance period.

B. Extended Use Period

Section 42 (h)(6)(A) provides that no credit will be allowed with respect to any building for the taxable year unless an extended low-income housing commitment (as defined in Section 42(h)(6)(B)) is in effect as of the end of the taxable year. Section 42(h)(6)(B)(i) provides that the term "extended low-income housing commitment" means any agreement between the taxpayer and the housing credit agency which requires that the applicable fraction (as defined in Section 42(c)(1)) for the building for each taxable year in the extended use period will not be less than the applicable fraction specified in the

agreement and which prohibits the actions described in sub-clauses (I) and (II) of Section 42(h)(6)(E)(ii).”

Section 42(h)(6)(D) defines the term “extended use period” as the period beginning on the first day in the compliance period on which the building is part of a qualified tax credit housing development and ending on the later of (1) the date specified by the agency in the extended low-income housing commitment, or (2) the date which is 15 years after the close of the compliance period. During the EUP, residents cannot be evicted or otherwise have their lease terminated other than for “good cause”.

IRC 42(h)(6)(E) provides exceptions to the extended use period in the case of a legitimate foreclosure or deed in lieu, or, for projects that have not waived this right, if no qualified buyer is willing to maintain the low income status.

IRC 42(h)(6)(E)(ii) states that the termination of an extended use period due to foreclosure or deed in lieu, or for failure to find a qualified buyer shall not be construed to permit before the close of the three-year period following such termination:

1. the eviction or the termination of tenancy (other than for good cause) of an existing tenant of any low-income unit, or
2. any increase in the gross rent with respect to such unit not otherwise permitted under this section.

Declaration of Land Use Restrictive Covenants

IRC Section 42(h)(6) establishes that “buildings are eligible for the credit only if there is a minimum long-term commitment to low-income housing.” Specifically, in order to receive a credit allocation in 1990 and later, the owner must record an extended low-income housing commitment. The document that evidences this commitment is called the Declaration of Land Use Restrictive Covenant Agreement (LURA).

IRC 42(h)(6)(B) contains the requirements of a LURA which states the LURA must:

- Provide that the applicable fraction for the building for each taxable year in the EUP will not be less than the applicable fraction specified in such agreement and prohibits the actions described in sub-clauses (I) and (II) of subparagraph (E)(ii) of IRC 42(h)(6)(B)(i);
- Allow individuals who meet the income limitation applicable to the building (whether prospective, present, or former occupants of the building) the right to enforce in any State court the requirements and prohibitions of clause (i)(IRC 42(h)(6)(B)(i));
- Prohibits the disposition to any person of any portion of the building to which such agreement applies unless all of the building to which such agreement applies is disposed of to such person IRC 42(h)(6)(B)(iii);
- Prohibits the refusal to lease to a holder of a voucher or certificate of eligibility under Section 8 of the United States Housing Act of 1937 because of the status of the prospective tenant as such a holder IRC 42(h)(6)(B)(iv);

- Requires that the agreement be binding on all successors of the taxpayer (IRC 42(h)(6)(B)(v); and
- Requires that the agreement be recorded pursuant to State law as a restrictive covenant (IRC 42(h)(6)(B)(vi)).

7.3 STATE REQUIREMENTS

The Corporation, through its Declaration of Land Use Restrictive Covenant (LURA) requires an owner on tax credit development in the state of Mississippi to adhere/agree to the following:

1. Maintain the applicable fraction by leasing units to individuals or families whose income is 50% or 60% or less of the area median gross income (including adjustments for family size) as determined in accordance with Section 42 of the IRC;
2. Maintain the Section 42 rent and income restrictions for an additional period of time;
3. Lease, rent or make available to members of the general public (or otherwise qualify for occupancy of the units under the applicable election specified in Section 42 (g)) all units subject to the credit;
4. Not refuse to lease to a holder of a voucher or certificate of eligibility under Section 8 of the United States Housing Act of 1937 because of the status of the prospective tenant as such a holder;
5. Ensure each low-income unit is suitable for occupancy and will be used other than on a transient basis;
6. Reassess whether a household meets the requirement(s) of the program at least annually on the basis of the current income of such household; and
7. Adhere to other restrictions as required under the specific year's Qualified Allocation Plan (QAP) and related points the owner received in order obtain a credit allocation. These restrictions are development specific within the respective LURA's.

A. Extended Use Period Term

The term of the EUP is set forth in Section six (6) of a development's LURA. The agreement shall commence on the first day on which any building that is part of the development is PIS as housing and shall end on December 31st of the last year of the development's affordability period. During the EUP, residents cannot be evicted or otherwise have their lease terminated other than for "good cause."

In addition, after termination of the agreement (whether by foreclosure, deed in lieu of foreclosure or expiration of the agreement), the owner must comply with Section 42 rent requirements and existing residents cannot be evicted or have their lease terminated for other than good cause for an additional three (3) years from the termination date of the agreement.

Generally, the first year of the EUP is the year immediately following the last year of the development's compliance period. The last year of the EUP is, at a minimum 15 years after the end of the

development's compliance period. For example, if a development completed its compliance period in 1991 (1991 being year #15), the first year of the EUP would be 1992 and the last year of the EUP would be 2007, provided there are no additional extensions to the development's affordability period. *

*Note:

Some LURA's allow for more than 15 years extended use.

B. Monitoring Cost

Beginning with the first year of the EUP, an owner of tax credit development operating solely under its LURA will be assessed a \$20.00 per low-income unit fee to cover staff costs to monitor tax credit developments during the extended use period, excluding developments financed by RHS. RHS financed developments will pay an annual administrative fee of \$10 per low-income unit. This reduced administrative fee will remain in effect in so long as a valid MOU exist between MHC and RHS and RHS provides MHC with the latest Supervisory Visit for the development. Owners are still subject to all other fees as stated in Chapter 5 of this Plan.

C. Monitoring Procedures

During a development's EUP, the Corporation has the right to audit a development(s) tenant records and physical condition for compliance in accordance with certain Section 42 requirements, as well as the applicable LURA for the development. In doing so, the Corporation will monitor developments operating in its EUP consistent with its standard compliance monitoring procedures, that is pre-year 16. The Corporation, at its discretion, may grant certain relief of a development's compliance obligations through an EUP Monitoring Relief Waiver (*see below specifics regarding this relief*).

Throughout the development's EUP, it remains the responsibility of owners to maintain (by building) the tenant files of qualifying households in accordance with the requirements outlined in Chapter 5, of this Plan or the Relief Waiver, if applicable.

Note:

The Corporation requires an owner to retain the tax credit files and records of current occupants for the duration of the household's tenancy, plus 24 months. Move-out files must be retained for 12 months.

"Standard" Monitoring Procedures

Developments operating in its EUP that has not been granted an EUP Relief Waiver will be monitored in accordance with the Corporation's standard monitoring procedures (i.e., compliance prior to the expiration of the initial compliance period) and as outlined in Chapters 1-7 of this Plan, where applicable, including any updates, modifications and/or revisions.

"Relief" Monitoring Procedures

An owner of a tax credit development operating in its EUP or approaching its EUP, may request from the Corporation a relief or waiver from certain compliance requirements. If granted, the waiver offers the following compliance relief:

- A maximum review of at least 10% of the low-income units, rather than the normal 20%, during on-site tenant file reviews and physical inspections once every three years. Review never to exceed 12 units in any development;
- An exemption from the three year physical condition inspection (Rural Housing Services (RHS) financed tax credit developments ONLY!). NOTE: The three-year Supervisory Reports and Annual Maintenance Inspection Reports will continue to be accepted through the existing Memorandum of Understanding (MOU) between MHC and RHS. The Corporation reserves the right to conduct physical inspections independent of its MOU with RHS;
- A review of only the number of tax credit units as a percentage of residential units will be examined to determine a building's applicable fraction;
- An automatic re-verification of gross annual income waiver will exist on any previously qualified household. An initial income certification completed in accordance with HUD Handbook 4350.3 will continue to be required of all new move-in's; however, the requirement to verify "regular" income and income from 'assets' at re-certification will be waived.

NOTE: Developments required to annually reverify income to comply with other program (i.e., Section 8 or RHS) will still have to verify income in order to maintain compliance with the requirements of said programs.

Documentation of a household's full-time student status will still be required on an annual basis;

- The AUR will be revised to provide that if a household's income goes over 140% of the applicable AMI, a currently vacant unit or the next unit in the same building must be rented to a qualifying household (the "comparable or smaller" requirement will be removed). This would essentially be a one-for-one unit replacement.
- Process inter-building relocations (building to building) in the same manner as an intra-building transfer.
- For developments with extreme hardship, owners may submit a written request to change and/or temporary modify the required set-aside for the development. Consideration of such will only be provided if such a reduction will improve the financial feasibility of the

development. Justification for request (i.e., financial data, reserve analysis, capital needs assessments, market) is required.

(Refer to Appendix O for specific Relief Eligibility Guidelines)

Note:

Developments ineligible to participate in the EUP Monitoring Relief program (including those who fail to formally request participation) will be monitored in accordance with the compliance standard monitoring procedures as set forth in Chapters 1-6 of this Plan.

D. Reporting Requirements

At least once annually, an owner of a HTC development is required to submit certain reports to the Corporation documenting compliance with program rules and regulations, including a development's LURA. All reports and forms can be found in the appendix section of this Plan. An Annual Owner Certification (AOC) Report must be submitted to the Corporation on or before January 31st of each calendar year for the prior year compliance activity. A five (5) day grace period is granted if the AOC Report is not submitted to the Corporation by the deadline date. All Reports not received by the prescribed deadline date will be subject to the noncompliance penalties noted in Section 7.4 of this Plan AND assessed a noncompliance fee of \$100.00 per day, per development.

Report Submission Requirements:

Effective January 1, 2007, two components of the AOC Report, the Owner's Certification of Continuing Program Compliance Report, along with Occupancy Report, must be submitted electronically to the Corporation using the Corporation's Applied Oriented Design/ Certification On-Line (AOD/COL) system. All other components of the AOC Report must be prepared and remitted to the Corporation in hard-copy format on or before the January 31st deadline date. The AOD/COL system is an electronic reporting program that interfaces with the Corporation's internal multifamily compliance tracking system, AOD/MF, thereby allowing an owner/manager the ability to log onto the Corporation's secured internet site and enter specific development and unit occupancy information, as well as generate, print and submit certain owner reports.

Components of Annual Report

An owner of HTC development operating in its EUP is required to submit, on an annual basis, information pertaining to the development's compliance status, an annual owner certification of compliance (AOC). This information which includes data relating to the status of each tax credit building in the development (i.e. report of any casualty losses), as well as eligibility information of each qualifying tax credit unit, is due to the Corporation *on or before* January 31st of each calendar year for the preceding calendar year.

The annual Compliance Report consists of the following reports:

- An Owner Certification of Continued Program Compliance Certification (OCCPC);

NOTE: Electronic submission required

- Supplemental Certification of HTC Compliance;
- Applicable Utility Allowance support documentation;
- An Occupancy (Rent Roll) Report for each building in the development;

NOTE: Electronic submission required

(For specifics regarding each of the aforementioned reports, see Chapter 5, Section)

7.4 NONCOMPLIANCE

If an owner fails to comply with the monitoring requirements and/or terms of the LURA, the Corporation will issue a Notice of Noncompliance similar to what is issued presently. All owners will be given a correction period not to exceed 90 days to clarify and correct noncompliance and report to the Corporation that all corrections have been made. If a development has some compliance violations, but the owner is making a good faith effort to correct the noncompliance within a reasonable time period, the development will be considered to be in “good standing”.

Owners who repeatedly delay correction or choose to ignore the compliance and monitoring requirements (major noncompliance) will be subject to the consequences below:

- Listed on the Corporation’s web site as in “noncompliance”. Once an owner makes the appropriate corrections, the development would regain its compliance status;
- A state Form 8823 will be issued for all major instances of noncompliance. This form will be distributed to Housing Finance Agencies nationwide AND to the chief contact for each of the Corporation’s housing program so that no additional agency funds or tax credits can be awarded to the owner until the development is back in “good standing”. If good faith efforts are demonstrated, the Corporation will continue to consider the owner in “good standing;” OR
- Removal from EUP Monitoring Relief program, if applicable.

7.5 SALE/DISPOSITION PROVISIONS

An owner of a HTC development desiring to relinquish his/her ownership right/participation in the HTC program may do so in either one or two ways: Disposition via Regular Sale or Disposition via Qualified Contract. In either case, the owner must notify the Corporation (utilizing the Change in Ownership Form (See **Appendix N**) within 60 days of the scheduled disposition.*

A. Disposition via Regular Sale

Development owners who wished to terminate his/her participation in the HTC program post year-15 (and before expiration of the EUP), yet retain the low-income use of the development, can only do so by finding a buyer that agrees to abide by the terms of the development’s LURA.

***Note:**

Owners wishing to sale a tax credit development operating in its EUP may still be required to Post a Surety Bond as required by the IRS. To ascertain applicability of the Surety Bond, an owner should consult his/her tax attorney.

B. Disposition via Qualified Contract

Development owners who want to terminate low income use after 15 years (and before expiration of the EUP), and convert the development to market rate housing or other uses can only do so after first making the development available for purchase by parties who want to maintain low income use at a price determined by a formula set forth in Section 42(h)(6)(E)(i)(II).

Development owners must first provide the Corporation with a one-year period to find a buyer willing to purchase the development for continued low-income use at a specified formula price. This request can be submitted anytime after the end of the 14th year of the compliance period unless the owner agreed to extend the rental restrictions as specified in the development's LURA. (See **Appendix K** for *Sample Qualified Contract Notification Letter*)

Qualified Contract Price

The Qualified Contract Price (QCP) or the pre-determined selling price of the development is derived at using a formula price that is equal to: (a) the remaining debt on the development; plus (b) the amount of initial investor equity increased by cost-of-living increases of up to 5 percent a year; plus (c) additional capital contributions; less (d) cash distributions to the owners. If the low-income portion or applicable fraction is less than 100 percent, then the formula price is multiplied by the applicable fraction.

Adjusted investor equity is the amount of cash invested in the development, adjusted by the percentage change in the cost-of-living or Consumer Price Index (CPI) up to a maximum of five (5) percent per year. There must have been an obligation to invest the amount at the beginning of the credit period. The cash that is invested in the development is counted to the extent that it is reflected in the basis of the development. (See **Appendix K** for *Qualified Contract Determination Worksheet*)

Each year, the total amount invested as of the end of the year would be increased by the appropriate CPI increase factor. Increases in the CPI in excess of 5 percent a year would never be reflected in the amount of adjusted investor equity. The CPI for any year is the average of the 12 monthly indexes ending in August of each calendar year. The CPI adjustment is measured from the first year that tax credits are taken.

In a mixed income building with some market rate units, the extended low-income use provision and the right to purchase at a formula price applies only to the low-income portion of the development. A buyer cannot offer to purchase a portion of a building with tax credits. In a mixed use or mixed

income building, the purchase price would have to reflect the fair market value of the non-low income housing uses.

If a buyer for the development is found, the requirements of the extended use agreement apply for the remaining of the extended use period.

For low-income residents who continue to reside in the tax credit development, the low-income use period is extended an additional three (3) years even if the owner is able to avoid the extended use period because there is no buyer willing to purchase the development at the formula price. An owner is prohibited from evicting existing residents for other than good cause, and from raising their rents beyond the tax credit maximum rents. This three-year period begins after the end of the one-year period when the housing credit agency seeks buyers to maintain extended low-income use of the development.

These provisions apply to developments receiving allocations after 1989 or automatically receiving credits as a result of tax exempt financing issued after 1989. They also apply to pre-1990 developments that opted to switch to a maximum rent schedule based on the size of units, and to pre-1990 developments that subsequently received an additional allocation after 1989.

Marketing Procedures

Upon receipt of an owner's written request to "Op-out," the Corporation will review the owner's request (as well as the development's overall compliance status) and establish (along with the owner) an appropriate QCP. Once the QCP and all other information have been received, the Corporation will employ various marketing efforts to assist in the disposal of the development. Such marketing efforts may include, but is not limited to, posting the development information on the agency's website, preparing a flyer, and sending notification to the Federal Home Loan Bank (FHLB) and any other affiliates.

In order to facilitate the selling process, an owner must agree to:

- List the development for sale with a broker/realtor who works with affordable multifamily housing developments;
- Provide access to the development by the Corporation, its agents and/or prospective buyers;
- Provide and/or release information regarding the development to the Corporation and/or assigned mortgagee that will assist in the disposal of the development.

If the Corporation fails to find a buyer before the expiration of the one-year period (or such longer period as the owner may agree to in writing), the development will remain subject to the requirements set forth in Section 42 (h)(6)(E)(ii); that is, for a three-year period commencing on the termination of the extended use period, the owner may not evict or terminate a tenancy (other than for good cause) of an existing tenant of any low-income unit; or increase the gross rent with respect to any low-income unit except as permitted under Section 42 of the Code, as well as the requirements of the regulatory agreement.

***Note:**

Owners wishing to sale a tax credit development operating in its EUP may still be required to Post a Surety Bond as required by the IRS. To ascertain applicability of the Surety Bond, an owner should consult his/her tax attorney.

7.6 ENFORCEMENT

The Corporation and any interested party have the right to enforce specific requirements expressed in this Plan and the LURA through the appropriate legal apparatus.

***Note:**

Owners wishing to sale a tax credit development operating in its EUP may still be required to Post a Surety Bond as required by the IRS. To ascertain applicability of the Surety Bond, an owner should consult his/her tax attorney.

7.6 ENFORCEMENT

The Corporation and any interested party have the right to enforce specific requirements expressed in this Plan and the LURA through the appropriate legal apparatus.

Federal Regulation #1

Section 42 of The Internal Revenue Code

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Internal Revenue Code § 42 Low-income housing credit.

(a) In general.

For purposes of section 38, the amount of the low-income housing credit determined under this section for any taxable year in the credit period shall be an amount equal to—

- (1) the applicable percentage of
- (2) the qualified basis of each qualified low-income building.

(b) Applicable percentage: 70 percent present value credit for certain new buildings; 30 percent present value credit for certain other buildings.

For purposes of this section —

(1) Building placed in service during 1987.

In the case of any qualified low-income building placed in service by the taxpayer during 1987, the term “applicable percentage” means—

- (A) 9 percent for new buildings which are not federally subsidized for the taxable year, or
- (B) 4 percent for—
 - (i) new buildings which are federally subsidized for the taxable year, and
 - (ii) existing buildings.

(2) Buildings placed in service after 1987.

(A) In general. In the case of any qualified low-income building placed in service by the taxpayer after 1987, the term “applicable percentage” means the appropriate percentage prescribed by the Secretary for the earlier of—

- (i) the month in which such building is placed in service, or
- (ii) at the election of the taxpayer—
 - (I) the month in which the taxpayer and the housing credit agency enter into an agreement with respect to such building (which is binding on such agency, the taxpayer, and all successors in interest) as to the housing credit dollar amount to be allocated to such building, or

(II) in the case of any building to which subsection (h)(4)(B) applies, the month in which the tax-exempt obligations are issued.

A month may be elected under clause (ii) only if the election is made not later than the 5th day after the close of such month. Such an election, once made, shall be irrevocable.

(B) Method of prescribing percentages. The percentages prescribed by the Secretary for any month shall be percentages which will yield over a 10-year period amounts of credit under subsection (a) which have a present value equal to—

(i) 70 percent of the qualified basis of a building described in paragraph (1)(A) , and

(ii) 30 percent of the qualified basis of a building described in paragraph (1)(B) .

(C) Method of discounting. The present value under subparagraph (B) shall be determined—

(i) as of the last day of the 1st year of the 10-year period referred to in subparagraph (B) ,

(ii) by using a discount rate equal to 72 percent of the average of the annual Federal mid-term rate and the annual Federal long-term rate applicable under section 1274(d)(1) to the month applicable under clause (i) or (ii) of subparagraph (A) and compounded annually, and

(iii) by assuming that the credit allowable under this section for any year is received on the last day of such year.

(3) Cross references.

(A) For treatment of certain rehabilitation expenditures as separate new buildings, see subsection (e) .

(B) For determination of applicable percentage for increases in qualified basis after the 1st year of the credit period, see subsection (f)(3) .

(C) For authority of housing credit agency to limit applicable percentage and qualified basis which may be taken into account

under this section with respect to any building, see subsection (h)(7) .

(c) Qualified basis; qualified low-income building.

For purposes of this section —

(1) Qualified basis.

(A) Determination. The qualified basis of any qualified low-income building for any taxable year is an amount equal to—

(i) the applicable fraction (determined as of the close of such taxable year) of

(ii) the eligible basis of such building (determined under subsection (d)(5)).

(B) Applicable fraction. For purposes of subparagraph (A) , the term “applicable fraction” means the smaller of the unit fraction or the floor space fraction.

(C) Unit fraction. For purposes of subparagraph (B) , the term “unit fraction” means the fraction—

(i) the numerator of which is the number of low-income units in the building, and

(ii) the denominator of which is the number of residential rental units (whether or not occupied) in such building.

(D) Floor space fraction. For purposes of subparagraph (B) , the term “floor space fraction” means the fraction—

(i) the numerator of which is the total floor space of the low-income units in such building, and

(ii) the denominator of which is the total floor space of the residential rental units (whether or not occupied) in such building.

(E) Qualified basis to include portion of building used to provide supportive services for homeless. In the case of a qualified low-income building described in subsection (i)(3)(B)(iii) , the qualified basis of such building for any taxable year shall be increased by the lesser of—

(i) so much of the eligible basis of such building as is used throughout the year to provide supportive services designed to assist tenants in locating and retaining permanent housing, or

(ii) 20 percent of the qualified basis of such building (determined without regard to this subparagraph).

(2) Qualified low-income building.

The term “qualified low-income building” means any building—

(A) which is part of a qualified low-income housing project at all times during the period—

(i) beginning on the 1st day in the compliance period on which such building is part of such a project, and

(ii) ending on the last day of the compliance period with respect to such building, and

(B) to which the amendments made by section 201(a) of the Tax Reform Act of 1986 apply.

Such term does not include any building with respect to which moderate rehabilitation assistance is provided, at any time during the compliance period, under section 8(e)(2) of the United States Housing Act of 1937 (other than assistance under the Stewart B. McKinney Homeless Assistance Act (as in effect on the date of the enactment of this sentence)).

(d) Eligible basis.

For purposes of this section —

(1) New buildings.

The eligible basis of a new building is its adjusted basis as of the close of the 1st taxable year of the credit period.

(2) Existing buildings.

(A) In general. The eligible basis of an existing building is—

(i) in the case of a building which meets the requirements of subparagraph (B) , its adjusted basis as of the close of the 1st taxable year of the credit period, and

(ii) zero in any other case.

(B) Requirements. A building meets the requirements of this subparagraph if—

(i) the building is acquired by purchase (as defined in section 179(d)(2)),

(ii) there is a period of at least 10 years between the date of its acquisition by the taxpayer and the later of—

(I) the date the building was last placed in service, or

(II) the date of the most recent nonqualified substantial improvement of the building,

(iii) the building was not previously placed in service by the taxpayer or by any person who was a related person with respect to the taxpayer as of the time previously placed in service, and

(iv) except as provided in subsection (f)(5) , a credit is allowable under subsection (a) by reason of subsection (e) with respect to the building.

(C) Adjusted basis. For purposes of subparagraph (A) , the adjusted basis of any building shall not include so much of the basis of such building as is determined by reference to the basis of other property held at any time by the person acquiring the building.

(D) Special rules for subparagraph (B) .

(i) Nonqualified substantial improvement. For purposes of subparagraph (B)(ii) —

(I) In general. The term “nonqualified substantial improvement” means any substantial improvement if section 167(k) (as in effect on the day before the date of enactment of the Revenue Reconciliation Act of 1990 [11/5/90]) was elected with respect to such improvement or section 168 (as in effect on the day before the date of the enactment of the Tax Reform Act of 1986) applied to such improvement.

(II) Date of substantial improvement. The date of a substantial improvement is the last day of the 24-month period referred to in subclause (III) .

(III) Substantial improvement. The term “substantial improvement” means the improvements added to capital account with respect to the building during any 24-month period, but only if the sum of the amounts added to such account during such period equals or exceeds 25 percent of the adjusted basis of the building (determined without regard to paragraphs (2) and (3) of section 1016(a)) as of the 1st day of such period.

(ii) Special rules for certain transfers. For purposes of determining under subparagraph (B)(ii) when a building was last placed in service, there shall not be taken into account any placement in service—

(I) in connection with the acquisition of the building in a transaction in which the basis of the building in the hands of the person acquiring it is determined in whole or in part by reference to the adjusted basis of such building in the hands of the person from whom acquired,

(II) by a person whose basis in such building is determined under section 1014(a) (relating to property acquired from a decedent),

(III) by any governmental unit or qualified nonprofit organization (as defined in subsection (h)(5)) if the requirements of subparagraph (B)(ii) are met with respect to the placement in service by such unit or organization and all the income from such property is exempt from Federal income taxation,

(IV) by any person who acquired such building by foreclosure (or by instrument in lieu of foreclosure) of any purchase-money security interest held by such person if the requirements of subparagraph (B)(ii) are met with respect to the placement in service by such person and such building is resold within 12 months after the date such building is

placed in service by such person after such foreclosure, or

(V) of a single-family residence by any individual who owned and used such residence for no other purpose than as his principal residence.

(iii) Related person, etc.

(I) Application of section 179 . For purposes of subparagraph (B)(i) , section 179(d) shall be applied by substituting “10 percent” for “50 percent” in section 267(b) and 707(b) and in section 179(d)(7) .

(II) Related person. For purposes of subparagraph (B)(iii) , a person (hereinafter in this subclause referred to as the “related person”) is related to any person if the related person bears a relationship to such person specified in section 267(b) or 707(b)(1) , or the related person and such person are engaged in trades or businesses under common control (within the meaning of subsections (a) and (b) of section 52). For purposes of the preceding sentence, in applying section 267(b) or 707(b)(1) , “10 percent” shall be substituted for “50 percent”.

(3) Eligible basis reduced where disproportionate standards for units.

(A) In general. Except as provided in subparagraph (B) , the eligible basis of any building shall be reduced by an amount equal to the portion of the adjusted basis of the building which is attributable to residential rental units in the building which are not low-income units and which are above the average quality standard of the low-income units in the building.

(B) Exception where taxpayer elects to exclude excess costs.

(i) In general. Subparagraph (A) shall not apply with respect to a residential rental unit in a building which is not a low-income unit if—

(I) the excess described in clause (ii) with respect to such unit is not greater than 15 percent of the cost described in clause (ii)(II) , and

(II) the taxpayer elects to exclude from the eligible basis of such building the excess described in clause (ii) with respect to such unit.

(ii) Excess. The excess described in this clause with respect to any unit is the excess of—

(I) the cost of such unit, over

(II) the amount which would be the cost of such unit if the average cost per square foot of low-income units in the building were substituted for the cost per square foot of such unit.

The Secretary may by regulation provide for the determination of the excess under this clause on a basis other than square foot costs.

(4) Special rules relating to determination of adjusted basis.

For purposes of this subsection —

(A) In general. Except as provided in subparagraphs (B) and (C) , the adjusted basis of any building shall be determined without regard to the adjusted basis of any property which is not residential rental property.

(B) Basis of property in common areas, etc., included. The adjusted basis of any building shall be determined by taking into account the adjusted basis of property (of a character subject to the allowance for depreciation) used in common areas or provided as comparable amenities to all residential rental units in such building.

(C) Inclusion of basis of property used to provide services for certain nontenants.

(i) In general. The adjusted basis of any building located in a qualified census tract (as defined in paragraph (5)(C)) shall be determined by taking into account the adjusted basis of property (of a character subject to the allowance for depreciation and not otherwise taken into account) used throughout the taxable year in providing any community service facility.

(ii) Limitation. The increase in the adjusted basis of any building which is taken into account by reason of clause (i)

shall not exceed 10 percent of the eligible basis of the qualified low-income housing project of which it is a part. For purposes of the preceding sentence, all community service facilities which are part of the same qualified low-income housing project shall be treated as one facility.

(iii) Community service facility. For purposes of this subparagraph , the term “community service facility” means any facility designed to serve primarily individuals whose income is 60 percent or less of area median income (within the meaning of subsection (g)(1)(B)).

(D) No reduction for depreciation. The adjusted basis of any building shall be determined without regard to paragraphs (2) and (3) of section 1016(a) .

(5) Special rules for determining eligible basis.

(A) Eligible basis reduced by federal grants. If, during any taxable year of the compliance period, a grant is made with respect to any building or the operation thereof and any portion of such grant is funded with Federal funds (whether or not includible in gross income), the eligible basis of such building for such taxable year and all succeeding taxable years shall be reduced by the portion of such grant which is so funded.

(B) Eligible basis not to include expenditures where section 167(k) elected. The eligible basis of any building shall not include any portion of its adjusted basis which is attributable to amounts with respect to which an election is made under section 167(k) (as in effect on the day before the date of enactment of the Revenue Reconciliation Act of 1990 [11/5/90]).

(C) Increase in credit for buildings in high cost areas.

(i) In general. In the case of any building located in a qualified census tract or difficult development area which is designated for purposes of this subparagraph —

(I) in the case of a new building, the eligible basis of such building shall be 130 percent of such basis determined without regard to this subparagraph ,
and

(II) in the case of an existing building, the rehabilitation expenditures taken into account under

subsection (e) shall be 130 percent of such expenditures determined without regard to this subparagraph .

(ii) Qualified census tract.

(I) In general. The term “qualified census tract” means any census tract which is designated by the Secretary of Housing and Urban Development and, for the most recent year for which census data are available on household income in such tract, either in which 50 percent or more of the households have an income which is less than 60 percent of the area median gross income for such year or which has a poverty rate of at least 25 percent. If the Secretary of Housing and Urban Development determines that sufficient data for any period are not available to apply this clause on the basis of census tracts, such Secretary shall apply this clause for such period on the basis of enumeration districts.

(II) Limit on MSA's designated. The portion of a metropolitan statistical area which may be designated for purposes of this subparagraph shall not exceed an area having 20 percent of the population of such metropolitan statistical area.

(III) Determination of areas. For purposes of this clause , each metropolitan statistical area shall be treated as a separate area and all nonmetropolitan areas in a State shall be treated as 1 area.

(iii) Difficult development areas.

(I) In general. The term “difficult development areas” means any area designated by the Secretary of Housing and Urban Development as an area which has high construction, land, and utility costs relative to area median gross income.

(II) Limit on areas designated. The portions of metropolitan statistical areas which may be designated for purposes of this subparagraph shall not exceed an aggregate area having 20 percent of the population of such metropolitan statistical areas.

A comparable rule shall apply to nonmetropolitan areas.

(iv) Special rules and definitions. For purposes of this subparagraph —

(I) population shall be determined on the basis of the most recent decennial census for which data are available,

(II) area median gross income shall be determined in accordance with subsection (g)(4) ,

(III) the term “metropolitan statistical area” has the same meaning as when used in section 143(k)(2)(B) , and

(IV) the term “nonmetropolitan area” means any county (or portion thereof) which is not within a metropolitan statistical area.

(6) Credit allowable for certain federally-assisted buildings acquired during 10-year period described in paragraph (2)(B)(ii) .

(A) In general. On application by the taxpayer, the Secretary (after consultation with the appropriate Federal official) may waive paragraph (2)(B)(ii) with respect to any federally-assisted building if the Secretary determines that such waiver is necessary—

(i) to avert an assignment of the mortgage secured by property in the project (of which such building is a part) to the Department of Housing and Urban Development or the Farmers Home Administration, or

(ii) to avert a claim against a Federal mortgage insurance fund (or such Department or Administration) with respect to a mortgage which is so secured.

The preceding sentence shall not apply to any building described in paragraph (7)(B) .

(B) Federally-assisted building. For purposes of subparagraph (A) , the term “federally-assisted building” means any building which is substantially assisted, financed, or operated under—

(i) section 8 of the United States Housing Act of 1937,

(ii) section 221(d)(3) or 236 of the National Housing Act,
or

(iii) section 515 of the Housing Act of 1949,

as such Acts are in effect on the date of the enactment of the Tax Reform Act of 1986.

(C) Low-income buildings where mortgage may be prepaid. A waiver may be granted under subparagraph (A) (without regard to any clause thereof) with respect to a federally-assisted building described in clause (ii) or (iii) of subparagraph (B) if—

(i) the mortgage on such building is eligible for prepayment under subtitle B of the Emergency Low Income Housing Preservation Act of 1987 or under section 502(c) of the Housing Act of 1949 at any time within 1 year after the date of the application for such a waiver,

(ii) the appropriate Federal official certifies to the Secretary that it is reasonable to expect that, if the waiver is not granted, such building will cease complying with its low-income occupancy requirements, and

(iii) the eligibility to prepay such mortgage without the approval of the appropriate Federal official is waived by all persons who are so eligible and such waiver is binding on all successors of such persons.

(D) Buildings acquired from insured depository institutions in default. A waiver may be granted under subparagraph (A) (without regard to any clause thereof) with respect to any building acquired from an insured depository institution in default (as defined in section 3 of the Federal Deposit Insurance Act) or from a receiver or conservator of such an institution.

(E) Appropriate federal official. For purposes of subparagraph (A), the term “appropriate Federal official” means—

(i) the Secretary of Housing and Urban Development in the case of any building described in subparagraph (B) by reason of clause (i) or (ii) thereof, and

(ii) the Secretary of Agriculture in the case of any building described in subparagraph (B) by reason of clause (iii) thereof.

(7) Acquisition of building before end of prior compliance period.

(A) In general. Under regulations prescribed by the Secretary, in the case of a building described in subparagraph (B) (or interest therein) which is acquired by the taxpayer—

(i) paragraph (2)(B) shall not apply, but

(ii) the credit allowable by reason of subsection (a) to the taxpayer for any period after such acquisition shall be equal to the amount of credit which would have been allowable under subsection (a) for such period to the prior owner referred to in subparagraph (B) had such owner not disposed of the building.

(B) Description of building. A building is described in this subparagraph if—

(i) a credit was allowed by reason of subsection (a) to any prior owner of such building, and

(ii) the taxpayer acquired such building before the end of the compliance period for such building with respect to such prior owner (determined without regard to any disposition by such prior owner).

(e) Rehabilitation expenditures treated as separate new building.

(1) In general.

Rehabilitation expenditures paid or incurred by the taxpayer with respect to any building shall be treated for purposes of this section as a separate new building.

(2) Rehabilitation expenditures.

For purposes of paragraph (1) —

(A) In general. The term “rehabilitation expenditures” means amounts chargeable to capital account and incurred for property (or additions or improvements to property) of a character subject to the allowance for depreciation in connection with the rehabilitation of a building.

(B) Cost of acquisition, etc, not included. Such term does not include the cost of acquiring any building (or interest therein) or any amount not permitted to be taken into account under paragraph (3) or (4) of subsection (d) .

(3) Minimum expenditures to qualify.

(A) In general. Paragraph (1) shall apply to rehabilitation expenditures with respect to any building only if—

(i) the expenditures are allocable to 1 or more low-income units or substantially benefit such units, and

(ii) the amount of such expenditures during any 24-month period meets the requirements of whichever of the following subclauses requires the greater amount of such expenditures:

(I) The requirement of this subclause is met if such amount is not less than 10 percent of the adjusted basis of the building (determined as of the 1st day of such period and without regard to paragraphs (2) and (3) of section 1016(a)).

(II) The requirement of this subclause is met if the qualified basis attributable to such amount, when divided by the number of low-income units in the building, is \$3,000 or more.

(B) Exception from 10 percent rehabilitation. In the case of a building acquired by the taxpayer from a governmental unit, at the election of the taxpayer, subparagraph (A)(ii)(I) shall not apply and the credit under this section for such rehabilitation expenditures shall be determined using the percentage applicable under subsection (b)(2)(B)(ii) .

(C) Date of determination. The determination under subparagraph (A) shall be made as of the close of the 1st taxable year in the credit period with respect to such expenditures.

(4) Special rules.

For purposes of applying this section with respect to expenditures which are treated as a separate building by reason of this subsection —

(A) such expenditures shall be treated as placed in service at the close of the 24-month period referred to in paragraph (3)(A) , and

(B) the applicable fraction under subsection (c)(1) shall be the applicable fraction for the building (without regard to paragraph (1)) with respect to which the expenditures were incurred.

Nothing in subsection (d)(2) shall prevent a credit from being allowed by reason of this subsection .

(5) No double counting.

Rehabilitation expenditures may, at the election of the taxpayer, be taken into account under this subsection or subsection (d)(2)(A)(i) but not under both such subsections.

(6) Regulations to apply subsection with respect to group of units in building.

The Secretary may prescribe regulations, consistent with the purposes of this subsection , treating a group of units with respect to which rehabilitation expenditures are incurred as a separate new building.

(f) Definition and special rules relating to credit period.

(1) Credit period defined.

For purposes of this section , the term “credit period” means, with respect to any building, the period of 10 taxable years beginning with—

(A) the taxable year in which the building is placed in service, or

(B) at the election of the taxpayer, the succeeding taxable year,

but only if the building is a qualified low-income building as of the close of the 1st year of such period. The election under subparagraph (B) , once made, shall be irrevocable.

(2) Special rule for 1st year of credit period.

(A) In general. The credit allowable under subsection (a) with respect to any building for the 1st taxable year of the credit period shall be determined by substituting for the applicable fraction under subsection (c)(1) the fraction—

(i) the numerator of which is the sum of the applicable fractions determined under subsection (c)(1) as of the close of each full month of such year during which such building was in service, and

(ii) the denominator of which is 12.

(B) Disallowed 1st year credit allowed in 11th year. Any reduction by reason of subparagraph (A) in the credit allowable (without

regard to subparagraph (A)) for the 1st taxable year of the credit period shall be allowable under subsection (a) for the 1st taxable year following the credit period.

(3) Determination of applicable percentage with respect to increases in qualified basis after 1st year of credit period.

(A) In general. In the case of any building which was a qualified low-income building as of the close of the 1st year of the credit period, if—

(i) as of the close of any taxable year in the compliance period (after the 1st year of the credit period) the qualified basis of such building exceeds

(ii) the qualified basis of such building as of the close of the 1st year of the credit period,

the applicable percentage which shall apply under subsection (a) for the taxable year to such excess shall be the percentage equal to $\frac{2}{3}$ of the applicable percentage which (after the application of subsection (h)) would but for this paragraph apply to such basis.

(B) 1st year computation applies. A rule similar to the rule of paragraph (2)(A) shall apply to any increase in qualified basis to which subparagraph (A) applies for the 1st year of such increase.

(4) Dispositions of property.

If a building (or an interest therein) is disposed of during any year for which credit is allowable under subsection (a) , such credit shall be allocated between the parties on the basis of the number of days during such year the building (or interest) was held by each. In any such case, proper adjustments shall be made in the application of subsection (j) .

(5) Credit period for existing buildings not to begin before rehabilitation credit allowed.

(A) In general. The credit period for an existing building shall not begin before the 1st taxable year of the credit period for rehabilitation expenditures with respect to the building.

(B) Acquisition credit allowed for certain buildings not allowed a rehabilitation credit.

(i) In general. In the case of a building described in clause

(ii) —

(I) subsection (d)(2)(B)(iv) shall not apply, and

(II) the credit period for such building shall not begin before the taxable year which would be the 1st taxable year of the credit period for rehabilitation expenditures with respect to the building under the modifications described in clause (ii)(II) .

(ii) Building described. A building is described in this clause if—

(I) a waiver is granted under subsection (d)(6)(C) with respect to the acquisition of the building, and

(II) a credit would be allowed for rehabilitation expenditures with respect to such building if subsection (e)(3)(A)(ii)(I) did not apply and if subsection (e)(3)(A)(ii)(II) were applied by substituting “\$2,000” for “\$3,000”.

(g) Qualified low-income housing project.

For purposes of this section —

(1) In general.

The term “qualified low-income housing project” means any project for residential rental property if the project meets the requirements of subparagraph (A) or (B) whichever is elected by the taxpayer:

(A) 20-50 test. The project meets the requirements of this subparagraph if 20 percent or more of the residential units in such project are both rent-restricted and occupied by individuals whose income is 50 percent or less of area median gross income.

(B) 40-60 test. The project meets the requirements of this subparagraph if 40 percent or more of the residential units in such project are both rent-restricted and occupied by individuals whose income is 60 percent or less of area median gross income.

Any election under this paragraph , once made, shall be irrevocable. For purposes of this paragraph , any property shall not be treated as failing to be residential rental property merely because part of the building in which such property is located is used for purposes other than residential rental purposes.

(2) Rent-restricted units.

(A) In general. For purposes of paragraph (1) , a residential unit is rent-restricted if the gross rent with respect to such unit does not exceed 30 percent of the imputed income limitation applicable to such unit. For purposes of the preceding sentence, the amount of the income limitation under paragraph (1) applicable for any period shall not be less than such limitation applicable for the earliest period the building (which contains the unit) was included in the determination of whether the project is a qualified low-income housing project.

(B) Gross rent. For purposes of subparagraph (A) , gross rent—

(i) does not include any payment under section 8 of the United States Housing Act of 1937 or any comparable rental assistance program (with respect to such unit or occupants thereof),

(ii) includes any utility allowance determined by the Secretary after taking into account such determinations under section 8 of the United States Housing Act of 1937,

(iii) does not include any fee for a supportive service which is paid to the owner of the unit (on the basis of the low-income status of the tenant of the unit) by any governmental program of assistance (or by an organization described in section 501(c)(3) and exempt from tax under section 501(a)) if such program (or organization) provides assistance for rent and the amount of assistance provided for rent is not separable from the amount of assistance provided for supportive services, and

(iv) does not include any rental payment to the owner of the unit to the extent such owner pays an equivalent amount to the Farmers' Home Administration under section 515 of the Housing Act of 1949.

For purposes of clause (iii) , the term “supportive service” means any service provided under a planned program of services designed to enable residents of a residential rental property to remain independent and avoid placement in a hospital, nursing home, or intermediate care facility for the mentally or physically handicapped. In the case of a single-room occupancy unit or a building described in subsection (i)(3)(B)(iii) , such term includes

any service provided to assist tenants in locating and retaining permanent housing.

(C) Imputed income limitation applicable to unit. For purposes of this paragraph , the imputed income limitation applicable to a unit is the income limitation which would apply under paragraph (1) to individuals occupying the unit if the number of individuals occupying the unit were as follows:

(i) In the case of a unit which does not have a separate bedroom, 1 individual.

(ii) In the case of a unit which has 1 or more separate bedrooms, 1.5 individuals for each separate bedroom.

In the case of a project with respect to which a credit is allowable by reason of this section and for which financing is provided by a bond described in section 142(a)(7) , the imputed income limitation shall apply in lieu of the otherwise applicable income limitation for purposes of applying section 142(d)(4)(B)(ii) .

(D) Treatment of units occupied by individuals whose incomes rise above limit.

(i) In general. Except as provided in clause (ii) , notwithstanding an increase in the income of the occupants of a low-income unit above the income limitation applicable under paragraph (1) , such unit shall continue to be treated as a low-income unit if the income of such occupants initially met such income limitation and such unit continues to be rent-restricted.

(ii) Next available unit must be rented to low-income tenant if income rises above 140 percent of income limit. If the income of the occupants of the unit increases above 140 percent of the income limitation applicable under paragraph (1) , clause (i) shall cease to apply to such unit if any residential rental unit in the building (of a size comparable to, or smaller than, such unit) is occupied by a new resident whose income exceeds such income limitation. In the case of a project described in section 142(d)(4)(B) , the preceding sentence shall be applied by substituting “170 percent” for “140 percent” and by substituting “any low-income unit in the building is occupied by a new resident whose income exceeds 40 percent of area median gross income” for “any residential unit in the building (of a size

comparable to, or smaller than, such unit) is occupied by a new resident whose income exceeds such income limitation”.

(E) Units where federal rental assistance is reduced as tenant's income increases. If the gross rent with respect to a residential unit exceeds the limitation under subparagraph (A) by reason of the fact that the income of the occupants thereof exceeds the income limitation applicable under paragraph (1) , such unit shall, nevertheless, be treated as a rent-restricted unit for purposes of paragraph (1) if—

(i) a Federal rental assistance payment described in subparagraph (B)(i) is made with respect to such unit or its occupants, and

(ii) the sum of such payment and the gross rent with respect to such unit does not exceed the sum of the amount of such payment which would be made and the gross rent which would be payable with respect to such unit if—

(I) the income of the occupants thereof did not exceed the income limitation applicable under paragraph (1) , and

(II) such units were rent-restricted within the meaning of subparagraph (A) .

The preceding sentence shall apply to any unit only if the result described in clause (ii) is required by Federal statute as of the date of the enactment of this subparagraph and as of the date the Federal rental assistance payment is made.

(3) Date for meeting requirements.

(A) In general. Except as otherwise provided in this paragraph , a building shall be treated as a qualified low-income building only if the project (of which such building is a part) meets the requirements of paragraph (1) not later than the close of the 1st year of the credit period for such building.

(B) Buildings which rely on later buildings for qualification.

(i) In general. In determining whether a building (hereinafter in this subparagraph referred to as the “prior building”) is a qualified low-income building, the taxpayer

may take into account 1 or more additional buildings placed in service during the 12-month period described in subparagraph (A) with respect to the prior building only if the taxpayer elects to apply clause (ii) with respect to each additional building taken into account.

(ii) Treatment of elected buildings. In the case of a building which the taxpayer elects to take into account under clause (i) , the period under subparagraph (A) for such building shall end at the close of the 12-month period applicable to the prior building.

(iii) Date prior building is treated as placed in service. For purposes of determining the credit period and the compliance period for the prior building, the prior building shall be treated for purposes of this section as placed in service on the most recent date any additional building elected by the taxpayer (with respect to such prior building) was placed in service.

(C) Special rule. A building—

(i) other than the 1st building placed in service as part of a project, and

(ii) other than a building which is placed in service during the 12-month period described in subparagraph (A) with respect to a prior building which becomes a qualified low-income building,

shall in no event be treated as a qualified low-income building unless the project is a qualified low-income housing project (without regard to such building) on the date such building is placed in service.

(D) Projects with more than 1 building must be identified. For purposes of this section , a project shall be treated as consisting of only 1 building unless, before the close of the 1st calendar year in the project period (as defined in subsection (h)(1)(F)(ii)), each building which is (or will be) part of such project is identified in such form and manner as the Secretary may provide.

(4) Certain rules made applicable.

Paragraphs (2) (other than subparagraph (A) thereof), (3) , (4) , (5) , (6) , and (7) of section 142(d) , and section 6652(j) , shall apply for purposes of determining whether any project is a qualified low-income housing project

and whether any unit is a low-income unit; except that, in applying such provisions for such purposes, the term “gross rent” shall have the meaning given such term by paragraph (2)(B) of this subsection

(5) Election to treat building after compliance period as not part of a project.

For purposes of this section , the taxpayer may elect to treat any building as not part of a qualified low-income housing project for any period beginning after the compliance period for such building.

(6) Special rule where de minimis equity contribution.

Property shall not be treated as failing to be residential rental property for purposes of this section merely because the occupant of a residential unit in the project pays (on a voluntary basis) to the lessor a de minimis amount to be held toward the purchase by such occupant of a residential unit in such project if—

(A) all amounts so paid are refunded to the occupant on the cessation of his occupancy of a unit in the project, and

(B) the purchase of the unit is not permitted until after the close of the compliance period with respect to the building in which the unit is located.

Any amount paid to the lessor as described in the preceding sentence shall be included in gross rent under paragraph (2) for purposes of determining whether the unit is rent-restricted.

(7) Scattered site projects.

Buildings which would (but for their lack of proximity) be treated as a project for purposes of this section shall be so treated if all of the dwelling units in each of the buildings are rent-restricted (within the meaning of paragraph (2)) residential rental units.

(8) Waiver of certain de minimis errors and recertifications.

On application by the taxpayer, the Secretary may waive—

(A) any recapture under subsection (j) in the case of any de minimis error in complying with paragraph (1) , or

(B) any annual recertification of tenant income for purposes of this subsection , if the entire building is occupied by low-income tenants.

(h) Limitation on aggregate credit allowable with respect to projects located in a state.

(1) Credit may not exceed credit amount allocated to building.

(A) In general. The amount of the credit determined under this section for any taxable year with respect to any building shall not exceed the housing credit dollar amount allocated to such building under this subsection .

(B) Time for making allocation. Except in the case of an allocation which meets the requirements of subparagraph (C) , (D) , (E) , or (F) an allocation shall be taken into account under subparagraph (A) only if it is made not later than the close of the calendar year in which the building is placed in service.

(C) Exception where binding commitment. An allocation meets the requirements of this subparagraph if there is a binding commitment (not later than the close of the calendar year in which the building is placed in service) by the housing credit agency to allocate a specified housing credit dollar amount to such building beginning in a specified later taxable year.

(D) Exception where increase in qualified basis.

(i) In general. An allocation meets the requirements of this subparagraph if such allocation is made not later than the close of the calendar year in which ends the taxable year to which it will 1st apply but only to the extent the amount of such allocation does not exceed the limitation under clause (ii) .

(ii) Limitation. The limitation under this clause is the amount of credit allowable under this section (without regard to this subsection) for a taxable year with respect to an increase in the qualified basis of the building equal to the excess of—

(I) the qualified basis of such building as of the close of the 1st taxable year to which such allocation will apply, over

(II) the qualified basis of such building as of the close of the 1st taxable year to which the most recent prior housing credit allocation with respect to such building applied.

(iii) Housing credit dollar amount reduced by full allocation. Notwithstanding clause (i) , the full amount of the allocation shall be taken into account under paragraph (2) .

(E) Exception where 10 percent of cost incurred.

(i) In general. An allocation meets the requirements of this subparagraph if such allocation is made with respect to a qualified building which is placed in service not later than the close of the second calendar year following the calendar year in which the allocation is made.

(ii) Qualified building. For purposes of clause (i) , the term “qualified building” means any building which is part of a project if the taxpayer's basis in such project (as of the later of the date which is 6 months after the date that the allocation was made or the close of the calendar year in which the allocation is made) is more than 10 percent of the taxpayer's reasonably expected basis in such project (as of the close of the second calendar year referred to in clause (i)). Such term does not include any existing building unless a credit is allowable under subsection (e) for rehabilitation expenditures paid or incurred by the taxpayer with respect to such building for a taxable year ending during the second calendar year referred to in clause (i) or the prior taxable year.

(F) Allocation of credit on a project basis.

(i) In general. In the case of a project which includes (or will include) more than 1 building, an allocation meets the requirements of this subparagraph if—

(I) the allocation is made to the project for a calendar year during the project period,

(II) the allocation only applies to buildings placed in service during or after the calendar year for which the allocation is made, and

(III) the portion of such allocation which is allocated to any building in such project is specified not later than the close of the calendar year in which the building is placed in service.

(ii) Project period. For purposes of clause (i) , the term “project period” means the period—

(I) beginning with the 1st calendar year for which an allocation may be made for the 1st building placed in service as part of such project, and

(II) ending with the calendar year the last building is placed in service as part of such project.

(2) Allocated credit amount to apply to all taxable years ending during or after credit allocation year.

Any housing credit dollar amount allocated to any building for any calendar year—

(A) shall apply to such building for all taxable years in the compliance period ending during or after such calendar year, and

(B) shall reduce the aggregate housing credit dollar amount of the allocating agency only for such calendar year.

(3) Housing credit dollar amount for agencies.

(A) In general. The aggregate housing credit dollar amount which a housing credit agency may allocate for any calendar year is the portion of the State housing credit ceiling allocated under this paragraph for such calendar year to such agency.

(B) State ceiling initially allocated to state housing credit agencies. Except as provided in subparagraphs (D) and (E) , the State housing credit ceiling for each calendar year shall be allocated to the housing credit agency of such State. If there is more than 1 housing credit agency of a State, all such agencies shall be treated as a single agency.

(C) State housing credit ceiling. The State housing credit ceiling applicable to any State for any calendar year shall be an amount equal to the sum of—

(i) the unused State housing credit ceiling (if any) of such State for the preceding calendar year,

(ii) the greater of—

(I) \$1.75 (\$1.50 for 2001) multiplied by the State population, or

(II) \$2,000,000,

(iii) the amount of State housing credit ceiling returned in the calendar year, plus

(iv) the amount (if any) allocated under subparagraph (D) to such State by the Secretary.

For purposes of clause (i) , the unused State housing credit ceiling for any calendar year is the excess (if any) of the sum of the amounts described in clauses (ii) through (iv) over the aggregate housing credit dollar amount allocated for such year. For purposes of clause (iii) , the amount of State housing credit ceiling returned in the calendar year equals the housing credit dollar amount previously allocated within the State to any project which fails to meet the 10 percent test under paragraph (1)(E)(ii) on a date after the close of the calendar year in which the allocation was made or which does not become a qualified low-income housing project within the period required by this section or the terms of the allocation or to any project with respect to which an allocation is cancelled by mutual consent of the housing credit agency and the allocation recipient.

(D) Unused housing credit carryovers allocated among certain states.

(i) In general. The unused housing credit carryover of a State for any calendar year shall be assigned to the Secretary for allocation among qualified States for the succeeding calendar year.

(ii) Unused housing credit carryover. For purposes of this subparagraph , the unused housing credit carryover of a State for any calendar year is the excess (if any) of—

(I) the unused State housing credit ceiling for the year preceding such year, over

(II) the aggregate housing credit dollar amount allocated for such year.

(iii) Formula for allocation of unused housing credit carryovers among qualified states. The amount allocated under this subparagraph to a qualified State for any calendar year shall be the amount determined by the Secretary to bear the same ratio to the aggregate unused

housing credit carryovers of all States for the preceding calendar year as such State's population for the calendar year bears to the population of all qualified States for the calendar year. For purposes of the preceding sentence, population shall be determined in accordance with section 146(j) .

(iv) Qualified State. For purposes of this subparagraph , the term “qualified State” means, with respect to a calendar year, any State—

(I) which allocated its entire State housing credit ceiling for the preceding calendar year, and

(II) for which a request is made (not later than May 1 of the calendar year) to receive an allocation under clause (iii) .

(E) Special rule for states with constitutional home rule cities. For purposes of this subsection —

(i) In general. The aggregate housing credit dollar amount for any constitutional home rule city for any calendar year shall be an amount which bears the same ratio to the State housing credit ceiling for such calendar year as—

(I) the population of such city, bears to

(II) the population of the entire State.

(ii) Coordination with other allocations. In the case of any State which contains 1 or more constitutional home rule cities, for purposes of applying this paragraph with respect to housing credit agencies in such State other than constitutional home rule cities, the State housing credit ceiling for any calendar year shall be reduced by the aggregate housing credit dollar amounts determined for such year for all constitutional home rule cities in such State.

(iii) Constitutional home rule city. For purposes of this paragraph , the term “constitutional home rule city” has the meaning given such term by section 146(d)(3)(C) .

(F) State may provide for different allocation. Rules similar to the rules of section 146(e) (other than paragraph (2)(B) thereof) shall apply for purposes of this paragraph .

(G) Population. For purposes of this paragraph , population shall be determined in accordance with section 146(j) .

(H) Cost-of-living adjustment.

(i) In general. In the case of a calendar year after 2002, the \$2,000,000 and \$1.75 amounts in subparagraph (C) shall each be increased by an amount equal to—

(I) such dollar amount, multiplied by

(II) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting “calendar year 2001” for “calendar year 1992” in subparagraph (B) thereof.

(ii) Rounding.

(I) In the case of the \$2,000,000 amount, any increase under clause (i) which is not a multiple of \$5,000 shall be rounded to the next lowest multiple of \$5,000.

(II) In the case of the \$1.75 amount, any increase under clause (i) which is not a multiple of 5 cents shall be rounded to the next lowest multiple of 5 cents.

(4) Credit for buildings financed by tax-exempt bonds subject to volume cap not taken into account.

(A) In general. Paragraph (1) shall not apply to the portion of any credit allowable under subsection (a) which is attributable to eligible basis financed by any obligation the interest on which is exempt from tax under section 103 if —

(i) such obligation is taken into account under section 146 ,
and

(ii) principal payments on such financing are applied within a reasonable period to redeem obligations the proceeds of which were used to provide such financing.

(B) Special rule where 50 percent or more of building is financed with tax-exempt bonds subject to volume cap. For purposes of subparagraph (A) , if 50 percent or more of the aggregate basis of any building and the land on which the building is located is financed by any obligation described in subparagraph (A) , paragraph (1) shall not apply to any portion of the credit allowable under subsection (a) with respect to such building.

(5) Portion of state ceiling set-aside for certain projects involving qualified nonprofit organizations.

(A) In general. Not more than 90 percent of the State housing credit ceiling for any State for any calendar year shall be allocated to projects other than qualified low-income housing projects described in subparagraph (B) .

(B) Projects involving qualified nonprofit organizations. For purposes of subparagraph (A) , a qualified low-income housing project is described in this subparagraph if a qualified nonprofit organization is to own an interest in the project (directly or through a partnership) and materially participate (within the meaning of section 469(h)) in the development and operation of the project throughout the compliance period.

(C) Qualified nonprofit organization. For purposes of this paragraph , the term “qualified nonprofit organization” means any organization if—

(i) such organization is described in paragraph (3) or (4) of section 501(c) and is exempt from tax under section 501(a) ,

(ii) such organization is determined by the State housing credit agency not to be affiliated with or controlled by a for-profit organization; and

(iii) 1 of the exempt purposes of such organization includes the fostering of low-income housing.

(D) Treatment of certain subsidiaries.

(i) In general. For purposes of this paragraph , a qualified nonprofit organization shall be treated as satisfying the ownership and material participation test of subparagraph (B) if any qualified corporation in which such organization holds stock satisfies such test.

(ii) Qualified corporation. For purposes of clause (i) , the term “qualified corporation” means any corporation if 100 percent of the stock of such corporation is held by 1 or more qualified nonprofit organizations at all times during the period such corporation is in existence.

(E) State may not override set-aside. Nothing in subparagraph (F) of paragraph (3) shall be construed to permit a State not to comply with subparagraph (A) of this paragraph .

(6) Buildings eligible for credit only if minimum long-term commitment to low-income housing.

(A) In general. No credit shall be allowed by reason of this section with respect to any building for the taxable year unless an extended low-income housing commitment is in effect as of the end of such taxable year.

(B) Extended low-income housing commitment. For purposes of this paragraph , the term “extended low-income housing commitment” means any agreement between the taxpayer and the housing credit agency—

(i) which requires that the applicable fraction (as defined in subsection (c)(1)) for the building for each taxable year in the extended use period will not be less than the applicable fraction specified in such agreement and which prohibits the actions described in subclauses (I) and (II) of subparagraph (E)(ii) ,

(ii) which allows individuals who meet the income limitation applicable to the building under subsection (g) (whether prospective, present, or former occupants of the building) the right to enforce in any State court the requirement and prohibitions of clause (i) ,

(iii) which prohibits the disposition to any person of any portion of the building to which such agreement applies unless all of the building to which such agreement applies is disposed of to such person,

(iv) which prohibits the refusal to lease to a holder of a voucher or certificate of eligibility under section 8 of the United States Housing Act of 1937 because of the status of the prospective tenant as such a holder,

(v) which is binding on all successors of the taxpayer, and

(vi) which, with respect to the property, is recorded pursuant to State law as a restrictive covenant.

(C) Allocation of credit may not exceed amount necessary to support commitment.

(i) In general. The housing credit dollar amount allocated to any building may not exceed the amount necessary to support the applicable fraction specified in the extended low-income housing commitment for such building, including any increase in such fraction pursuant to the application of subsection (f)(3) if such increase is reflected in an amended low-income housing commitment.

(ii) Buildings financed by tax-exempt bonds. If paragraph (4) applies to any building the amount of credit allowed in any taxable year may not exceed the amount necessary to support the applicable fraction specified in the extended low-income housing commitment for such building. Such commitment may be amended to increase such fraction.

(D) Extended use period. For purposes of this paragraph , the term “extended use period” means the period—

(i) beginning on the 1st day in the compliance period on which such building is part of a qualified low-income housing project, and

(ii) ending on the later of—

(I) the date specified by such agency in such agreement, or

(II) the date which is 15 years after the close of the compliance period.

(E) Exceptions if foreclosure or if no buyer willing to maintain low-income status.

(i) In general. The extended use period for any building shall terminate—

(I) on the date the building is acquired by foreclosure (or instrument in lieu of foreclosure)

unless the Secretary determines that such acquisition is part of an arrangement with the taxpayer a purpose of which is to terminate such period, or

(II) on the last day of the period specified in subparagraph (I) if the housing credit agency is unable to present during such period a qualified contract for the acquisition of the low-income portion of the building by any person who will continue to operate such portion as a qualified low-income building.

Subclause (II) shall not apply to the extent more stringent requirements are provided in the agreement or in State law.

(ii) Eviction, etc. of existing low-income tenants not permitted. The termination of an extended use period under clause (i) shall not be construed to permit before the close of the 3-year period following such termination—

(I) the eviction or the termination of tenancy (other than for good cause) of an existing tenant of any low-income unit, or

(II) any increase in the gross rent with respect to such unit not otherwise permitted under this section

.

(F) Qualified contract. For purposes of subparagraph (E) , the term “qualified contract” means a bona fide contract to acquire (within a reasonable period after the contract is entered into) the non low-income portion of the building for fair market value and the low-income portion of the building for an amount not less than the applicable fraction (specified in the extended low-income housing commitment) of—

(i) the sum of—

(I) the outstanding indebtedness secured by, or with respect to, the building,

(II) the adjusted investor equity in the building, plus

(III) other capital contributions not reflected in the amounts described in subclause (I) or (II) , reduced by

(ii) cash distributions from (or available for distribution from) the project.

The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out this paragraph , including regulations to prevent the manipulation of the amount determined under the preceding sentence.

(G) Adjusted investor equity.

(i) In general. For purposes of subparagraph (E) , the term “adjusted investor equity” means, with respect to any calendar year, the aggregate amount of cash taxpayers invested with respect to the project increased by the amount equal to—

(I) such amount, multiplied by

(II) the cost-of-living adjustment for such calendar year, determined under section 1(f)(3) by substituting the base calendar year for “calendar year 1987”.

An amount shall be taken into account as an investment in the project only to the extent there was an obligation to invest such amount as of the beginning of the credit period and to the extent such amount is reflected in the adjusted basis of the project.

(ii) Cost-of-living increases in excess of 5 percent not taken into account. Under regulations prescribed by the Secretary, if the CPI for any calendar year (as defined in section 1(f)(4)) exceeds the CPI for the preceding calendar year by more than 5 percent, the CPI for the base calendar year shall be increased such that such excess shall never be taken into account under clause (i) .

(iii) Base calendar year. For purposes of this subparagraph , the term “base calendar year” means the calendar year with or within which the 1st taxable year of the credit period ends.

(H) Low-income portion. For purposes of this paragraph , the low-income portion of a building is the portion of such building equal to the applicable fraction specified in the extended low-income housing commitment for the building.

(I) Period for finding buyer. The period referred to in this subparagraph is the 1-year period beginning on the date (after the 14th year of the compliance period) the taxpayer submits a written request to the housing credit agency to find a person to acquire the taxpayer's interest in the low-income portion of the building.

(J) Effect of noncompliance. If, during a taxable year, there is a determination that an extended low-income housing agreement was not in effect as of the beginning of such year, such determination shall not apply to any period before such year and subparagraph (A) shall be applied without regard to such determination if the failure is corrected within 1 year from the date of the determination.

(K) Projects which consist of more than 1 building. The application of this paragraph to projects which consist of more than 1 building shall be made under regulations prescribed by the Secretary.

(7) Special rules.

(A) Building must be located within jurisdiction of credit agency. A housing credit agency may allocate its aggregate housing credit dollar amount only to buildings located in the jurisdiction of the governmental unit of which such agency is a part.

(B) Agency allocations in excess of limit. If the aggregate housing credit dollar amounts allocated by a housing credit agency for any calendar year exceed the portion of the State housing credit ceiling allocated to such agency for such calendar year, the housing credit dollar amounts so allocated shall be reduced (to the extent of such excess) for buildings in the reverse of the order in which the allocations of such amounts were made.

(C) Credit reduced if allocated credit dollar amount is less than credit which would be allowable without regard to placed in service convention, etc.

(i) In general. The amount of the credit determined under this section with respect to any building shall not exceed the clause (ii) percentage of the amount of the credit which

would (but for this subparagraph) be determined under this section with respect to such building.

(ii) Determination of percentage. For purposes of clause (i) , the clause (ii) percentage with respect to any building is the percentage which—

(I) the housing credit dollar amount allocated to such building bears to

(II) the credit amount determined in accordance with clause (iii) .

(iii) Determination of credit amount. The credit amount determined in accordance with this clause is the amount of the credit which would (but for this subparagraph) be determined under this section with respect to the building if—

(I) this section were applied without regard to paragraphs (2)(A) and (3)(B) of subsection (f) , and

(II) subsection (f)(3)(A) were applied without regard to “the percentage equal to 2/3 of”.

(D) Housing credit agency to specify applicable percentage and maximum qualified basis. In allocating a housing credit dollar amount to any building, the housing credit agency shall specify the applicable percentage and the maximum qualified basis which may be taken into account under this section with respect to such building. The applicable percentage and maximum qualified basis so specified shall not exceed the applicable percentage and qualified basis determined under this section without regard to this subsection .

(8) Other definitions.

For purposes of this subsection —

(A) Housing credit agency. The term “housing credit agency” means any agency authorized to carry out this subsection .

(B) Possessions treated as states. The term “State” includes a possession of the United States.

(i) Definitions and special rules.

For purposes of this section —

(1) Compliance period.

The term “compliance period” means, with respect to any building, the period of 15 taxable years beginning with the 1st taxable year of the credit period with respect thereto.

(2) Determination of whether building is federally subsidized.

(A) In general. Except as otherwise provided in this paragraph , for purposes of subsection (b)(1) , a new building shall be treated as federally subsidized for any taxable year if, at any time during such taxable year or any prior taxable year, there is or was outstanding any obligation the interest on which is exempt from tax under section 103 , or any below market Federal loan, the proceeds of which are or were used (directly or indirectly) with respect to such building or the operation thereof.

(B) Election to reduce eligible basis by balance of loan or proceeds of obligations. A loan or tax-exempt obligation shall not be taken into account under subparagraph (A) if the taxpayer elects to exclude from the eligible basis of the building for purposes of subsection (d) —

(i) in the case of a loan, the principal amount of such loan, and

(ii) in the case of a tax-exempt obligation, the proceeds of such obligation.

(C) Special rule for subsidized construction financing.

Subparagraph (A) shall not apply to any tax-exempt obligation or below market Federal loan used to provide construction financing for any building if—

(i) such obligation or loan (when issued or made) identified the building for which the proceeds of such obligation or loan would be used, and

(ii) such obligation is redeemed, and such loan is repaid, before such building is placed in service.

(D) Below market federal loan. For purposes of this paragraph , the term “below market Federal loan” means any loan funded in whole or in part with Federal funds if the interest rate payable on such loan is less than the applicable Federal rate in effect under section 1274(d)(1) (as of the date on which the loan was made). Such term shall not include any loan which would be a below market Federal

loan solely by reason of assistance provided under section 106, 107, or 108 of the Housing and Community Development Act of 1974 (as in effect on the date of the enactment of this sentence).

(E) Buildings receiving home assistance or Native American Housing assistance.

(i) In general. Assistance provided under the HOME Investment Partnerships Act (as in effect on the date of the enactment of this subparagraph or the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) (as in effect on October 1, 1997) with respect to any building shall not be taken into account under subparagraph (D) if 40 percent or more of the residential units in the building are occupied by individuals whose income is 50 percent or less of area median gross income. Subsection (d)(5)(C) shall not apply to any building to which the preceding sentence applies.

(ii) Special rule for certain high-cost housing areas. In the case of a building located in a city described in section 142(d)(6) , clause (i) shall be applied by substituting “25 percent” for “40 percent”.

(3) Low-income unit.

(A) In general. The term “low-income unit” means any unit in a building if—

(i) such unit is rent-restricted (as defined in subsection (g)(2)), and

(ii) the individuals occupying such unit meet the income limitation applicable under subsection (g)(1) to the project of which such building is a part.

(B) Exceptions.

(i) In general. A unit shall not be treated as a low-income unit unless the unit is suitable for occupancy and used other than on a transient basis.

(ii) Suitability for occupancy. For purposes of clause (i) , the suitability of a unit for occupancy shall be determined under regulations prescribed by the Secretary taking into account local health, safety, and building codes.

(iii) Transitional housing for homeless. For purposes of clause (i) , a unit shall be considered to be used other than on a transient basis if the unit contains sleeping accommodations and kitchen and bathroom facilities and is located in a building—

(I) which is used exclusively to facilitate the transition of homeless individuals (within the meaning of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302), as in effect on the date of the enactment of this clause) to independent living within 24 months, and

(II) in which a governmental entity or qualified nonprofit organization (as defined in subsection (h)(5)) provides such individuals with temporary housing and supportive services designed to assist such individuals in locating and retaining permanent housing.

(iv) Single-room occupancy units. For purposes of clause (i) , a single-room occupancy unit shall not be treated as used on a transient basis merely because it is rented on a month-by-month basis.

(C) Special rule for buildings having 4 or fewer units. In the case of any building which has 4 or fewer residential rental units, no unit in such building shall be treated as a low-income unit if the units in such building are owned by—

(i) any individual who occupies a residential unit in such building, or

(ii) any person who is related (as defined in subsection (d)(2)(D)(iii)) to such individual.

(D) Certain students not to disqualify unit. A unit shall not fail to be treated as a low-income unit merely because it is occupied—

(i) by an individual who is—

(I) a student and receiving assistance under title IV of the Social Security Act, or

(II) enrolled in a job training program receiving assistance under the Job Training Partnership Act or under other similar Federal, State, or local laws, or

(ii) entirely by full-time students if such students are—

Caution: Subclause (i)(3)(D)(ii)(I), following, is effective for tax. yrs. begin. before 1/1/2005. For subclause (i)(3)(D)(ii)(I), effective for tax. yrs. begin. after 12/31/2004, see below.

(I) single parents and their children and such parents and children are not dependents (as defined in section 152) of another individual, or

Caution: Subclause (i)(3)(D)(ii)(I), following, is effective for tax. yrs. begin. after 12/31/2004. For subclause (i)(3)(D)(ii)(I), effective for tax. yrs. begin. before 1/1/2005, see above.

(I) single parents and their children and such parents and children are not dependents (as defined in section 152 , determined without regard to subsections (b)(1) , (b)(2) , and (d)(1)(B) thereof) of another individual, or

(II) married and file a joint return.

(E) Owner-occupied buildings having 4 or fewer units eligible for credit where development plan.

(i) In general. Subparagraph (C) shall not apply to the acquisition or rehabilitation of a building pursuant to a development plan of action sponsored by a State or local government or a qualified nonprofit organization (as defined in subsection (h)(5)(C)).

(ii) Limitation on credit. In the case of a building to which clause (i) applies, the applicable fraction shall not exceed 80 percent of the unit fraction.

(iii) Certain unrented units treated as owner-occupied. In the case of a building to which clause (i) applies, any unit which is not rented for 90 days or more shall be treated as occupied by the owner of the building as of the 1st day it is not rented.

(4) New building.

The term “new building” means a building the original use of which begins with the taxpayer.

(5) Existing building.

The term “existing building” means any building which is not a new building.

(6) Application to estates and trusts.

In the case of an estate or trust, the amount of the credit determined under subsection (a) and any increase in tax under subsection (j) shall be apportioned between the estate or trust and the beneficiaries on the basis of the income of the estate or trust allocable to each.

(7) Impact of tenant's right of 1st refusal to acquire property.

(A) In general. No Federal income tax benefit shall fail to be allowable to the taxpayer with respect to any qualified low-income building merely by reason of a right of 1st refusal held by the tenants (in cooperative form or otherwise) or resident management corporation of such building or by a qualified nonprofit organization (as defined in subsection (h)(5)(C)) or government agency to purchase the property after the close of the compliance period for a price which is not less than the minimum purchase price determined under subparagraph (B) .

(B) Minimum purchase price. For purposes of subparagraph (A) , the minimum purchase price under this subparagraph is an amount equal to the sum of—

(i) the principal amount of outstanding indebtedness secured by the building (other than indebtedness incurred within the 5-year period ending on the date of the sale to the tenants), and

(ii) all Federal, State, and local taxes attributable to such sale.

Except in the case of Federal income taxes, there shall not be taken into account under clause (ii) any additional tax attributable to the application of clause (ii) .

(j) Recapture of credit.

(1) In general.

If—

(A) as of the close of any taxable year in the compliance period, the amount of the qualified basis of any building with respect to the taxpayer is less than

(B) the amount of such basis as of the close of the preceding taxable year, then the taxpayer's tax under this chapter for the taxable year shall be increased by the credit recapture amount.

(2) Credit recapture amount.

For purposes of paragraph (1) , the credit recapture amount is an amount equal to the sum of—

(A) the aggregate decrease in the credits allowed to the taxpayer under section 38 for all prior taxable years which would have resulted if the accelerated portion of the credit allowable by reason of this section were not allowed for all prior taxable years with respect to the excess of the amount described in paragraph (1)(B) over the amount described in paragraph (1)(A) , plus

(B) interest at the overpayment rate established under section 6621 on the amount determined under subparagraph (A) for each prior taxable year for the period beginning on the due date for filing the return for the prior taxable year involved.

No deduction shall be allowed under this chapter for interest described in subparagraph (B) .

(3) Accelerated portion of credit.

For purposes of paragraph (2) , the accelerated portion of the credit for the prior taxable years with respect to any amount of basis is the excess of—

(A) the aggregate credit allowed by reason of this section (without regard to this subsection) for such years with respect to such basis, over

(B) the aggregate credit which would be allowable by reason of this section for such years with respect to such basis if the aggregate credit which would (but for this subsection) have been allowable for the entire compliance period were allowable ratably over 15 years.

(4) Special rules.

(A) Tax benefit rule. The tax for the taxable year shall be increased under paragraph (1) only with respect to credits allowed by reason

of this section which were used to reduce tax liability. In the case of credits not so used to reduce tax liability, the carryforwards and carrybacks under section 39 shall be appropriately adjusted.

(B) Only basis for which credit allowed taken into account. Qualified basis shall be taken into account under paragraph (1)(B) only to the extent such basis was taken into account in determining the credit under subsection (a) for the preceding taxable year referred to in such paragraph.

(C) No recapture of additional credit allowable by reason of subsection (f)(3) . Paragraph (1) shall apply to a decrease in qualified basis only to the extent such decrease exceeds the amount of qualified basis with respect to which a credit was allowable for the taxable year referred to in paragraph (1)(B) by reason of subsection (f)(3) .

(D) No credits against tax. Any increase in tax under this subsection shall not be treated as a tax imposed by this chapter for purposes of determining the amount of any credit under this chapter.

(E) No recapture by reason of casualty loss. The increase in tax under this subsection shall not apply to a reduction in qualified basis by reason of a casualty loss to the extent such loss is restored by reconstruction or replacement within a reasonable period established by the Secretary.

(F) No recapture where de minimis changes in floor space. The Secretary may provide that the increase in tax under this subsection shall not apply with respect to any building if—

(i) such increase results from a de minimis change in the floor space fraction under subsection (c)(1) , and

(ii) the building is a qualified low-income building after such change.

(5) Certain partnerships treated as the taxpayer.

(A) In general. For purposes of applying this subsection to a partnership to which this paragraph applies—

(i) such partnership shall be treated as the taxpayer to which the credit allowable under subsection (a) was allowed,

(ii) the amount of such credit allowed shall be treated as the amount which would have been allowed to the partnership were such credit allowable to such partnership,

(iii) paragraph (4)(A) shall not apply, and

(iv) the amount of the increase in tax under this subsection for any taxable year shall be allocated among the partners of such partnership in the same manner as such partnership's taxable income for such year is allocated among such partners.

(B) Partnerships to which paragraph applies. This paragraph shall apply to any partnership which has 35 or more partners unless the partnership elects not to have this paragraph apply.

(C) Special rules.

(i) Husband and wife treated as 1 partner. For purposes of subparagraph (B)(i), a husband and wife (and their estates) shall be treated as 1 partner.

(ii) Election irrevocable. Any election under subparagraph (B), once made, shall be irrevocable.

(6) No recapture on disposition of building (or interest therein) where bond posted.

In the case of a disposition of a building or an interest therein the taxpayer shall be discharged from liability for any additional tax under this subsection by reason of such disposition if—

(A) the taxpayer furnishes to the Secretary a bond in an amount satisfactory to the Secretary and for the period required by the Secretary, and

(B) it is reasonably expected that such building will continue to be operated as a qualified low-income building for the remaining compliance period with respect to such building.

(k) Application of at-risk rules.

For purposes of this section —

(1) In general.

Except as otherwise provided in this subsection, rules similar to the rules of section 49(a)(1) (other than subparagraphs (D)(ii)(II) and (D)(iv)(I) thereof), section 49(a)(2), and section 49(b)(1) shall apply in determining

the qualified basis of any building in the same manner as such sections apply in determining the credit base of property.

(2) Special rules for determining qualified person.

For purposes of paragraph (1) —

(A) In general. If the requirements of subparagraphs (B) , (C) , and (D) are met with respect to any financing borrowed from a qualified nonprofit organization (as defined in subsection (h)(5)), the determination of whether such financing is qualified commercial financing with respect to any qualified low-income building shall be made without regard to whether such organization—

(i) is actively and regularly engaged in the business of lending money, or

(ii) is a person described in section 49(a)(1)(D)(iv)(II) .

(B) Financing secured by property. The requirements of this subparagraph are met with respect to any financing if such financing is secured by the qualified low-income building, except that this subparagraph shall not apply in the case of a federally assisted building described in subsection (d)(6)(B) if—

(i) a security interest in such building is not permitted by a Federal agency holding or insuring the mortgage secured by such building, and

(ii) the proceeds from the financing (if any) are applied to acquire or improve such building.

(C) Portion of building attributable to financing. The requirements of this subparagraph are met with respect to any financing for any taxable year in the compliance period if, as of the close of such taxable year, not more than 60 percent of the eligible basis of the qualified low-income building is attributable to such financing (reduced by the principal and interest of any governmental financing which is part of a wrap-around mortgage involving such financing).

(D) Repayment of principal and interest. The requirements of this subparagraph are met with respect to any financing if such financing is fully repaid on or before the earliest of—

(i) the date on which such financing matures,

(ii) the 90th day after the close of the compliance period with respect to the qualified low-income building, or

(iii) the date of its refinancing or the sale of the building to which such financing relates.

In the case of a qualified nonprofit organization which is not described in section 49(a)(1)(D)(iv)(II) with respect to a building, clause (ii) of this subparagraph shall be applied as if the date described therein were the 90th day after the earlier of the date the building ceases to be a qualified low-income building or the date which is 15 years after the close of a compliance period with respect thereto.

(3) Present value of financing.

If the rate of interest on any financing described in paragraph (2)(A) is less than the rate which is 1 percentage point below the applicable Federal rate as of the time such financing is incurred, then the qualified basis (to which such financing relates) of the qualified low-income building shall be the present value of the amount of such financing, using as the discount rate such applicable Federal rate. For purposes of the preceding sentence, the rate of interest on any financing shall be determined by treating interest to the extent of government subsidies as not payable.

(4) Failure to fully repay.

(A) In general. To the extent that the requirements of paragraph (2)(D) are not met, then the taxpayer's tax under this chapter for the taxable year in which such failure occurs shall be increased by an amount equal to the applicable portion of the credit under this section with respect to such building, increased by an amount of interest for the period—

(i) beginning with the due date for the filing of the return of tax imposed by chapter 1 for the 1st taxable year for which such credit was allowable, and

(ii) ending with the due date for the taxable year in which such failure occurs,

determined by using the underpayment rate and method under section 6621 .

(B) Applicable portion. For purposes of subparagraph (A) , the term “applicable portion” means the aggregate decrease in the credits allowed to a taxpayer under section 38 for all prior taxable

(ii) the 90th day after the close of the compliance period with respect to the qualified low-income building, or

(iii) the date of its refinancing or the sale of the building to which such financing relates.

In the case of a qualified nonprofit organization which is not described in section 49(a)(1)(D)(iv)(II) with respect to a building, clause (ii) of this subparagraph shall be applied as if the date described therein were the 90th day after the earlier of the date the building ceases to be a qualified low-income building or the date which is 15 years after the close of a compliance period with respect thereto.

(3) Present value of financing.

If the rate of interest on any financing described in paragraph (2)(A) is less than the rate which is 1 percentage point below the applicable Federal rate as of the time such financing is incurred, then the qualified basis (to which such financing relates) of the qualified low-income building shall be the present value of the amount of such financing, using as the discount rate such applicable Federal rate. For purposes of the preceding sentence, the rate of interest on any financing shall be determined by treating interest to the extent of government subsidies as not payable.

(4) Failure to fully repay.

(A) In general. To the extent that the requirements of paragraph (2)(D) are not met, then the taxpayer's tax under this chapter for the taxable year in which such failure occurs shall be increased by an amount equal to the applicable portion of the credit under this section with respect to such building, increased by an amount of interest for the period—

(i) beginning with the due date for the filing of the return of tax imposed by chapter 1 for the 1st taxable year for which such credit was allowable, and

(ii) ending with the due date for the taxable year in which such failure occurs,

determined by using the underpayment rate and method under section 6621 .

(B) Applicable portion. For purposes of subparagraph (A) , the term “applicable portion” means the aggregate decrease in the credits allowed to a taxpayer under section 38 for all prior taxable

years which would have resulted if the eligible basis of the building were reduced by the amount of financing which does not meet requirements of paragraph (2)(D) .

(C) Certain rules to apply. Rules similar to the rules of subparagraphs (A) and (D) of subsection (j)(4) shall apply for purposes of this subsection .

(l) Certifications and other reports to secretary.

(1) Certification with respect to 1st year of credit period.

Following the close of the 1st taxable year in the credit period with respect to any qualified low-income building, the taxpayer shall certify to the Secretary (at such time and in such form and in such manner as the Secretary prescribes)—

(A) the taxable year, and calendar year, in which such building was placed in service,

(B) the adjusted basis and eligible basis of such building as of the close of the 1st year of the credit period,

(C) the maximum applicable percentage and qualified basis permitted to be taken into account by the appropriate housing credit agency under subsection (h) ,

(D) the election made under subsection (g) with respect to the qualified low-income housing project of which such building is a part, and

(E) such other information as the Secretary may require.

In the case of a failure to make the certification required by the preceding sentence on the date prescribed therefor, unless it is shown that such failure is due to reasonable cause and not to willful neglect, no credit shall be allowable by reason of subsection (a) with respect to such building for any taxable year ending before such certification is made.

(2) Annual reports to the Secretary.

The Secretary may require taxpayers to submit an information return (at such time and in such form and manner as the Secretary prescribes) for each taxable year setting forth—

(A) the qualified basis for the taxable year of each qualified low-income building of the taxpayer,

(B) the information described in paragraph (1)(C) for the taxable year, and

(C) such other information as the Secretary may require.

The penalty under section 6652(j) shall apply to any failure to submit the return required by the Secretary under the preceding sentence on the date prescribed therefor.

(3) Annual reports from housing credit agencies.

Each agency which allocates any housing credit amount to any building for any calendar year shall submit to the Secretary (at such time and in such manner as the Secretary shall prescribe) an annual report specifying—

(A) the amount of housing credit amount allocated to each building for such year,

(B) sufficient information to identify each such building and the taxpayer with respect thereto, and

(C) such other information as the Secretary may require.

The penalty under section 6652(j) shall apply to any failure to submit the report required by the preceding sentence on the date prescribed therefor.

(m) Responsibilities of housing credit agencies.

(1) Plans for allocation of credit among projects.

(A) In general. Notwithstanding any other provision of this section , the housing credit dollar amount with respect to any building shall be zero unless—

(i) such amount was allocated pursuant to a qualified allocation plan of the housing credit agency which is approved by the governmental unit (in accordance with rules similar to the rules of section 147(f)(2) (other than subparagraph (B)(ii) thereof)) of which such agency is a part,

(ii) such agency notifies the chief executive officer (or the equivalent) of the local jurisdiction within which the building is located of such project and provides such

individual a reasonable opportunity to comment on the project,

(iii) a comprehensive market study of the housing needs of low-income individuals in the area to be served by the project is conducted before the credit allocation is made and at the developer's expense by a disinterested party who is approved by such agency, and

(iv) a written explanation is available to the general public for any allocation of a housing credit dollar amount which is not made in accordance with established priorities and selection criteria of the housing credit agency.

(B) Qualified allocation plan. For purposes of this paragraph , the term “qualified allocation plan” means any plan—

(i) which sets forth selection criteria to be used to determine housing priorities of the housing credit agency which are appropriate to local conditions,

(ii) which also gives preference in allocating housing credit dollar amounts among selected projects to—

(I) projects serving the lowest income tenants,

(II) projects obligated to serve qualified tenants for the longest periods, and

(III) projects which are located in qualified census tracts (as defined in subsection (d)(5)(C)) and the development of which contributes to a concerted community revitalization plan, and

(iii) which provides a procedure that the agency (or an agent or other private contractor of such agency) will follow in monitoring for noncompliance with the provisions of this section and in notifying the Internal Revenue Service of such noncompliance which such agency becomes aware of and in monitoring for noncompliance with habitability standards through regular site visits.

(C) Certain selection criteria must be used. The selection criteria set forth in a qualified allocation plan must include—

individual a reasonable opportunity to comment on the project,

(iii) a comprehensive market study of the housing needs of low-income individuals in the area to be served by the project is conducted before the credit allocation is made and at the developer's expense by a disinterested party who is approved by such agency, and

(iv) a written explanation is available to the general public for any allocation of a housing credit dollar amount which is not made in accordance with established priorities and selection criteria of the housing credit agency.

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(iii) which provides a procedure that the agency (or an agent or other private contractor of such agency) will follow in monitoring for noncompliance with the provisions of this section and in notifying the Internal Revenue Service of such noncompliance which such agency becomes aware of and in monitoring for noncompliance with habitability standards through regular site visits.

(C) Certain selection criteria must be used. The selection criteria set forth in a qualified allocation plan must include—

- (i) project location,
- (ii) housing needs characteristics,
- (iii) project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan,
- (iv) sponsor characteristics,
- (v) tenant populations with special housing needs,
- (vi) public housing waiting lists,
- (vii) tenant populations of individuals with children, and
- (viii) projects intended for eventual tenant ownership.

(D) Application to bond financed projects. Subsection (h)(4) shall not apply to any project unless the project satisfies the requirements for allocation of a housing credit dollar amount under the qualified allocation plan applicable to the area in which the project is located.

(2) Credit allocated to building not to exceed amount necessary to assure project feasibility.

(A) In general. The housing credit dollar amount allocated to a project shall not exceed the amount the housing credit agency determines is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the credit period.

(B) Agency evaluation. In making the determination under subparagraph (A) , the housing credit agency shall consider—

- (i) the sources and uses of funds and the total financing planned for the project,
- (ii) any proceeds or receipts expected to be generated by reason of tax benefits,
- (iii) the percentage of the housing credit dollar amount used for project costs other than the cost of intermediaries, and

(iv) the reasonableness of the developmental and operational costs of the project.

Clause (iii) shall not be applied so as to impede the development of projects in hard-to-develop areas. Such a determination shall not be construed to be a representation or warranty as to the feasibility or viability of the project.

(C) Determination made-when credit amount applied for and when building placed in service.

(i) In general. A determination under subparagraph (A) shall be made as of each of the following times:

(I) The application for the housing credit dollar amount.

(II) The allocation of the housing credit dollar amount.

(III) The date the building is placed in service.

(ii) Certification as to amount of other subsidies. Prior to each determination under clause (i) , the taxpayer shall certify to the housing credit agency the full extent of all Federal, State, and local subsidies which apply (or which the taxpayer expects to apply) with respect to the building.

(D) Application to bond financed projects. Subsection (h)(4) shall not apply to any project unless the governmental unit which issued the bonds (or on behalf of which the bonds were issued) makes a determination under rules similar to the rules of subparagraphs (A) and (B) .

(n) Regulations.

The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section , including regulations—

(1) dealing with—

(A) projects which include more than 1 building or only a portion of a building,

(B) buildings which are placed in service in portions,

(2) providing for the application of this section to short taxable years,

years which would have resulted if the eligible basis of the building were reduced by the amount of financing which does not meet requirements of paragraph (2)(D) .

(C) Certain rules to apply. Rules similar to the rules of subparagraphs (A) and (D) of subsection (j)(4) shall apply for purposes of this subsection .

(l) Certifications and other reports to secretary.

(1) Certification with respect to 1st year of credit period.

Following the close of the 1st taxable year in the credit period with respect to any qualified low-income building, the taxpayer shall certify to the Secretary (at such time and in such form and in such manner as the Secretary prescribes)—

(A) the taxable year, and calendar year, in which such building was placed in service,

(B) the adjusted basis and eligible basis of such building as of the close of the 1st year of the credit period,

(C) the maximum applicable percentage and qualified basis permitted to be taken into account by the appropriate housing credit agency under subsection (h) ,

(D) the election made under subsection (g) with respect to the qualified low-income housing project of which such building is a part, and

(E) such other information as the Secretary may require.

In the case of a failure to make the certification required by the preceding sentence on the date prescribed therefor, unless it is shown that such failure is due to reasonable cause and not to willful neglect, no credit shall be allowable by reason of subsection (a) with respect to such building for any taxable year ending before such certification is made.

(2) Annual reports to the Secretary.

The Secretary may require taxpayers to submit an information return (at such time and in such form and manner as the Secretary prescribes) for each taxable year setting forth—

(A) the qualified basis for the taxable year of each qualified low-income building of the taxpayer,

(B) the information described in paragraph (1)(C) for the taxable year, and

(C) such other information as the Secretary may require.

The penalty under section 6652(j) shall apply to any failure to submit the return required by the Secretary under the preceding sentence on the date prescribed therefor.

(3) Annual reports from housing credit agencies.

Each agency which allocates any housing credit amount to any building for any calendar year shall submit to the Secretary (at such time and in such manner as the Secretary shall prescribe) an annual report specifying—

(A) the amount of housing credit amount allocated to each building for such year,

(B) sufficient information to identify each such building and the taxpayer with respect thereto, and

(C) such other information as the Secretary may require.

The penalty under section 6652(j) shall apply to any failure to submit the report required by the preceding sentence on the date prescribed therefor.

(m) Responsibilities of housing credit agencies.

(1) Plans for allocation of credit among projects.

(A) In general. Notwithstanding any other provision of this section , the housing credit dollar amount with respect to any building shall be zero unless—

(i) such amount was allocated pursuant to a qualified allocation plan of the housing credit agency which is approved by the governmental unit (in accordance with rules similar to the rules of section 147(f)(2) (other than subparagraph (B)(ii) thereof)) of which such agency is a part,

(ii) such agency notifies the chief executive officer (or the equivalent) of the local jurisdiction within which the building is located of such project and provides such

individual a reasonable opportunity to comment on the project,

(iii) a comprehensive market study of the housing needs of low-income individuals in the area to be served by the project is conducted before the credit allocation is made and at the developer's expense by a disinterested party who is approved by such agency, and

(iv) a written explanation is available to the general public for any allocation of a housing credit dollar amount which is not made in accordance with established priorities and selection criteria of the housing credit agency.

(B) Qualified allocation plan. For purposes of this paragraph , the term “qualified allocation plan” means any plan—

(i) which sets forth selection criteria to be used to determine housing priorities of the housing credit agency which are appropriate to local conditions,

(ii) which also gives preference in allocating housing credit dollar amounts among selected projects to—

(I) projects serving the lowest income tenants,

(II) projects obligated to serve qualified tenants for the longest periods, and

(III) projects which are located in qualified census tracts (as defined in subsection (d)(5)(C)) and the development of which contributes to a concerted community revitalization plan, and

(iii) which provides a procedure that the agency (or an agent or other private contractor of such agency) will follow in monitoring for noncompliance with the provisions of this section and in notifying the Internal Revenue Service of such noncompliance which such agency becomes aware of and in monitoring for noncompliance with habitability standards through regular site visits.

(C) Certain selection criteria must be used. The selection criteria set forth in a qualified allocation plan must include—

individual a reasonable opportunity to comment on the project,

(iii) a comprehensive market study of the housing needs of low-income individuals in the area to be served by the project is conducted before the credit allocation is made and at the developer's expense by a disinterested party who is approved by such agency, and

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(iii) which provides a procedure that the agency (or an agent or other private contractor of such agency) will follow in monitoring for noncompliance with the provisions of this section and in notifying the Internal Revenue Service of such noncompliance which such agency becomes aware of and in monitoring for noncompliance with habitability standards through regular site visits.

(C) Certain selection criteria must be used. The selection criteria set forth in a qualified allocation plan must include—

- (i) project location,
- (ii) housing needs characteristics,
- (iii) project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan,
- (iv) sponsor characteristics,
- (v) tenant populations with special housing needs,
- (vi) public housing waiting lists,
- (vii) tenant populations of individuals with children, and
- (viii) projects intended for eventual tenant ownership.

(D) Application to bond financed projects. Subsection (h)(4) shall not apply to any project unless the project satisfies the requirements for allocation of a housing credit dollar amount under the qualified allocation plan applicable to the area in which the project is located.

(2) Credit allocated to building not to exceed amount necessary to assure project feasibility.

(A) In general. The housing credit dollar amount allocated to a project shall not exceed the amount the housing credit agency determines is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the credit period.

(B) Agency evaluation. In making the determination under subparagraph (A) , the housing credit agency shall consider—

- (i) the sources and uses of funds and the total financing planned for the project,
- (ii) any proceeds or receipts expected to be generated by reason of tax benefits,
- (iii) the percentage of the housing credit dollar amount used for project costs other than the cost of intermediaries, and

(iv) the reasonableness of the developmental and operational costs of the project.

Clause (iii) shall not be applied so as to impede the development of projects in hard-to-develop areas. Such a determination shall not be construed to be a representation or warranty as to the feasibility or viability of the project.

(C) Determination made-when credit amount applied for and when building placed in service.

(i) In general. A determination under subparagraph (A) shall be made as of each of the following times:

(I) The application for the housing credit dollar amount.

(II) The allocation of the housing credit dollar amount.

(III) The date the building is placed in service.

(ii) Certification as to amount of other subsidies. Prior to each determination under clause (i), the taxpayer shall certify to the housing credit agency the full extent of all Federal, State, and local subsidies which apply (or which the taxpayer expects to apply) with respect to the building.

(D) Application to bond financed projects. Subsection (h)(4) shall not apply to any project unless the governmental unit which issued the bonds (or on behalf of which the bonds were issued) makes a determination under rules similar to the rules of subparagraphs (A) and (B).

(n) Regulations.

The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations—

(1) dealing with—

(A) projects which include more than 1 building or only a portion of a building,

(B) buildings which are placed in service in portions,

(2) providing for the application of this section to short taxable years,

- (i) project location,
- (ii) housing needs characteristics,
- (iii) project characteristics, including whether the project includes the use of existing housing as part of a community revitalization plan,
- (iv) sponsor characteristics,
- (v) tenant populations with special housing needs,
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(B) Agency evaluation. In making the determination under subparagraph (A) , the housing credit agency shall consider—

- (i) the sources and uses of funds and the total financing planned for the project,
- (ii) any proceeds or receipts expected to be generated by reason of tax benefits,
- (iii) the percentage of the housing credit dollar amount used for project costs other than the cost of intermediaries, and

(iv) the reasonableness of the developmental and operational costs of the project.

Clause (iii) shall not be applied so as to impede the development of projects in hard-to-develop areas. Such a determination shall not be construed to be a representation or warranty as to the feasibility or viability of the project.

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(I) The application for the housing credit dollar amount.

(II) The allocation of the housing credit dollar amount.

(III) The date the building is placed in service.

(ii) Certification as to amount of other subsidies. Prior to each determination under clause (i), the taxpayer shall certify to the housing credit agency the full extent of all Federal, State, and local subsidies which apply (or which the taxpayer expects to apply) with respect to the building.

(D) Application to bond financed projects. Subsection (h)(4) shall not apply to any project unless the governmental unit which issued the bonds (or on behalf of which the bonds were issued) makes a determination under rules similar to the rules of subparagraphs (A) and (B).

(n) Regulations.

The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section, including regulations—

(1) dealing with—

(A) projects which include more than 1 building or only a portion of a building,

(B) buildings which are placed in service in portions,

(2) providing for the application of this section to short taxable years,

- (3) preventing the avoidance of the rules of this section , and
- (4) providing the opportunity for housing credit agencies to correct administrative errors and omissions with respect to allocations and record keeping within a reasonable period after their discovery, taking into account the availability of regulations and other administrative guidance from the Secretary.

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Federal Regulation #2

*IRS Revenue Ruling 92-61: Unit Occupied By Full-Time
Resident Manager*

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REVENUE RULE 92-61

1992-2 C.B. 7, 1992-32 I.R.B. 4.

Internal Revenue Service
Revenue Ruling

FULL-TIME RESIDENT MANAGER IN BUILDING ELIGIBLE FOR LOW-INCOME HOUSING CREDIT

Published: August 10, 1992

Section 42. Low-Income Housing Credit

(See Also Sections 103, 142; 1.103-8.)

Full-time resident manager in building eligible for low-income housing credit. The adjusted basis of a unit occupied by a full-time resident manager is included in the eligible basis of a qualified low-income building under section 42(d)(1) of the Code, but the unit is excluded from the applicable fraction under section 42(c)(1)(B) for purposes of determining the building's qualified basis.

ISSUE

If a unit in a qualified low-income building is occupied by a full-time resident manager, is the adjusted basis of that unit included in the building's eligible basis under section 42(d)(1) of the Internal Revenue Code and is that unit included in the applicable fraction under section 42(c)(1)(B) for determining the qualified basis of the building?

FACTS

At the beginning of 1990, LP, a limited partnership with a calendar tax year, placed in service a newly constructed apartment building that qualified for the low-income housing credit under section 42(a) of the Code. LP elected to meet the 40-60 test of section 42(g)(1)(B), which requires that at least 40 percent of the units in the building be rent-restricted and occupied by tenants whose incomes are 60 percent or less of area median gross income. Throughout 1990, the first year of the building's credit period, 69 of the 70 units in the building were rent-restricted and occupied by tenants whose incomes were 60 percent or less of area median gross income. The remaining unit in the building was occupied by a resident manager who was hired by LP to manage the building and to be on call to attend to the maintenance needs of the other tenants. All of the units in the building meet the same standard of quality and have the same amount of floor space.

LAW AND ANALYSIS

Section 42(a) of the Code provides that the amount of the low-income housing credit determined for any tax year in the credit period is an amount equal to the applicable percentage of the qualified basis of each low-income building.

Section 42(c)(1)(A) of the Code defines the qualified basis of any qualified low-income building for any tax year as an amount equal to the applicable fraction, determined as of the close of the tax year, of the eligible basis of the building, determined under section 42(d)(5).

Sections 42(c)(1)(B) of the Code defines the applicable fraction as the smaller of the unit fraction or the floor space fraction. Section 42(c)(1)(B) defines the unit fraction as the fraction the numerator of which is the number of low-income units in the building and the denominator of which is the number of residential rental units, whether or not occupied, in the building. Section 42(c)(1)(D) defines the floor space fraction as the fraction the numerator of which is the total floor space of the low-income units in the building and the denominator of which is the total floor space of the residential rental units, whether or not occupied, in the building. In general, under section 42(i)(3)(B), a low-income unit is any unit that is rent-restricted and occupied by individuals meeting the income limitation applicable to the building.

Section 42(d)(1) of the Code provides that the eligible basis of a new building is its adjusted basis as of the close of the first tax year of the credit period. Section 42(d)(4)(A) provides that, except as provided in section 42(d)(4)(B), the adjusted basis of any building is determined without regard to the adjusted basis of any property that is not residential rental property. Section 42(d)(4)(B) provides that the adjusted basis of any building includes the adjusted basis of property of a character subject to the allowance for depreciation used in common areas or provided as comparable amenities to all residential rental units in the building.

The legislative history of section 42 of the Code states that residential rental property, for purposes of the low-income housing credit, has the same meaning as residential rental property within section 103. The legislative history of section 42 further states that residential rental property thus includes residential rental units, facilities for use by the tenants, and other facilities reasonably required by the project. 2 H.R.Conf.Rep. No. 841, 99th Cong., 2d Sess. II-89 (1986), 1986-3 (Vol. 4) C.B. 89. Under section 1.103-8(b)(4) of the Income Tax Regulations, facilities that are functionally related and subordinate to residential rental units are considered residential rental property. Section 1.103-8(b)(4)(iii) provides that facilities that are functionally related and subordinate to residential rental units include facilities for use by the tenants, such as swimming pools and similar recreational facilities, parking areas, and other facilities reasonably required for the project. The examples given by section 1.103-8(b)(4)(iii) of facilities reasonably required for a project specifically include units for resident managers or maintenance personnel.

Accordingly, the unit occupied by LP's resident manager is residential rental property for purposes of section 42 of the Code. The adjusted basis of the unit is includible in the building's eligible basis under section 42(d)(1). The inclusion of the adjusted basis of the resident manager's unit in eligible basis will not be affected by a later conversion of that apartment to a residential rental unit.

The term "residential rental unit" has a narrower meaning under section 42 of the Code than residential rental property. As noted above, under the legislative history of section 42, residential rental property includes facilities for use by the tenants and other facilities reasonably required by the project, as well as residential rental units. Under section 1.103-8(b)(4) of the regulations, units for resident managers or maintenance personnel are not classified as residential rental units, but rather as facilities reasonably required by a project that are functionally related and subordinate to residential rental units.

LP's resident manager's unit is properly considered a facility reasonably required by the project, not a residential rental unit for purposes of section 42 of the Code. Consequently, the unit is not included in either the numerator or denominator of the applicable fraction under section 42(c)(1)(B) for purposes of determining the qualified basis of the building for the first year of the credit period.

Therefore, as of the end of the first year of the credit period, the adjusted basis of the unit occupied by LP's resident manager is included in the building's eligible basis under section 42(d)(1) of the Code, but the unit is excluded from the applicable fraction under section 42(c)(1)(B). Because all of the residential rental units in LP's building are low-income units, the applicable fraction for the building is "one" (69/69, using the unit fraction).

If in a later year of the credit period, the resident manager's unit is converted to a residential rental unit, the unit will be included in the denominator of the applicable fraction for that year. If the unit also becomes a low-income unit in that year, the unit will be included in the numerator of the applicable fraction for that year. In this case, the applicable fraction will also be "one" (70/70, using the unit fraction).

HOLDING

The adjusted basis of a unit occupied by a full-time resident manager is included in the eligible basis of a qualified low-income building under section 42(d)(1) of the Code, but the unit is excluded from the applicable fraction under section 42(c)(1)(B) for purposes of determining the building's qualified basis.

EFFECTIVE DATE

The Internal Revenue Service will not apply this revenue ruling to any building placed in service prior to September 9, 1992, or to any building receiving an allocation of credit prior to September 9, 1992, unless the owner files or has filed a return that is consistent with this ruling. Similarly, the Service will not apply this revenue ruling to any building described in section 42(h)(4)(B) of the Code with respect to which bonds were issued prior to September 9, 1992, unless the owner files or has filed a return that is consistent with this ruling.

DRAFTING INFORMATION

The principal author of this revenue ruling is Paul F. Handleman of the Office of Assistant Chief Counsel (Passthroughs and Special Industries). For further information regarding this revenue ruling contact Mr. Handleman on (202) 622-3040 (not a toll-free call).

Rev. Rul. 92-61, 1992-2 C.B. 7, 1992-32 I.R.B. 4.

Federal Regulation #3

*IRS Revenue Procedure 94-65: Documentation of Income From
Assets and HUD Regulation 24 CFR 813.102, Definition of
Family Assets*

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Rev. Proc. 94-65, 1994-2 CB 798--IRC Sec(s). 42

October 11, 1994

1. Purpose

This revenue procedure informs housing credit agencies (Agency) and owners of qualified low-income housing projects (owners) when a signed, sworn statement by a low-income tenant will satisfy the documentation requirement of section 1.42-5(b)(1)(vii) of the Income Tax Regulations.

2. Background

Section 1.42-5 provides the minimum requirements that an Agency's compliance monitoring procedure must contain to satisfy its compliance monitoring duties under section 42(m)(1)(B)(iii). Section 1.42-5(b)(1)(vi) provides that an Agency must require an owner to keep records for each qualified low-income building in the project that show for each year in the compliance period the annual income certifications of each low-income tenant per unit. Section 1.42-5(b)(1)(vii) provides that an Agency must require an owner to keep documents for each qualified low-income building in its project for each year in the compliance period that support each low-income tenant's income certification. The term "low-income tenant" refers to the individuals occupying a rent-restricted unit in a qualified low-income housing project whose annual income satisfies the section 42(g)(1) income limitation elected by the owner of the project. Examples of the documentation required under section 1.42-5(b)(1)(vii) include a copy of the tenant's federal income tax return, Forms W-2, or verifications of income from third parties such as employers or state agencies paying unemployment compensation. A verification of income from a third party is referred to as a "third party verification."

The Internal Revenue Service has determined that an owner may satisfy the documentation requirement of section 1.42-5(b)(1)(vii) for a low-income tenant's income from assets by obtaining a signed, sworn statement from the tenant or prospective tenant if (1) the tenant's or prospective tenant's Net Family assets do not exceed \$5,000, and (2) the tenant or prospective tenant provides a signed, sworn statement to this effect to the building owner. See H.R. Conf. Rep. No. 213, 103d Cong., 1st Sess. 544 (1993).

3. Scope

This revenue procedure applies to Agencies and owners of qualified low-income housing projects.

4. Procedure

.01 To determine a tenant's Net Family assets, owners and Agencies must use the definition of "Net Family assets" in 24 CFR 813.102, which provides definitions for the H.U.D. section 8 program.

.02 Except as provided in sections 4.03 and 4.04 of this revenue procedure, an Agency's monitoring procedure may provide that an owner may satisfy the

documentation requirement for income from assets in section 1.42-5(b)(1)(vii) for a low-income tenant whose Net Family assets do not exceed \$5,000 by annually obtaining a signed, sworn statement that includes the following:

(1) That the tenant's Net Family assets do not exceed \$5,000, and

(2) The tenant's annual income from Net Family assets.

.03 An Agency's monitoring procedure, however, may not permit an owner to rely on a low-income tenant's signed, sworn statement of annual income from assets if a reasonable person in the owner's position would conclude that the tenant's income is higher than the tenant's represented annual income. In this case, the owner must obtain other documentation of the low-income tenant's annual income from assets to satisfy the documentation requirement in section 1.42- 5(b)(1)(vii).

.04 An Agency's monitoring procedure may continue to require that an owner obtain documentation, other than the statement described in section 4.02 of this revenue procedure, to support a low-income tenant's annual certification of income from assets.

5. Effective Date

This revenue procedure is effective October 11, 1994.

Drafting Information

The principal author of this revenue procedure is Jeffrey A. Erickson of the Office of the Assistant Chief Counsel (Passthroughs and Special Industries). For further information regarding this revenue procedure, contact Mr. Erickson at (202) 622-3040 (not a toll-free call).

Federal Regulation #4

IRS Regulations 1.42-15: Available Unit Rule

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Federal Regulations

Reg § 1.42-15. Available unit rule.

(a) Definitions. The following definitions apply to this section: *Applicable income limitation* means the limitation applicable under section 42(g)(1) or, for deep rent skewed projects described in section 142(d)(4)(B), 40 percent of area median gross income. *Available unit rule* means the rule in section 42(g)(2)(D)(ii). *Comparable unit* means a residential unit in a low-income building that is comparably sized or smaller than an over-income unit or, for deep rent skewed projects described in section 142(d)(4)(B), any low-income unit. For purposes of determining whether a residential unit is comparably sized, a comparable unit must be measured by the same method used to determine qualified basis for the credit year in which the comparable unit became available. *Current resident* means a person who is living in the low-income building. *Low-income unit* is defined by section 42(i)(3)(A). *Nonqualified resident* means a new occupant or occupants whose aggregate income exceeds the applicable income limitation. *Over-income unit* means a low-income unit in which the aggregate income of the occupants of the unit increases above 140 percent of the applicable income limitation under section 42(g)(1), or above 170 percent of the applicable income limitation for deep rent skewed projects described in section 142(d)(4)(B). *Qualified resident* means an occupant either whose aggregate income (combined with the income of all other occupants of the unit) does not exceed the applicable income limitation and who is otherwise a low-income resident under section 42, or who is a current resident.

(b) General section 42(g)(2)(D)(i) rule. Except as provided in paragraph (c) of this section, notwithstanding an increase in the income of the occupants of a low-income unit above the applicable income limitation, if the income of the occupants initially met the applicable income limitation, and the unit continues to be rent-restricted—

- (1) The unit continues to be treated as a low-income unit; and
- (2) The unit continues to be included in the numerator and the denominator of the ratio used to determine whether a project satisfies the applicable minimum set-aside requirement of section 42(g)(1).

(c) Exception. A unit ceases to be treated as a low-income unit if it becomes an over-income unit and a nonqualified resident occupies any comparable unit that is available or that subsequently becomes available in the same low-income building. In other words, the owner of a low-income building must rent to qualified residents all comparable units that are available or that subsequently become available in the same building to continue treating the over-income unit as a low-income unit. Once the percentage of low-income units in a building (excluding the over-income units) equals the percentage of low-income units on

which the credit is based, failure to maintain the over-income units as low-income units has no immediate significance. The failure to maintain the over-income units as low-income units, however, may affect the decision of whether or not to rent a particular available unit at market rate at a later time. A unit is not available for purposes of the available unit rule when the unit is no longer available for rent due to contractual arrangements that are binding under local law (for example, a unit is not available if it is subject to a preliminary reservation that is binding on the owner under local law prior to the date a lease is signed or the unit is occupied).

(d) Effect of current resident moving within building. When a current resident moves to a different unit within the building, the newly occupied unit adopts the status of the vacated unit. Thus, if a current resident, whose income exceeds the applicable income limitation, moves from an over-income unit to a vacant unit in the same building, the newly occupied unit is treated as an over-income unit. The vacated unit assumes the status the newly occupied unit had immediately before it was occupied by the current resident.

(e) Available unit rule applies separately to each building in a project. In a project containing more than one low-income building, the available unit rule applies separately to each building.

(f) Result of noncompliance with available unit rule. If any comparable unit that is available or that subsequently becomes available is rented to a nonqualified resident, all over-income units for which the available unit was a comparable unit within the same building lose their status as low-income units; thus, comparably sized or larger over-income units would lose their status as low-income units.

(g) Relationship to tax-exempt bond provisions. Financing arrangements that purport to be exempt-facility bonds under section 142 must meet the requirements of sections 103 and 141 through 150 for interest on the obligations to be excluded from gross income under section 103(a). This section is not intended as an interpretation under section 142.

(h) Examples. The following examples illustrate this section:

Example (1). This example illustrates noncompliance with the available unit rule in a low-income building containing three over-income units. On January 1, 1998, a qualified low-income housing project, consisting of one building containing ten identically sized residential units, received a housing credit dollar amount allocation from a state housing credit agency for five low-income units. By the close of 1998, the first year of the credit period, the project satisfied the minimum set-aside requirement of section 42(g)(1)(B). Units 1, 2, 3, 4, and 5 were occupied by individuals whose incomes did not exceed the income limitation applicable under section 42(g)(1) and were otherwise low-income residents under section 42. Units 6, 7, 8, and 9 were occupied by market-rate tenants. Unit 10 was vacant. To

avoid recapture of credit, the project owner must maintain five of the units as low-income units. On November 1, 1999, the certificates of annual income state that annual incomes of the individuals in Units 1, 2, and 3 increased above 140 percent of the income limitation applicable under section 42(g)(1), causing those units to become over-income units. On November 30, 1999, Units 8 and 9 became vacant. On December 1, 1999, the project owner rented Units 8 and 9 to qualified residents who were not current residents at rates meeting the rent restriction requirements of section 42(g)(2). On December 31, 1999, the project owner rented Unit 10 to a market-rate tenant. Because Unit 10, an available comparable unit, was leased to a market-rate tenant, Units 1, 2, and 3 ceased to be treated as low-income units. On that date, Units 4, 5, 8, and 9 were the only remaining low-income units. Because the project owner did not maintain five of the residential units as low-income units, the qualified basis in the building is reduced, and credit must be recaptured. If the project owner had rented Unit 10 to a qualified resident who was not a current resident, eight of the units would be low-income units. At that time, Units 1, 2, and 3, the over-income units, could be rented to market-rate tenants because the building would still contain five low-income units.

Example (2). This example illustrates the provisions of paragraph (d) of this section. A low-income project consists of one six-floor building. The residential units in the building are identically sized. The building contains two over-income units on the sixth floor and two vacant units on the first floor. The project owner, desiring to maintain the over-income units as low-income units, wants to rent the available units to qualified residents. J, a resident of one of the over-income units, wishes to occupy a unit on the first floor. J's income has recently increased above the applicable income limitation. The project owner permits J to move into one of the units on the first floor. Despite J's income exceeding the applicable income limitation, J is a qualified resident under the available unit rule because J is a current resident of the building. The unit newly occupied by J becomes an over-income unit under the available unit rule. The unit vacated by J assumes the status the newly occupied unit had immediately before J occupied the unit. The over-income units in the building continue to be treated as low-income units.

(i) Effective date. This section applies to leases entered into or renewed on and after September 26, 1997.

T.D. 8732, 9/25/97.

Federal Regulations

Reg § 1.42-16. Eligible basis reduced by federal grants.

(a) In general. If, during any taxable year of the compliance period (described in section 42(i)(1)), a grant is made with respect to any building or the operation thereof and any portion of the grant is funded with federal funds (whether or not includible in gross income), the eligible basis of the building for the taxable year and all succeeding taxable years is reduced by the portion of the grant that is so funded.

(b) Grants do not include certain rental assistance payments. A federal rental assistance payment made to a building owner on behalf or in respect of a tenant is not a grant made with respect to a building or its operation if the payment is made pursuant to—

- (1) Section 8 of the United States Housing Act of 1937;
- (2) A qualifying program of rental assistance administered under section 9 of the United States Housing Act of 1937; or
- (3) A program or method of rental assistance as the Secretary may designate by publication in the Federal Register or in the Internal Revenue Bulletin (see §601.601(d)(2) of this chapter).

(c) Qualifying rental assistance program. For purposes of paragraph (b)(2) of this section, payments are made pursuant to a qualifying rental assistance program administered under section 9 of the United States Housing Act of 1937 to the extent that the payments—

- (1) Are made to a building owner pursuant to a contract with a public housing authority with respect to units the owner has agreed to maintain as public housing units (PH-units) in the building;
- (2) Are made with respect to units occupied by public housing tenants, provided that, for this purpose, units may be considered occupied during periods of short term vacancy (not to exceed 60 days); and
- (3) Do not exceed the difference between the rents received from a building's PH-unit tenants and a pro rata portion of the building's actual operating costs that are reasonably allocable to the PH-units (based on square footage, number of bedrooms, or similar objective criteria), and provided that, for this purpose, operating costs do not include any development costs of a building (including developer's fees) or the principal or interest of any debt incurred with respect to any part of the building.

(d) Effective date. This section is effective September 26, 1997.

T.D. 8731, 9/25/97.

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Federal Regulation #5

*IRS Revenue Procedure 94-64: How to Obtain The Waiver of
Annual Income Recertification*

& Rev. Proc. 2004-38

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Part III

Administrative, Procedural, and Miscellaneous

22 CFR 601.105: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability.
(Also Part I, § 42; 1.42-5.)

Rev. Proc. 2004-38

SECTION 1. PURPOSE

This revenue procedure informs owners of qualified low-income housing projects how to obtain the waiver from the Internal Revenue Service of the annual recertification of tenant income (waiver) provided in § 42(g)(8)(B) of the Internal Revenue Code.

SECTION 2. BACKGROUND

Section 1.42-5 of the Income Tax Regulations provides the minimum requirements that a housing credit agency's (Agency's) compliance monitoring procedure must contain to satisfy its compliance monitoring duties under § 42(m)(1)(B)(iii). Section 1.42-5(b)(1)(vi) provides that an Agency must require an owner to keep records for each qualified low-income building in the project that show for each year in the compliance period the annual income certifications of each low-income tenant per unit. Section 1.42-5(b)(1)(vii) provides

that an Agency must require an owner to keep documents for each qualified low-income building in its project for each year in the compliance period that support each low-income tenant's income certification. Section 1.42-5(c)(1)(iii) provides that an Agency must require an owner to certify at least annually that, for the preceding 12-month period, the owner has received an annual income certification from each low-income tenant and documentation supporting that certification.

Section 42(g)(8)(B) provides that on application by the taxpayer, the Secretary may waive any annual recertification of tenant income for purposes of § 42(g) if the entire building is occupied by low-income tenants (a 100 percent low-income building). Low-income tenants are individuals occupying a rent-restricted unit in a qualified low-income housing project whose combined income satisfies the § 42(g)(1) income limitation elected by the owner of the project.

SECTION 3. SCOPE

This revenue procedure applies to Agencies and owners of qualified low-income housing projects that consist entirely of 100 percent low-income buildings.

SECTION 4. PROCEDURE FOR OBTAINING A WAIVER UNDER § 42(g)(8)(B)

An owner applying for the waiver for its 100 percent low-income building must (1) complete and sign the applicable portions of the Form 8877, Request for Waiver of Annual Recertification Requirement for the Low-Income Housing Credit, (2) have the Agency responsible for monitoring the building for compliance with § 42 sign the applicable portion of the form, and (3) file the form with the Service pursuant to the instructions accompanying the form. A copy of the 2004 version of Form 8877 is included in the

appendix to this revenue procedure. The Service will notify the owner whether the request for waiver has been approved or denied. See section 5.02 of this revenue procedure for the period the waiver is in effect.

SECTION 5. EFFECT OF OBTAINING A WAIVER UNDER § 42(g)(8)(B)

.01 If an owner of a 100 percent low-income building obtains a waiver of the annual income recertification from the Service, the owner will be exempt from the recertification requirements of § 1.42-5(b)(1)(vi) and (vii) and § 1.42-5(c)(1)(iii). As a result, the owner is not required under those sections to (1) keep records that show an annual income recertification of all the low-income tenants in the building who have previously had their annual income verified, documented, and certified; (2) maintain documentation to support that recertification; or (3) certify to the Agency responsible for monitoring the building for compliance with § 42 that it has received this information.

.02 The waiver takes effect on the date the Service approves the waiver. Once the waiver takes effect, it remains in effect until the end of the 15-year compliance period (defined in § 42(i)(1)), unless the waiver is revoked, in which case the waiver ceases to be in effect on the date of revocation. See sections 5.04 and 5.05 of this revenue procedure regarding revocations.

.03 Obtaining the waiver will not prevent an owner from having to produce documentation to verify the owner's compliance with § 42 upon an examination of the owner's federal income tax return. Thus, for example, the owner must keep records and documentation that show the income of tenants upon initial occupancy of any residential unit in the building. In addition, except as provided in section 5.01 of this revenue

procedure, obtaining the waiver will not prevent an owner from having to satisfy the requirements of the compliance monitoring procedure adopted by the Agency responsible for monitoring the building for compliance with § 42.

.04 The Service may revoke the waiver if the building ceases to be a 100 percent low-income building or if the Service determines that an owner has violated § 42 in a manner that is sufficiently serious to warrant revocation. In any case, the Service will revoke the waiver if the Agency requests, in accordance with the instructions to Form 8877, that the Service revoke the waiver.

.05 A waiver will be automatically revoked if there is a change in the ownership for federal tax purposes of the 100 percent low-income building (including a change resulting from a termination of a partnership under § 708). In this case, the owner that received the waiver must notify the Service of the revocation in accordance with the instructions to Form 8877. The new owner may apply for a waiver.

.06 An Agency's compliance monitoring procedure will not fail to satisfy § 42(m)(1)(B)(iii) solely because the 100 percent low-income buildings to which the waiver applies have been exempted from the recertification requirements of § 1.42-5(b)(1)(vi) and (vii) and § 1.42-5(c)(1)(iii). Nonetheless, the Agency's compliance monitoring procedure must continue to require that an owner satisfy the requirements in § 1.42-5(b)(1)(vi) and (vii) and § 1.42-5(c)(1)(iii) upon a tenant's initial occupancy of any residential rental unit in the building.

.07 A 100 percent low-income building to which the waiver applies continues to be subject to the review requirements of § 1.42-5(c)(2).

SECTION 6. EFFECT ON OTHER DOCUMENTS

Rev. Proc. 94-64, 1994-2 C.B. 797, is superseded. Waivers obtained under Rev. Proc. 94-64 are not affected by this revenue procedure.

SECTION 7. EFFECTIVE DATE

This revenue procedure is effective for applications filed on or after July 6, 2004.

DRAFTING INFORMATION

The principal author of this revenue procedure is David Selig of the Office of the Associate Chief Counsel (Passthroughs and Special Industries). For further information regarding this revenue procedure, contact Mr. Selig at (202) 622-3040 (not a toll-free call).

APPENDIX

2004 Version of Form 8877

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Federal Regulation #6

*IRS Revenue Procedure 94-57: Maximum Rents and
Maximum Rent Floor; Changes in Area Median Gross Income
(AMGI)*

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Rev. Proc. 94-57, 1994-2 CB 744--IRC Sec(s). 42

August 24, 1994

Part III Administrative, Procedural, and Miscellaneous

26 CFR 601.105: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability. (Also Part I, sections 42; 1.42-13(a).)

1. PURPOSE

This revenue procedure informs owners of qualified low-income housing projects and housing credit agencies (Agencies) when the gross rent floor in section 42(g)(2)(A) of the Internal Revenue Code takes effect.

2. BACKGROUND

On May 5, 1993, new area median gross income (AMGI) figures went into effect for the United States Department of Housing and Urban Development programs and other federal programs that use AMGI figures, including the section 42 low-income housing tax credit program. In some areas, the AMGI level fell below previous levels.

Section 42(g)(1) defines a qualified low-income housing project as any project for residential rental use that meets one of the following requirements: (A) 20 percent or more of the residential units in the project are both rent-restricted and occupied by individuals whose income is 50 percent or less of AMGI, as adjusted for family size, or (B) 40 percent or more of the residential units in the project are both rent-restricted and occupied by individuals whose income is 60 percent or less of AMGI, as adjusted for family size.

Section 42(g)(2)(A) provides that, under section 42(g)(1), a residential unit is rent-restricted if the gross rent for the unit does not exceed 30 percent of the imputed income limitation applicable to the unit. Under section 42(g)(2)(C), the imputed income limitation applicable to a unit is the income limitation that would apply under section 42(g)(1) to individuals occupying the unit if the number of individuals occupying the unit were as follows: (i) in the case of a unit that does not have a separate bedroom, one individual, or (ii) in the case of a unit that has one or more separate bedrooms, 1.5 individuals for each separate bedroom.

For calculating gross rent on a rent-restricted unit, section 7108(e)(2) of the Revenue Reconciliation Act of 1989, 1990-1 C.B. 214, 220, amended section 42(g)(2)(A) to provide that the amount of the income limitation under section 42(g)(1) applicable for any period is not less than the limitation applicable for the earliest period the building that contains the unit was included in the determination of whether the project is a qualified low-income housing project (the gross rent floor). Section 42(g)(3)(A) provides that, except as otherwise provided in section 42(g)(3), a building is treated as a qualified low-income building only if the project (of which the building is a part) meets the requirements of section 42(g)(1) not later than the close of the first year of the credit period for the building.

Section 42(h)(1)(A) provides that the amount of credit determined under section 42 for any taxable year for any building shall not exceed the housing credit dollar amount allocated to the building under section 42(h). Under section 42(m)(2)(A), the housing credit dollar amount allocated to a project shall not exceed the amount an Agency determines is necessary for the financial feasibility of the project and its viability as a qualified low-income housing project throughout the credit period. Section 42(m)(2)(B) provides that in making the determination under section 42(m)(2)(A), an Agency shall consider (i) the sources and uses of funds and the total financing planned for the project, (ii) any proceeds or receipts expected to be generated by reason of tax benefits, (iii) the percentage of housing credit dollar amounts used for project costs other than the cost of intermediaries, and (iv) the reasonableness of the developmental and operational costs of the project. The gross rent under section 42(g)(2)(A) that a low-income housing project may generate is a source of funds an Agency must consider in making the determination under section 42(m)(2)(A).

Section 42(h)(4)(A) provides that section 42(h)(1) does not apply to the portion of any credit allowable under section 42(a) that is attributable to eligible basis financed by any obligation the interest on which is exempt from tax under section 103 if (i) the obligation is taken into account under section 146, and (ii) principal payments on the financing are applied within a reasonable period to redeem obligations the proceeds of which were used to provide the financing. Section 42(h)(4)(B) provides that for purposes of section 42(h)(4)(A), if 50 percent or more of the aggregate basis of any building and the land on which the building is located is financed by an obligation described in section 42(h)(4)(A), section 42(h)(1) does not apply to any portion of the credit allowable under section 42(a) for the building. Section 42(m)(2)(D) provides that section 42(h)(4) does not apply to any project unless the governmental unit that issued the bonds (or on behalf of which the bonds were issued) makes a determination under rules similar to the rules of section 42(m)(2)(A) and (B). Upon making this determination, an Agency will issue a "determination letter" to a building.

Under section 1.42-13(a) of the Income Tax Regulations, the Secretary may provide guidance through various publications in the Internal Revenue Bulletin to carry out the purposes of section 42.

3. SCOPE

This revenue procedure applies to Agencies and owners of qualified low-income housing projects, as defined by section 42(g)(1).

4. PROCEDURE

Except for a low-income building described in section 42(h)(4)(B) (a bond-financed building), the Internal Revenue Service will treat the gross rent floor in section 42(g)(2)(A) as taking effect on the date an Agency initially allocates a housing credit dollar amount to the building under section 42(h)(1). However, the Service will treat the gross rent floor as taking effect on a building's placed in service date if the building owner designates that date as the date on which the gross rent floor will take effect for the building. An owner must make this designation to use the placed in service date and inform the Agency that made the allocation to the building no later than the date on which the building is placed in service.

For a bond-financed building, the Service will treat the gross rent floor in section 42(g)(2)(A) as taking effect on the date an Agency initially issues a determination letter to the building. However, the Service will treat the gross rent floor as taking effect on a building's placed in service date if the building owner designates that date as the date on which the gross rent floor will take effect for the building. An owner must make this designation to use the placed in service date and inform the Agency that issued the determination letter to the building no later than the date on which the building is placed in service.

An Agency should establish a procedure that will allow an owner to inform the Agency of this designation no later than the date the owner's building is placed in service.

For the effect of a change in AMGI on the initial qualification of a tenant as a low-income tenant and the available unit rule, see Rev. Rul. 94-57.

5. EFFECTIVE DATE

This revenue procedure is effective for low-income housing projects receiving initial allocations or determination letters issued after * . For those projects that received initial allocations or determination letters prior to this effective date, for purposes of establishing the gross rent floor in section 42(g)(2)(A), owners and Agencies may use a date based on a reasonable interpretation of section 42.

DRAFTING INFORMATION

The principal author of this revenue procedure is Jeffrey A. Erickson of the Office of the Assistant Chief Counsel (Passthroughs and Special Industries). For further information regarding this revenue procedure, contact Mr. Erickson at (202) 622-3040 (not a toll free call).

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Federal Regulation #7

IRS Revenue Procedure 2003-82

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Rev. Proc. 2003-82

SECTION 1. PURPOSE

This revenue procedure provides safe harbors under which the Internal Revenue Service will treat a residential unit in a building as a low-income unit under §42(i)(3)(A) of the Internal Revenue Code if the incomes of the individuals occupying the unit are at or below the applicable income limitation under §42(g)(1) or §142(d)(4)(B)(i) before the beginning of the first taxable year of the building's credit period under §42(f)(1), but their incomes exceed the applicable income limitation at the beginning of the first taxable year of the building's credit period.

SECTION 2. BACKGROUND

.01 Questions have arisen regarding when individuals must satisfy the applicable income limitation under §42(g)(1) or §142(d)(4)(B)(i) when they move into a residential unit in an existing building under §42(i)(5) on or after the date a taxpayer acquires the existing building for rehabilitation under §42(e), but before the beginning of the first taxable year of the building's credit period under §42(f)(1). Because of these questions, some taxpayers require that the individuals' incomes not exceed the applicable income limitation at the beginning of the first taxable year of the building's credit period, even though the individuals' income did not exceed the applicable income limitation when the individuals moved into the unit. This has resulted in some individuals being evicted, where permissible under local law, from low-income housing projects.

.02 Section 42(a) provides that, for purposes of §38, the amount of the low-income housing credit determined for any taxable year in the credit period is an amount equal to the applicable percentage of the qualified basis of each qualified low-income building.

.03 Section 42(c)(2)(A) generally defines a qualified low-income building as any building which is part of a qualified low-income housing project at all times during the building's compliance period (which is defined in §42(i)(1) as the period of 15 taxable years beginning with the first taxable year of the credit period under §42(f)(1)).

.04 Section 42(i)(4) defines a new building as a building the original use of which begins with the taxpayer. An existing building is defined in §42(i)(5) as any building which is not a new building. Section 42(e)(1) provides that rehabilitation expenditures paid or incurred by the taxpayer with respect to any building are treated as a separate new building for purposes of §42.

.05 Section 42(f)(1) defines the credit period as the period of 10 taxable years beginning with (A) the taxable year in which the building is placed in service, or (B) at the election of the taxpayer, the succeeding taxable year, but in each case only if the building is a qualified low-income building as of the close of the first year of the period. Under §42(f)(5)(A), the credit period for an existing building must not begin before the first taxable year of the credit period for rehabilitation expenditures with respect to the building.

.06 Section 42(g)(1) defines a qualified low-income housing project as any project for residential rental use that meets one of the following requirements: (A) 20 percent or more of the residential units in the project are both rent-restricted and occupied by individuals whose income is 50 percent or less of the area median gross income, or (B) 40 percent or more of the residential units in the project are both rent-restricted and occupied by individuals whose income is 60 percent or less of the area median gross income. Under §42(g)(2), a residential unit is rent-restricted for purposes of §42(g)(1) if the gross rent for the unit does not exceed 30 percent of the imputed income limitation for the unit. Residential units that satisfy these rent and income requirements are defined in §42(i)(3)(A) as "low-income units." Section 42(i)(3)(B), (C), (D), and (E) provide more requirements for low-income units. Under §42(g)(4), a deep rent skewed project, as defined in §142(d)(4)(B), is also a qualified low-income housing project. To be a deep rent skewed project, §142(d)(4)(B)(i) requires that 15 percent or more of the low-income units in the project must be occupied by individuals whose income is 40 percent or less of the area median gross income.

.07 Section 42(g)(2)(D)(i) provides that, notwithstanding an increase in the income of the occupants of a low-income unit above the income limitation applicable under §42(g)(1), the unit will continue to be treated as a low-income unit if the income of the occupants initially met the income limitation and the unit continues to be rent-restricted. However, under the available unit rule in §42(g)(2)(D)(ii), if the income of the occupants of the unit increases above 140 percent of the income limitation applicable under §42(g)(1), §42(g)(2)(D)(i) ceases to apply to the unit if any residential rental unit in the building (of a size comparable to, or smaller than, such unit) is occupied by a new resident whose income exceeds the applicable income limitation. In the case of a deep rent skewed project described in §142(d)(4)(B), if the income of the occupants of the unit increases above 170 percent of the income limitation applicable under §42(g)(1), §42(g)(2)(D)(i) ceases to apply to the unit if any low-income unit in the building is occupied by a new resident whose income exceeds 40 percent of area median gross income. See also §1.42-15 of the Income Tax Regulations.

.08 Under §42(h)(1), the amount of the credit determined under §42(a) for any taxable year with respect to any building must not exceed the housing credit dollar amount allocated to the building. However, under §42(h)(4)(A), a credit allocation generally is not necessary for the portion of a building's eligible basis financed by an obligation the interest on which is exempt from tax under §103 and the obligation is taken into account under §146. Under §42(h)(4)(B), no credit allocation under §42(h)(1) is necessary for any portion of a building's eligible basis if 50 percent or more of the aggregate basis of the building and the land on which it is located is financed with tax-exempt obligations.

SECTION 3. SCOPE

This revenue procedure only applies to residential units in a building where the incomes of the individuals occupying the unit are at or below the applicable income limitation under §42(g)(1) or §142(d)(4)(B)(i) before the beginning of the first taxable year of the building's credit period under §42(f)(1), but their incomes exceed the applicable income limitation at the beginning of the first taxable year of the building's credit period.

SECTION 4. SAFE HARBORS

.01 Existing buildings under §42(i)(5) and new buildings under §42(e)(1). A residential unit in an existing building under §42(i)(5) or a new building under §42(e)(1) will be considered a low-income unit under §42(i)(3)(A) at the beginning of the first taxable year of the building's credit period under §42(f)(1) if:

(1) The individuals occupying the unit have incomes that are at or below the applicable income limitation under §42(g)(1) or §142(d)(4)(B)(i) on either the date the existing building was acquired by the taxpayer or the date the individuals started occupying the unit, whichever is later (based on the area median gross income on that date), but their incomes exceed the applicable income limitation at the beginning of the first taxable year of the building's credit period (based on the area median gross income on that date);

(2) The incomes of the individuals occupying the unit are first tested for purposes of the available unit rule under §42(g)(2)(D)(ii) and §1.42-15 at the beginning of the first taxable year of the building's credit period;

(3) The unit has been rent-restricted under §42(g)(2) from either the date the existing building was acquired by the taxpayer or the date the individuals started occupying the unit, whichever is later, to the beginning of the first taxable year of the building's credit period;

(4) Either:

(a) Section 42(h)(1) applies to the building and the taxpayer either receives an allocation to rehabilitate the existing building or enters into a binding commitment for an allocation to rehabilitate the existing building by either the end of the taxable year the taxpayer acquired the existing building or the end of the taxable year the individuals started occupying the unit, whichever is later; or

(b) Section 42(h)(1) does not apply to the building by reason of §42(h)(4) and the tax-exempt bonds for the project are issued by either the end of the taxable year the taxpayer acquired the existing building or the end of the taxable year the individuals started occupying the unit, whichever is later; and

(5) The unit has been a low-income unit under §42(i)(3)(B), (C), (D), and (E) from either the date the existing building was acquired by the taxpayer or the date the individuals started occupying the unit, whichever is later, to the beginning of the first taxable year of the building's credit period.

.02 New buildings under §42(i)(4) (not including new buildings under §42(e)(1)). A residential unit in a new building under §42(i)(4) will be considered a low-income unit under §42(i)(3)(A) at the beginning of the first taxable year of the building's credit period under §42(f)(1) if:

(1) The individuals occupying the unit have incomes that are at or below the applicable income limitation under §42(g)(1) or §142(d)(4)(B)(i) on the date the individuals started occupying the unit (based on the area median gross income on that date), but their incomes exceed the applicable income limitation in effect at the beginning of the first taxable year of the building's credit period (based on the area median gross income on that date);

(2) The incomes of the individuals occupying the unit are first tested for purposes of the available unit rule under §42(g)(2)(D)(ii) and §1.42-15 at the beginning of the first taxable year of the building's credit period;

(3) The unit has been rent-restricted under §42(g)(2) from the date the individuals started occupying the unit to the beginning of the first taxable year of the building's credit period;

(4) The taxpayer elects under §42(f)(1)(B) to treat the taxable year succeeding the taxable year the building was placed in service as the first taxable year of the credit period; and

(5) The unit has been a low-income unit under §42(i)(3)(B), (C), (D), and (E) from the date the individuals started occupying the unit to the beginning of the first taxable year of the building's credit period.

SECTION 5. AUDIT PROTECTION

If the taxpayer currently uses a method consistent with the safe harbors for determining whether a unit is a low-income unit under §42(i)(3)(A) at the beginning of the first taxable year of the building's credit period under §42(f)(1) (as described in section 4 of this revenue procedure), the issue will not be raised by the Service in a taxable year that ends before November 24, 2003. Also, if the taxpayer currently uses a method consistent with the safe harbors for determining whether a unit is a low-income unit under §42(i)(3)(A) at the beginning of the first taxable year of the building's credit period under §42(f)(1) (as described in section 4 of this revenue procedure) and the issue is under consideration (within the meaning of section 3.09 of Rev. Proc. 2002-9, 2002-1 C.B. 327) for taxable years in examination, before an appeals office, or before the U.S. Tax Court in a taxable year that ends before November 24, 2003, the issue will not be further pursued by the Service.

SECTION 6. EFFECTIVE DATE

This revenue procedure is effective for taxable years ending on or after November 24, 2003.

SECTION 7. DRAFTING INFORMATION

The principal author of this revenue procedure is Paul Handleman of the Office of Associate Chief Counsel (Passthroughs and Special Industries). For further information regarding this revenue procedure, contact Mr. Handleman at (202) 622-3040 (not a toll-free call).

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Federal Regulation #8

IRS Revenue Procedure 2004-82

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IRS Revenue Ruling 2004-82

Answering 12 Questions About Low-Income Housing Credit Under I.R.C. Section 42

This revenue ruling is scheduled to appear in Internal Revenue Bulletin 2004-35, dated Aug. 30, 2004.

Part I

Section 42.--Low-Income Housing Credit
(Also §§1.42-5, 1.42-15, 1.103-8.)

Rev. Rul. 2004-82

PURPOSE

This revenue ruling answers certain questions about the low-income housing credit under 42 of the Internal Revenue Code.

LAW AND QUESTIONS AND ANSWERS

A. ELIGIBLE BASIS AND QUALIFIED BASIS ISSUES

Law

Section 42(a) provides for a credit for investment in certain low-income housing buildings. The amount of the low-income housing credit for any taxable year in the credit period is an amount equal to the applicable percentage of the qualified basis of each qualified low-income building (as defined in §42(c)(2)).

Section 42(c)(1)(A) provides that the qualified basis of any qualified low-income building for any taxable year is an amount equal to (i) the applicable fraction (determined as of the close of the taxable year) of (ii) the eligible basis of the building (determined under § 42(d)).

Section 42(c)(1)(B) defines the applicable fraction as the smaller of the unit fraction or the floor space fraction. Section 42(c)(1)(C) defines the unit fraction as the fraction the numerator of which is the number of low-income units (as defined in §42(i)(3)(A)) in the building and the denominator of which is the number of residential rental units (that is, all units in the building which are available to rent as personal residences), whether or not occupied, in the building. Section 42(c)(1)(D) defines the floor space fraction as the fraction the numerator of which is the total floor space of the low-income units in the building and the denominator of which is the total floor space of the residential rental units, whether or not occupied, in the building.

Section 42(d)(1) provides that the eligible basis of a new building is its adjusted basis as of the close of the first taxable year of the credit period. Section 42(d)(4)(A) provides that, except as provided in § 42(d)(4)(B) and (C), the adjusted basis of any building is determined without regard to the adjusted basis of any property that is not residential rental property. Section 42(d)(4)(B) provides that the adjusted basis of any building includes the adjusted basis of property of a character subject to the allowance for depreciation (1) used in common areas or (2) provided as comparable amenities to all residential rental units in the building.

Section 42(d)(4)(C)(i) provides that the adjusted basis of any building located in a qualified census tract is determined by taking into account the adjusted basis of property (of a character subject to the allowance for depreciation and not otherwise taken into account) used throughout the taxable year in providing any community service facility. Section 42(d)(4)(C)(iii) provides that the term "community service facility" means any facility designed to serve primarily individuals whose income is 60 percent or less of area median income (AMGI) (within the meaning of § 42(g)(1)(B)). Section 42(d)(5)(C)(ii)(I) defines the term "qualified census tract" as any census tract (1) which is designated by the Secretary of Housing and Urban Development (HUD), and (2) for the most recent year for which census data are available on household income in the tract, either in which 50 percent or more of the households have an income which is less than 60 percent of the AMGI for the year or which has a poverty rate of at least 25 percent. See <http://www.huduser.org/datasets/qct.html> for a listing of census tracts designated by the Secretary of HUD.

Section 42(d)(4)(C)(ii) provides that the increase in the adjusted basis of any building which is taken into account because of a community service facility may not exceed 10 percent of the eligible basis of the qualified low-income housing project (as defined in §42(g)(1)) of which the community service facility is a part. For this purpose, §42(d)(4)(C)(ii) provides that all community service facilities which are part of the same qualified low-income housing project are treated as one facility.

Rev. Rul. 2003-77, 2003-29 I.R.B. 75, provides that the requirement that a community service facility must be designed to serve primarily individuals whose income is 60 percent or less of AMGI will be satisfied if the following conditions are met. First, the facility must be used to provide services that will improve the quality of life for community residents. Second, the taxpayer must demonstrate that the services provided at the facility will be appropriate and helpful to individuals in the area of the project whose income is 60 percent or less of AMGI. This may, for example, be demonstrated in the market study required to be conducted under § 42(m)(1)(A)(iii), or another similar study. Third, the facility must be located on the same tract of land as one of the buildings that is part of the qualified low-income housing project. Finally, if fees are charged for services provided, they must be affordable to individuals whose income is 60 percent or less of AMGI.

The legislative history of §42 states that residential rental property for purposes of the lowincome housing credit has the same meaning as residential rental property for purposes of § 103. The legislative history of §42 further states that residential rental property includes residential rental units, facilities for use by the tenants, and other facilities reasonably required by the project. H.R. Conf. Rep. No. 841, 99th Cong., 2d Sess. II-89 (1986), 1986-3 (Vol. 4) C.B. 89.

In the Tax Reform Act of 1986 (the "1986 Act"), Congress reorganized §§103 and 103A of the Internal Revenue Code of 1954 (the "1954 Code") regarding tax-exempt bonds into §§103 and 141 through 150 of the Internal Revenue Code of 1986. Congress intended that to the extent not amended by the 1986 Act, all principles of pre-1986 Act law would continue to apply to the reorganized provisions. H.R. Conf. Rep. No. 841, 99th Cong., 2d Sess. II-686 (1986), 1986-3 (Vol. 4) C.B. 686. Because no regulations have been promulgated relating to residential rental property for purposes of §103, the regulations relating to residential rental property promulgated pursuant

to the 1954 Code continue to apply except as otherwise modified by the 1986 Act and subsequent law.

Under § 1.1038(b)(4)(i) of the Income Tax Regulations, facilities that are functionally related and subordinate to residential rental projects are considered residential rental property. Section 1.1038(b)(4)(iii) provides that functionally related and subordinate facilities include facilities for use by the tenants, such as swimming pools and other recreational facilities, parking areas, and other facilities reasonably required for the project. Examples in § 1.1038(b)(4)(iii) of facilities reasonably required for a project include units for resident managers or maintenance personnel.

Q-1.

A new qualified low-income building (Building) is located in an area in which owners of apartment buildings typically employ security officers due to the level of crime in the area.

(a) If a unit in Building is occupied by a full-time security officer for that building and Building's owner requires the security officer to live in the unit, is the adjusted basis of that unit includable in Building's eligible basis under §42(d)(1)?

(b) If yes, is that unit a residential rental unit includable in the numerator and denominator of Building's applicable fraction under § 42(c)(1)(B)?

A-1.

(a) Yes. The legislative history of §42 indicates that residential rental property includes, in addition to the residential rental units, facilities for use by the tenants and other facilities reasonably required by the project.

Under §1.103-8(b)(4)(iii), functionally related and subordinate property is property that is reasonably required for the project. Examples of functionally related and subordinate property are units for resident managers or maintenance personnel. See §1.103-8(b)(4)(iii). Thus, while units for resident managers or maintenance personnel are not residential rental units, they are treated as part of residential rental property because these units are functionally related and subordinate to the project. The unit occupied by a full-time security officer is similar to the units described in the examples contained in § 1.103-8(b)(4)(iii), and is reasonably required by the project because of the level of crime in the area. Thus, the unit is functionally related and subordinate to Building. As a result, the unit is residential rental property for purposes of §42 and its adjusted basis is includable in Building's eligible basis under § 42(d)(1).

(b) No. The term "residential rental unit" has a different meaning than the term "residential rental property" for purposes of §42. Under §1.103-8(b)(4)(iii), units for resident managers or maintenance personnel are residential rental property because they are functionally related and subordinate to residential rental projects, not because they are residential rental units. Similarly, a unit occupied by a full-time security officer is not a residential rental unit. Only residential rental units are includable in Building's applicable fraction under § 42(c)(1)(B).

If in a later year of the credit period, the unit occupied by the full-time

security officer is converted to a residential rental unit, the unit will be includable in the denominator of Building's applicable fraction for that year. If the unit also becomes a low-income unit in a later year, the unit will be includable in the numerator of Building's applicable fraction for that year.

Q-2.

A new qualified low-income building (Building) received a housing credit allocation on June 1, 2003, and was placed in service in 2004. Building is located in a qualified census tract (as defined in §42(d)(5)(C)). The neighborhood in which Building is located is an area with a high rate of crime. In 2004, the local police department leases a unit in Building to be used as a police substation (Facility). The Facility is part of the police department's community outreach program. This Facility is intended to serve as a deterrent to crime in the community, assist the community with solving crime-related problems, reduce the response time to area calls for service, and provide the locally assigned police officers with a local office. The services provided by the police are free of charge. The adjusted basis of the property constituting the Facility (of a character subject to the allowance for depreciation and not otherwise taken into account in the adjusted basis of Building) does not exceed 10 percent of the eligible basis of Building.

As required by § 42(m)(1)(A)(iii), prior to the allocation of low-income housing credit to Building, a comprehensive market study was conducted to assess the housing needs of the low-income individuals in the area to be served by Building. The study found, among other items, that due to the high rate of crime in the community in which Building is located, providing a police substation would be appropriate and helpful to individuals in the area of Building whose income is 60 percent or less of AMGI.

(a) Is the adjusted basis of the Facility includable in Building's eligible basis under § 42(d)(1)?

(b) If yes, is the Facility includable in Building's applicable fraction under § 42(c)(1)(B)?

A-2.

(a) Yes. The Facility qualifies as a community service facility under § 42(d)(4)(C)(iii). Under the facts presented, the Facility is designed to serve primarily individuals whose income is 60 percent or less of AMGI for the following reasons: (1) the services provided at the Facility are services that will help improve the quality of life for community residents; (2) the market study required to be conducted under § 42(m)(1)(A)(iii) found that the services provided at the Facility would be appropriate and helpful to individuals in the area of Building whose income is 60 percent or less of AMGI; (3) the Facility is located within Building; and (4) the services provided at the Facility are affordable to individuals whose income is 60 percent or less of AMGI.

Because the other requirements set forth in § 42(d)(4)(C) are met, the adjusted basis of Building will be determined by taking into account the adjusted basis of the Facility. Thus, the adjusted basis of the Facility is includable in Building's eligible basis.

(b) No. The Facility is not a residential rental unit for purposes of §42. Therefore, the Facility is not includable in either the numerator or

denominator of Building's applicable fraction.

Q-3.

On applying to the housing credit agency for an allocation of §42 credits for a new building, the housing credit agency requires that the applicant pay a nonrefundable application fee. If the applicant is successful, an allocation fee is payable to the housing credit agency. Are the application fee and allocation fee includable in the eligible basis of the applicant's low-income housing building?

A-3.

No. The application fee and allocation fee are not includable in the eligible basis of the applicant's low-income housing building because the fees are not capitalizable into the adjusted basis of the building. See §263 and §263A. However, depending on the facts and circumstances, all or a portion of these fees may be required to be capitalized as amounts paid to create an intangible asset. See § 1.263(a)-4. Any portion of these fees not required to be capitalized under § 1.263(a)-4 may be deductible as an ordinary and necessary expense under § 162 or § 212, provided the taxpayer satisfies the requirements of those sections.

B. FIRST-YEAR LOW-INCOME UNIT ISSUE

Law

Section 42(i)(3)(A) defines "low-income unit" as any unit in a building if (i) the unit is rent-restricted (as defined in §42(g)(2)), and (ii) the individuals occupying the unit meet the income limitation applicable under §42(g)(1) to the project of which the building is a part (individuals that meet the applicable income limitation are referred to as "income-qualified"). Section 42(i)(3)(B) provides that a unit will not be treated as a low-income unit unless the unit is suitable for occupancy and used other than on a transient basis.

Section 42(f)(1) defines the "credit period" for a low-income housing credit building as the period of 10 taxable years beginning with (A) the taxable year in which the building is placed in service or (B) at the election of the taxpayer, the succeeding taxable year, but in either case only if the building is a qualified low-income building as of the close of the first year of the period.

Section 42(f)(2)(A) provides a special rule for determining the amount of the low-income housing credit allowable for the first year of the credit period. It provides that the credit allowable under §42(a) with respect to any building for the first taxable year of the credit period must be determined by substituting for the applicable fraction under § 42(c)(1) the fraction (i) the numerator of which is the sum of the applicable fractions determined under § 42(c)(1) as of the close of each full month of the first taxable year of the credit period during which the building was in service, and (ii) the denominator of which is 12.

Q-4.

On initial occupancy of a unit in the first year of a newly constructed building's credit period, an income-qualified tenant moved into the unit on the last day of a month. The unit was rent-restricted in accordance with §42(g)(2). In determining the low-income housing credit for the building for the first year of the credit period, is the unit treated as a low-income

unit for that month for purposes of the fraction calculated under §42(f)(2)(A)?

A-4.

Yes. The unit is treated as a low-income unit eligible for inclusion in the numerator and denominator of the monthly applicable fraction calculated under § 42(f)(2)(A)(i) if the tenant, who meets the income limitation under §42(g)(1), resides in the rent-restricted unit on the last day of the month. However, in accordance with § 42(f)(2)(A), the building must have been placed in service for a full month for the unit to be includable in the numerator and denominator of the monthly applicable fraction.

C. EXTENDED LOW-INCOME HOUSING COMMITMENT ISSUE

Law

Section 42(h)(6)(A) provides that no credit will be allowed with respect to any building for the taxable year unless an extended low-income housing commitment (as defined in §42(h)(6)(B)) is in effect as of the end of the taxable year. Section 42(h)(6)(B)(i) provides that "the term "extended low-income housing commitment" means any agreement between the taxpayer and the housing credit agency which requires that the applicable fraction (as defined in §42(c)(1)) for the building for each taxable year in the extended use period will not be less than the applicable fraction specified in the agreement and which prohibits the actions described in subclauses (I) and (II) of §42(h)(6)(E)(ii)" (emphasis added).

Section 42(h)(6)(E)(ii) provides that the termination of an extended low-income housing commitment under §42(h)(6)(E)(i) will not be construed to permit before the close of the 3-year period following the termination (I) the eviction or termination of tenancy (other than for good cause) of an existing tenant of any low-income unit, or (II) any increase in the gross rent with respect to a low-income unit not otherwise permitted under §42.

Section 42(h)(6)(D) defines the term "extended use period" as the period beginning on the first day in the compliance period on which the building is part of a qualified low-income housing project and ending on the later of (1) the date specified by the agency in the extended low-income housing commitment, or (2) the date which is 15 years after the close of the compliance period.

Section 42(h)(6)(J) provides that if, during a taxable year, there is a determination that a valid extended low-income housing commitment was not in effect as of the beginning of the year, the determination will not apply to any period before that year and §42(h)(6)(A) will be applied without regard to the determination provided that the failure is corrected within 1 year from the date of the determination.

In the Omnibus Budget Reconciliation Act of 1990, 1991-2 C.B. 481, 531 (the "1990 Act"), Congress amended §42(h)(6)(B)(i) by adding the language emphasized above, which prohibits the actions described in subclauses (I) and (II) of § 42(h)(6)(E)(ii). At the time of this amendment, however, §42(h)(6)(E)(ii) was already part of §42.

The legislative history to §42 states that the extended low-income housing commitment must prohibit the eviction or termination of tenancy (other than for good cause) of an existing tenant of a low-income unit or any increase in the gross rent inconsistent with the rent restrictions on the unit. H. Rep. No. 894, 101st Cong., 2d Sess. 10, 13 (1990).

Q-5.

Must the extended low-income housing commitment prohibit the actions described in subclauses (I) and (II) of §42(h)(6)(E)(ii) only for the 3-year period described in §42(h)(6)(E)(ii)?

A-5.

No. Section 42(h)(6)(B)(i) requires that an extended low-income housing commitment include a prohibition during the extended use period against (1) the eviction or the termination of tenancy (other than for good cause) of an existing tenant of any low-income unit (no-cause eviction protection) and (2) any increase in the gross rent with respect to the unit not otherwise permitted under §42. When Congress amended §42(h)(6)(B)(i) to add the language emphasized above, §42(h)(6)(E)(ii) was already part of §42. As a result, Congress must have intended the amendment to § 42(h)(6)(B)(i) to add an additional requirement beyond what was contained in § 42(h)(6)(E)(ii), which already prohibited the actions described in that section for the 3 years following the termination of the extended use period. Because the requirements of §42(h)(6)(B)(i) otherwise apply for the extended use period, Congress must have intended the addition of the prohibition against the actions described in subclauses (I) and (II) of § 42(h)(6)(E)(ii) to apply throughout the extended use period.

If it is determined by the end of a taxable year that a taxpayer's extended low-income housing commitment for a building does not meet the requirements for an extended low-income housing commitment under §42(h)(6)(B) (for example, it does not provide no-cause eviction protection for the tenants of low-income units throughout the extended use period), the low-income housing credit is not allowable with respect to the building for the taxable year, or any prior taxable year. However, if the failure to have a valid extended low-income housing commitment in effect is corrected within 1 year from the date of the determination, the determination will not apply to the current year of the credit period or any prior year.

Pursuant to this revenue ruling, each housing credit agency is required to review its extended low-income housing commitments for compliance with the interpretation of § 42(h)(6)(B)(i) provided in this question and answer. This review must be completed by December 31, 2004. If during the review period the housing credit agency determines that an extended low-income housing commitment is not in compliance with the interpretation of §42(h)(6)(B)(i) provided in this question and answer, the 1-year period described under §42(h)(6)(J) will commence on the date of that determination.

D. HOME INVESTMENT PARTNERSHIP ACT LOAN ISSUES

Law

Section 42(b)(2)(A) provides that for a qualified low-income building placed in service by the taxpayer after 1987, the term "applicable percentage"

means (1) the 70-percent present value credit under §42(b)(2)(B)(i) for new buildings which are not federally subsidized, and (2) the 30-percent present value credit under §42(b)(2)(B)(ii) for new buildings which are federally subsidized and for existing buildings.

In general, §42(d)(5)(C)(i) provides that in the case of any building located in a designated qualified census tract or difficult development area (as defined in § 42(d)(5)(C)(ii) and (iii)), (I) the eligible basis of a new building will be 130 percent of the eligible basis determined without regard to this rule, and (II) in the case of an existing building, the rehabilitation expenditures taken into account under §42(e) will be 130 percent of the expenditures determined without regard to this rule.

Section 42(g)(1) defines the term "qualified low-income housing project" as any project for residential rental property if the project meets the requirements of § 42(g)(1)(A) or (B), whichever the taxpayer elects. The election is irrevocable. The project meets the requirements of §42(g)(1)(A) if 20 percent or more of the residential units in the project are rent-restricted and occupied by individuals whose income is 50 percent or less of AMGI. The project meets the requirements of §42(g)(1)(B) if 40 percent or more of the residential units in the project are rent-restricted and occupied by individuals whose income is 60 percent or less of AMGI. The requirement a taxpayer elects is referred to as the "minimum set-aside" for the project.

Section 42(g)(2)(A) provides that for purposes of §42(g)(1), a residential unit is rent-restricted if the gross rent with respect to the unit does not exceed 30 percent of the imputed income limitation applicable to the unit.

Section 42(g)(2)(C) provides that the imputed income limitation applicable to a unit is the income limitation which would apply under §42(g)(1) to individuals occupying the unit if the number of individuals occupying the unit were: (i) in the case of a unit which does not have a separate bedroom, 1 individual; and (ii) in the case of a unit which has one or more separate bedrooms, 1.5 individuals for each separate bedroom.

Section 42(g)(3)(A) provides that a building will be treated as a qualified low-income building only if the project (of which the building is a part) meets the requirements of §42(g)(1) not later than the close of the first year of the credit period for the building.

Section 42(i)(2)(A) provides that for purposes of §42(b)(1), a new building will be treated as federally subsidized for any taxable year if, at any time during the taxable year or any prior taxable year, there is or was outstanding any obligation the interest on which is exempt from tax under §103, or any below market Federal loan, the proceeds of which are or were used (directly or indirectly) with respect to the building or operation thereof.

Section 42(i)(2)(B) provides that a loan or tax-exempt obligation will not be taken into account under §42(i)(2)(A) if the taxpayer elects to exclude from eligible basis of the building for purposes of §42(d), in the case of a loan, the principal amount of the loan, and in the case of a tax-exempt obligation, the proceeds of the obligation.

Section 42(i)(2)(C) provides that §42(i)(2)(A) will not apply to any tax-exempt obligation or below market Federal loan used to provide

construction financing for any building if (i) the obligation or loan (when issued or made) identified the building for which the proceeds of the obligation or loan would be used, and (ii) the obligation is redeemed, and the loan is repaid, before the building is placed in service.

Section 42(i)(2)(D) provides that the term "below market Federal loan" means any loan funded in whole or in part with Federal funds if the interest rate payable on the loan is less than the applicable Federal rate (AFR) in effect under §1274(d)(1) (as of the date the loan was made).

Section 42(i)(2)(E)(i) generally provides that assistance provided under the HOME Investment Partnerships Act (HOME) with respect to any building will not be treated as a below market Federal loan under § 42(i)(2)(D) if 40 percent or more of the residential units in the building are occupied by individuals whose income is 50 percent or less of AMGI (the special set-aside). Section 42(d)(5)(C) (the 130 percent eligible basis increase) does not apply to any building to which the preceding sentence applies.

Q-6.

Taxpayer owns a new qualified low-income housing project consisting of Buildings 1 and 2, each containing 100 residential rental units. Forty percent of the units in each building are low-income units. Taxpayer elected the minimum set-aside for the project under §42(g)(1)(B). Also, Taxpayer elected on Form 8609, Low-Income Housing Credit Allocation Certification, to treat the buildings as part of a multiple building project. A HOME loan at less than the AFR was provided with respect to the project.

(a) How does the special set-aside under §42(i)(2)(E)(i) apply to qualify Buildings 1 and 2 for the 70-percent present value credit under §42(b)?

(b) What rent restriction applies to the low-income units used to satisfy the special set-aside under §42(i)(2)(E)(i)?

A-6.

(a) To qualify the project for the 70-percent present value credit, Taxpayer must rent at least 40 units in each of Buildings 1 and 2 to tenants whose income is 50 percent or less of AMGI throughout the 15-year compliance period because the rule under §42(i)(2)(E)(i) applies on a building-by-building basis. Because these units are to be low-income units and Taxpayer elected the minimum set-aside under § 42(g)(1)(B), the same units used to satisfy the special set-aside under §42(i)(2)(E)(i) will also satisfy the project's minimum set-aside.

(b) The rent restriction that applies for all of the low-income units in the project, including the units in Buildings 1 and 2 which are used to satisfy the special set-aside under § 42(i)(2)(E)(i), is based on the applicable income limitation under § 42(g)(1)(B) because §42(g)(2)(C) contains no exception for buildings that satisfy the special set-aside contained in §42(i)(2)(E)(i). Therefore, the imputed income limitation (as defined in §42(g)(2)(C)) applicable to the units in this project is 60 percent of AMGI. Under §42(g)(2), rent may not exceed 30 percent of this imputed income limitation.

Q-7.

(a) Taxpayer owns a newly constructed qualified low-income housing project consisting of one building located in a qualified census tract (Building). A HOME loan at less than the AFR was provided with respect to Building.

Construction of Building was funded in part with an obligation the interest on which is exempt from tax under §103 that was outstanding after Building was placed in service. Taxpayer did not elect to exclude from eligible basis the principal amount of the HOME loan or the proceeds of the tax-exempt obligation as provided under §42(i)(2)(B). Forty percent of the residential units in Building are occupied by individuals whose income is 50 percent or less of area median gross income. Is Building eligible for the increase in eligible basis provided under §42(d)(5)(C)(i)(I)?

(b) The facts are the same as in (a) above except that the interest rate on the HOME loan when made was not less than the AFR in effect under §1274(d)(1), and the tax-exempt obligation was redeemed before Building was placed in service. Is Building eligible for the increase in eligible basis under §42(d)(5)(C)(i)(I)?

(c) The facts are the same as in (a) above except that the special set-aside under §42(i)(2)(E)(i) was not met, and the tax-exempt obligation was redeemed before Building was placed in service. Is Building eligible for the increase in eligible basis under §42(d)(5)(C)(i)(I)?

A-7.

(a) Yes. Because the tax-exempt obligation is outstanding after Building was placed in service and the proceeds of the obligation were not excluded from Building's eligible basis under §42(i)(2)(B), Building is treated as federally subsidized under § 42(i)(2)(A). Inasmuch as the building is treated as federally subsidized, the 30-percent present value credit under §42(b) will apply to Building. The fact that the tax-exempt obligation caused Building to be federally subsidized makes §42(i)(2)(E)(i) (which provides that certain HOME loans will not cause a project to be federally subsidized if the special set-aside requirement under that section is satisfied, and whose applicability prohibits the increase in eligible basis under §42(d)(5)(C)) inapplicable. Accordingly, Building is eligible for the increase in eligible basis under § 42(d)(5)(C)(i)(I).

If the tax-exempt obligation was redeemed before Building was placed in service or the proceeds of the obligation were excluded from Building's eligible basis, Building would no longer be treated as federally subsidized by the tax-exempt obligation under § 42(i)(2)(A). Therefore, §42(i)(2)(E)(i) would be applicable, and cause Building not to be treated as federally subsidized by the HOME loan under §42(i)(2)(A). Accordingly, the prohibition in §42(i)(2)(E)(i) against using §42(d)(5)(C) would apply, and Building would not be eligible for the increase in eligible basis under §42(d)(5)(C)(i)(I). The 70-percent value credit under §42(b) would apply to Building.

(b) Yes. When the HOME loan was made, the interest rate on the loan was not less than the AFR. Therefore, the loan is not described in §42(i)(2)(D), and the building will not be treated as federally subsidized under §42(i)(2)(A). The 70-percent present value credit will apply to Building. Because §42(i)(2)(E)(i) is inapplicable to HOME loans not described in §42(i)(2)(D), this loan is not subject to §42(i)(2)(E)(i), and the prohibition in §42(i)(2)(E)(i) against using §42(d)(5)(C) does not apply. Accordingly, Building is eligible for the increase in eligible basis under §42(d)(5)(C)(i)(I).

(c) Yes. Although Building meets the exception under §42(i)(2)(C) with respect to the tax-exempt obligation, Building is treated as federally

subsidized under § 42(i)(2)(A) because it received a HOME loan at less than the AFR and does not meet the special set-aside under §42(i)(2)(E)(i). The 30-percent present value credit will apply to Building as it is treated as federally subsidized. Because Building does not meet the special set-aside under §42(i)(2)(E)(i), the prohibition in §42(i)(2)(E)(i) against using §42(d)(5)(C) does not apply, and Building is eligible for the increase in eligible basis under §42(d)(5)(C)(i)(I).

If Taxpayer elected to exclude the principal amount of the HOME loan from the eligible basis of Building under §42(i)(2)(B) (whether or not the special set-aside under § 42(i)(2)(E)(i) was met), Building would not be treated as federally subsidized under § 42(i)(2)(A), and the 70-percent present value credit would apply to Building. Because the HOME loan would not be taken into account, §42(i)(2)(D) and §42(i)(2)(E)(i) do not apply to Building. Therefore, Building would not be described in §42(i)(2)(E)(i). Accordingly, the prohibition in §42(i)(2)(E)(i) against using §42(d)(5)(C) would not apply, and Building would be eligible for the increase in eligible basis under § 42(d)(5)(C)(i)(I).

E. VACANT UNIT RULE ISSUES

Law

Section 1.42-5(c)(1)(ix) provides that a housing credit agency must require the owner of a low-income housing project to certify at least annually to the housing credit agency that, for the preceding 12-month period, if a low-income unit in the project became vacant during the year, reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units in the project were or will be rented to tenants not having a qualifying income (the "vacant unit rule").

The legislative history to §42 indicates that vacant units, formerly occupied by low-income individuals, may continue to be treated as occupied by qualified low-income individuals for purposes of the minimum set-aside requirement (as well as for determining qualified basis) provided reasonable attempts are made to rent the unit. H.R. Conf. Rep. No. 841, *supra*, at II-94.

Section 42(g)(2)(D)(i) provides that notwithstanding an increase in the income of the occupants of a low-income unit above the income limitation applicable under § 42(g)(1), the unit will continue to be treated as a low-income unit if the income of the occupants initially met the income limitation and the unit continues to be rent-restricted. Section 42(g)(2)(D)(ii) provides that if the income of the occupants of the unit increases above 140 percent of the income limitation applicable under §42(g)(1), the unit ceases to be treated as a low-income unit if any available or subsequently available residential rental unit in the building (of a size comparable to, or smaller than, the unit) is occupied by a new resident whose income exceeds the income limitation (the "available unit rule").

Under §1.42-15(a), a low-income unit in which the aggregate income of the occupants of the unit rises above 140 percent of the applicable income limitation under §42(g)(1) is referred to as an "over-income unit."

Section 1.42-15(c) provides that a unit is not available for purposes of the

available unit rule when the unit is no longer available for rent due to contractual arrangements that are binding under local law (for example, a unit is not available if it is subject to a preliminary reservation that is binding on the owner under local law prior to the date a lease is signed or the unit is occupied).

Q-8.

On July 1, 2003, an income-qualified household (Household) initially occupied a rent-restricted residential rental unit in Building 1 of Project. On October 31, 2003, the property manager moved Household (and transferred Household's lease) to a similar rent-restricted unit in Building 2 of Project that was not previously occupied. Household occupied the Building 2 unit at the end of 2003. The unit Household vacated in Building 1 was unoccupied during November and December. Are both units in Buildings 1 and 2 low-income units at the end of 2003?

A-8.

No. While a vacant low-income unit generally retains its character as a low-income unit, where an owner simply moves a tenant from a unit in one building to a unit in another building in the same project, both units may not be treated as low-income units; rather, only the unit that the tenant actually occupies at the end of a month in the first year of the credit period and at the end of each year in subsequent years qualifies as a low-income unit. Thus, in this situation, while the unit in Building 1 vacated by Household was treated as a low-income unit during the months it was occupied by Household, the unit ceased to be treated as a low-income unit when Household vacated the unit. At that time, the vacated unit would be treated as a unit not previously occupied.

Q-9.

Ten units previously occupied by income-qualified tenants in a 200-unit mixed-use housing project are vacant. None of the low-income units in the project had been over-income units. The project owner displayed a banner and for rent signs at the entrance to the project, placed classified advertisements in two local newspapers, and contacted prospective low-income tenants on a waiting list for the project and on a local public housing authority list of section 8 voucher holders about the low-income unit vacancies. These are customary methods of advertising apartment vacancies in the area of the project for identifying prospective tenants. Subsequent to the low-income unit vacancies, a market-rate unit of comparable size to the low-income units became vacant. Will the owner violate the vacant unit rule if the owner rents the market-rate unit before any of the low-income units?

A-9.

No. In accordance with §1.42-5(c)(1)(ix), the owner of a qualified low-income housing project has to use reasonable attempts to rent a vacant low-income unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units in the project are rented to tenants not having a qualifying income. Thus, if the project owner makes reasonable attempts to rent the vacant low-income units to income-qualified tenants, the owner may rent the newly vacated market-rate unit before renting the low-income units and continue to characterize the vacant low-income units as low-income units for purposes of the minimum set-aside requirements in §42(g)(1) and calculation of the applicable fraction under § 42(c)(1)(B).

What constitutes reasonable attempts to rent a vacant unit is based on facts and circumstances, and may differ from project to project depending on factors such as the size and location of the project, tenant turnover rates, and market conditions. Also, the different advertising methods that are accessible to owners and prospective tenants would affect what is considered reasonable. Under the facts in this situation, the owner used reasonable methods of advertising an apartment vacancy in the area of the project before the owner rented the market-rate unit. Thus, the owner made reasonable attempts to rent the vacant low-income units.

In addition, the available unit rule is not violated by rental of the market-rate unit before the low-income units because there are no over-income units in the building.

Q-10.

A building has 10 units of comparable size, consisting of 7 low-income units (none was an over-income unit) and 3 market-rate units. All units in the building were occupied except for one market-rate unit. A low-income unit became vacant on March 15, 2004. Between March 15, 2004, and March 29, 2004, the owner made reasonable attempts to rent this unit to an income-qualified tenant. The vacant low-income unit became subject to a reservation (a contractual arrangement that is binding on the building owner under local law prior to the date a lease is signed or the unit is occupied) on March 29, 2004, under which the owner agreed to rent the unit to A, whose income meets the income limitation elected for the project under §42(g)(1). Thereafter, the owner ceased any efforts to attempt to rent the unit. On April 30, 2004, A signed a lease for the unit and occupied the unit on May 1, 2004. The vacant market-rate unit was rented to a market-rate tenant on April 15, 2004. Did the owner violate the vacant unit rule?

A-10.

No. For purposes of the vacant unit rule, an owner needs to make reasonable attempts to rent an available vacant low-income unit. To determine what constitutes an available unit for purposes of the vacant unit rule, the Internal Revenue Service will adopt the rule under §1.42-15(c) for when a unit is considered not available. Therefore, a unit is not available for purposes of the vacant unit rule when the unit is no longer available for rent due to contractual arrangements that are binding under local law, such as a reservation entered into between a building owner and a prospective tenant. Thus, in this situation, because the vacant low-income unit was subject to a reservation that was binding under local law prior to the renting of the vacant market-rate unit, the low-income unit was not available when the market-rate unit was rented. Accordingly, the owner no longer needed to make reasonable efforts to rent the low-income unit.

In addition, the available unit rule is not violated by rental of the market-rate unit because there is no over-income unit in the building.

F. RECORDKEEPING AND RECORD RETENTION ISSUE

Law

Section 42(m)(1)(A)(i) requires each housing credit agency to allocate low-income housing credits according to a qualified allocation plan. Under § 42(m)(1)(B)(iii), an allocation plan is not qualified unless it contains a procedure that the housing credit agency (or an agent or other private contractor of the agency) will follow in (1) monitoring for noncompliance

with the provisions of § 42, (2) notifying the Service of any noncompliance which the agency becomes aware of, and (3) monitoring for noncompliance with habitability standards through regular site visits.

Under § 1.425(a)(2)(i)(A), for the procedure to satisfy §42(m)(1)(B)(iii), the procedure must include the recordkeeping and record retention provisions of § 1.425(b). However, a monitoring procedure adopted by a housing credit agency may require additional recordkeeping and record retention provisions beyond those specifically provided in §1.42-5(b).

Section 1.42-5(b)(1) provides that a housing credit agency must require the owner of a low-income housing project to keep certain specified records for each qualified low-income building in the project for each year in the compliance period. Under §1.425(b)(2), the owner must be required to retain the records described in § 1.42-5(b)(1) for a particular year for at least 6 years after the due date (with extensions) for filing the Federal income tax return for that year. The records for the first year of the credit period, however, must be retained for at least 6 years beyond the due date (with extensions) for filing the Federal income tax return for the last year of the compliance period (as defined in §42(i)(1)) of the building. Section 1.42-5(b)(3) also specifies that the owner must be required to retain the original local health, safety, or building code violation reports or notices that were issued by the state or local government unit (as described in § 1.425(c)(1)(vi)) for inspection by the housing credit agency.

The general requirements for keeping records for purposes of the Code are in § 6001 and the regulations thereunder.

Rev. Proc. 97-22, 1997-1 C.B. 652, provides guidance to taxpayers that maintain books and records by using an electronic storage system that either images their hardcopy (paper) books and records or transfers their computerized books and records to an electronic storage media, such as an optical disk. Rev. Proc. 97-22 provides that records maintained in an electronic storage system that complies with the requirements of this revenue procedure will constitute records within the meaning of § 6001.

Q-11.

May a taxpayer comply with the recordkeeping and record retention provisions under § 1.425(b) by using an electronic storage system instead of maintaining hardcopy (paper) books and records?

A-11.

Yes, provided that the electronic storage system satisfies the requirements of Rev. Proc. 97-22. However, complying with the recordkeeping and record retention requirements of the Service does not exempt an owner from having to satisfy any additional recordkeeping and record retention requirements of the monitoring procedure adopted by the housing credit agency. For example, the housing credit agency may require the taxpayer to maintain hardcopy books and records.

For the basic requirements of maintaining records in an automated data processing system, including electronic storage systems, see Rev. Proc. 98-25, 1998-1 C.B. 689.

G. TENANT INCOME DOCUMENTATION ISSUE

Law

Section 1.42-5(b)(1)(vi) provides that a housing credit agency must require the owner of a low-income housing project to keep records for each qualified low-income building in the project that show, for each year in the compliance period, the annual income certification of each low-income tenant per unit. Under §1.42-5(b)(1)(vii), the housing credit agency must require the owner to keep documentation to support each low-income tenant's income certification (for example, a copy of the tenant's Federal income tax return, Forms W-2, or verifications of income from third parties such as employers or state agencies paying unemployment compensation).

Under §1.42-5(c)(1)(iii), the housing credit agency must require the owner of a low-income housing project to certify at least annually that, for the preceding 12-month period, the owner has received an annual income certification from each low-income tenant, and documentation to support that certification.

Rev. Proc. 94-65, 1994-2 C.B. 798, indicates that an owner may satisfy the documentation requirement of §1.42-5(b)(1)(vii) for a low-income tenant's income from assets by obtaining a signed, sworn statement from the tenant or prospective tenant if (1) the tenant's or prospective tenant's Net Family assets do not exceed \$5,000, and (2) the tenant or prospective tenant provides a signed, sworn statement to this effect to the building owner. The revenue procedure provides that a housing credit agency's monitoring procedure may not permit an owner to rely on a low-income tenant's signed, sworn statement of annual income from assets if a reasonable person in the owner's position would conclude that the tenant's income is higher than the tenant's represented annual income. In this case, the owner must obtain other documentation of the low-income tenant's income from assets to satisfy the documentation requirement. In addition, the revenue procedure indicates that a housing credit agency's monitoring procedure may continue to require that an owner obtain documentation, other than the signed, sworn statement, to support a low-income tenant's annual certification of income from assets.

Q-12.

On reviewing tenant files of a project, the housing credit agency discovered that for purposes of determining the income of certain tenants, the owner had accepted signed, sworn self-certifications in which the tenants stated that they had not received any child support payments. Is a signed, sworn self-certification by a tenant sufficient documentation under §1.42-5(b)(1)(vii) to show that the tenant is not receiving child support payments?

A-12.

Yes. Consistent with the documentation requirements in Rev. Proc. 94-65, a signed, sworn self-certification by a tenant is sufficient documentation under § 1.42-5(b)(1)(vii) to show that a tenant is not receiving child support payments. In addition to specifying that a tenant is not receiving any child support payments, an annual signed, sworn self-certification should indicate whether the tenant will be seeking or expects to receive child support payments within the next 12 months. If the tenant possesses a child support agreement but is not presently receiving any child support payments, the tenant should include an explanation of this and all supporting documentation such as a divorce decree and court documents to enforce payment. Also, the self-certification should indicate that the tenant will notify the owner of any changes in the status of child support.

A housing credit agency's monitoring procedure, however, may not permit an owner to rely on a low-income tenant's signed, sworn statement indicating that the tenant is not receiving child support payments if a reasonable person in the owner's position would conclude that the tenant's income is higher than the tenant's represented annual income. In this case, the owner must obtain other documentation of the low-income tenant's annual child support payments to satisfy the documentation requirement in §1.42-5(b)(1)(vii).

A housing credit agency's monitoring procedure may continue to require that an owner obtain documentation, other than the statement described above, to support a low-income tenant's annual certification of child support payments.

DRAFTING INFORMATION

The principal author of this revenue ruling is Gregory N. Doran. For further information regarding this revenue ruling, contact Harold Burghart of the Office of Associate Chief Counsel (Passthroughs and Special Industries) at (202) 622-3040 (not a toll-free call).

MISSISSIPPI HOME CORPORATION

Housing Tax Credit Program

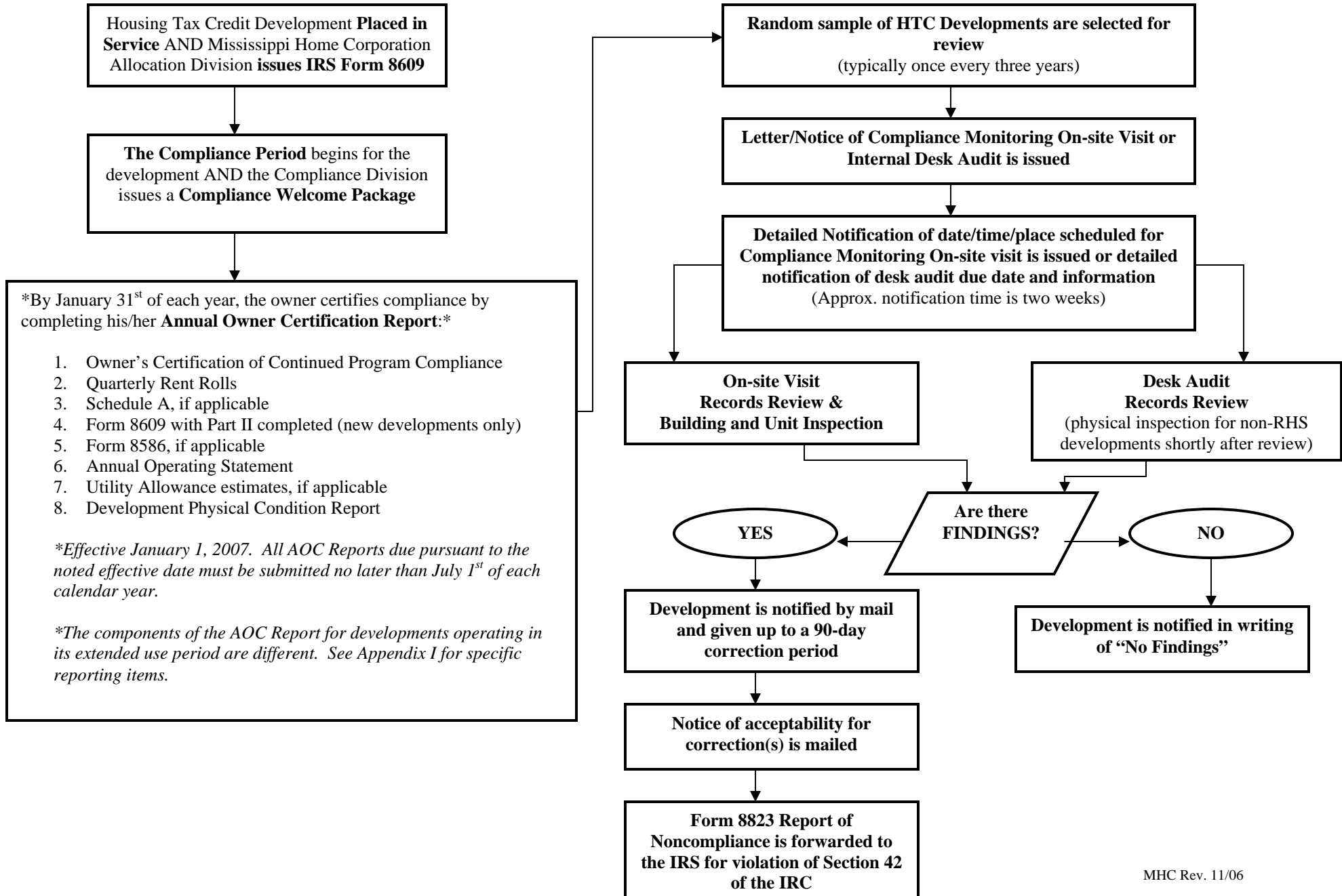
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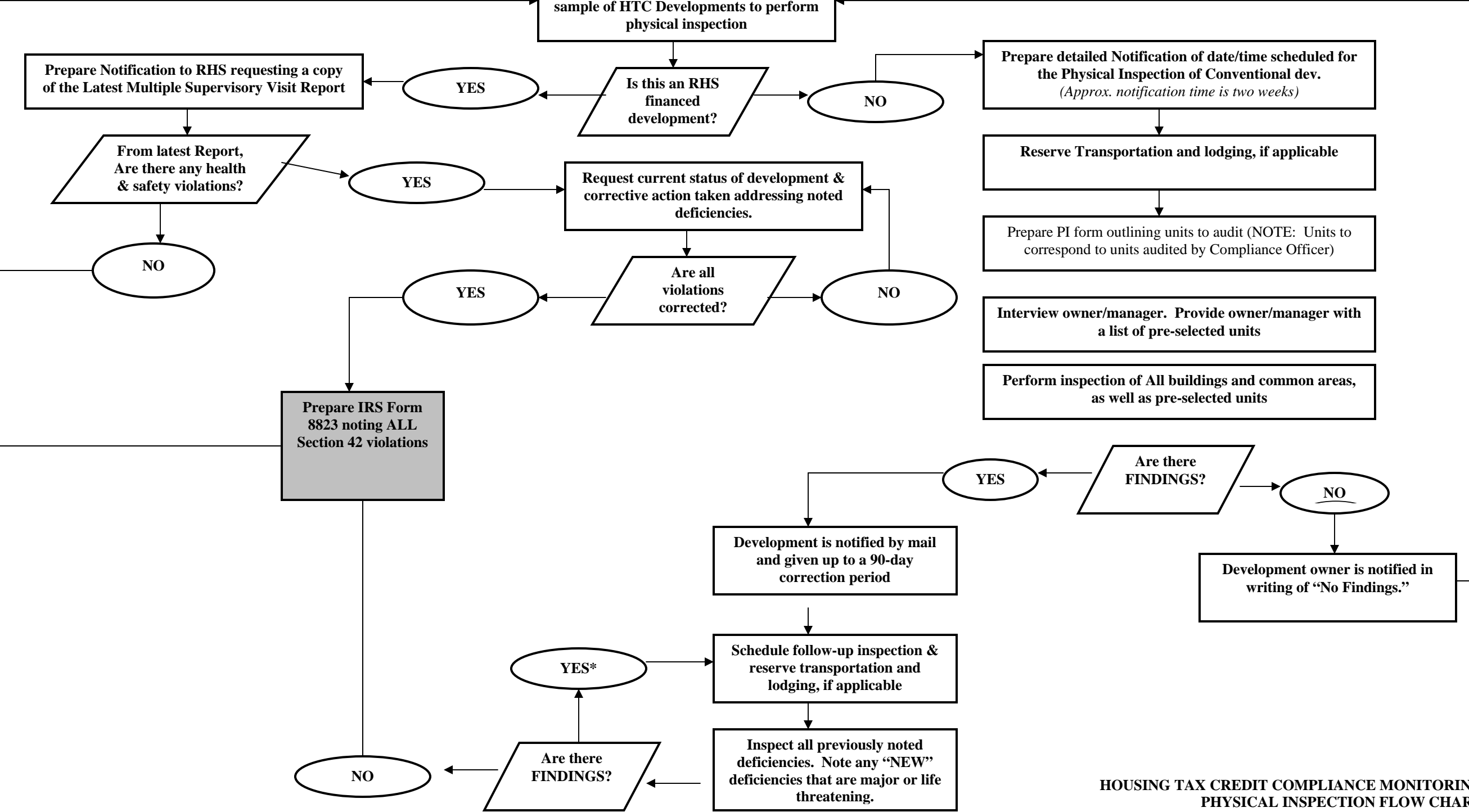
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FLOW CHART

Housing Tax Credit Program Compliance Monitoring Process

HOUSING TAX CREDIT COMPLIANCE MONITORING FLOW CHART





*After 1st follow-up inspection, prepare 8823 and proceed.

HOUSING TAX CREDIT COMPLIANCE MONITORING
PHYSICAL INSPECTION FLOW CHART

GLOSSARY OF TERMS

Housing Tax Credit Glossary of Terms

Term	Definition
140% Rule:	The Next Available Unit Rule applies if the household income increases more than 140% above the current maximum income limit per person.
Accessibility:	Usable for access or capable of being used.
Acquisition:	Action taken to acquire by purchase, donation, or eminent domain real property.
Acquisition:	Action taken to acquire by purchase, donation, or eminent domain real property.
American with Disabilities Act (ADA):	A broad civil rights law guaranteeing equal opportunity for individuals with disabilities in employment, public accommodations transportation, state and local government services, and telecommunications.
Amount of tax credit:	The tax credit percentage, multiplied by the qualified basis.
Annual Compliance Report:	A report or series of reports submitted to the Corporation annually (generally due July 1st) that documents a project(s) occupancy and tax credit units as of the end of the monitoring year.
Annual Gross Income:	The anticipated total income from all sources and assets received by the family head and/or spouse, and by each additional member of the family for the 12-month period following certification of eligibility.
Applicable Federal Rate (AFR):	A monthly “present value” calculation of interest rate statistic issued by the Treasury Department used to determine the annual tax credit percentage for projects based on the placed in service date.
Applicable Fraction:	The portion or the percentage of a project leased as qualified tax credit units, which is determined at the end of the tax year and is the lesser of the number of tax credit units as percentage of residential units or total floor space of credit units as a percentage of the total floor space of all residential units.
Asset Income:	Income which is generated by a savings accounts, real estate, or other investments.
Bond Posting:	A bond posted with a Treasury Department approved surety company to avoid recapture of a portion of previously claimed credits after a change of ownership of a LIHTC property. The bond must be maintained throughout the compliance period and for 58 months after the end of the compliance period.
Building Identification Number:	A number BIN which allows the Internal Revenue Service to identify a building in a tax credit project.
Carryover Allocation:	The credit of allocation that is to be placed in service no later than the end of the second calendar year following the allocation year. Carryover allocation also gives owners additional time to place a project in service

Housing Tax Credit Glossary of Terms

Cash Value:	The amount the household would receive if the asset were converted to cash.
Certificate of Occupancy ("CO"):	A certificate issued which certifies that a building is ready for occupancy.
Compliance Period:	A period of compliance which begins the date the project is placed in service and lasts for 15 consecutive years.
Compliance Violations:	See noncompliance.
Development Period:	Begins when a commitment of low-income housing tax credits is made and lasts until the project is placed in service. This period can last for a few months or take as long as 2 years.
Difficult to Develop Area Designation (DDA):	Areas with the worst housing cost problems using the following ratios as an indicator of problems: Fair Market Rate (FMR) median family income the designation is awarded to 20 percent of the metro and non-metro areas. With severe problems, (using OMB definition) recalculated annually; such areas receive special additional tax benefits under this program.
Discriminatory Housing Practice:	An act that is unlawful under Section 804, 805, 806, or 818 of the Fair Housing Act.
Eligible Basis:	Reflects the amount of project cost such as acquisition and/or rehabilitation cost allowable under the Low Income Housing Tax Credit program.
Elderly Family:	A family of two or more persons of which one person is 62 years of age or older.
Empty Unit:	A tax credit unit that has never been rented.
Extended Use Agreement:	An agreement which would extend the low-income occupancy requirements and rent restrictions for a minimum of 15 years or more beyond the end of the compliance period unless certain conditions are met.
Fair Housing Act:	Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 which makes it illegal to discriminate in the sale, rental, financing, advertising or operation of housing. It also makes it illegal to discriminate in residential lending decisions and to make discriminatory statements in advertising.
Fair Market Rent (FMR):	The maximum chargeable gross rent in an area for projects participating in the HUD Section 8 program and is determined by HUD.
Familial Status:	A protective class of one or more individuals who have not attained the age of 18 years who live with; a) a parent or another person having legal custody of such individual(s); or b) a legal guardian who has the written permission of the parent or other person.
FmHA:	Farmers Home Administration, former name for Rural Housing Services (RHS).

Housing Tax Credit Glossary of Terms

Full-time Student:	A person(s) who attends school full-time during at least five calendar months during the calendar year at a regular educational institution. Colleges must certify the full-time student status and the actual hours.
General Partner:	An individual or entity responsible for the project's operation and is normally accountable to investors primarily for compliance requirements as well as losses and/or financial risk.
Government Subsidized:	Units for which all or part of the rent or operating expenses are paid for directly by a government agency. Government subsidy programs include HUD Section 8 and 236, Rural Housing Services (RHS) Section 515, and other programs sponsored by local housing authorities or agencies. Typically, tenants are charged a percentage of their income (usually 30%) as rent if they are unable to pay the full cost of a unit.
Gross Rent:	Total tenant paid rent plus a tenant paid utility allowance.
Handicapped:	A person with a physical or mental impairment that is expected to be long-continued, indefinite duration and/or impedes the person ability to live independently.
Historic Tax Credit:	Program which gives income tax credits to investors who restore old or historic buildings in designated areas. This is a separate program from the Low Income Housing Tax Credit Program.
HOME Program:	A block grant program which is HUD's major subsidy or support program for affordable housing. This program provides direct funding allocations that are distributed by formula to cities and states primarily for rental housing, but also for single-family ownership housing.
HUD:	United States Department of Housing and Urban Development. The primary agency for sponsoring subsidized housing in the United States, particularly in urban areas.
HUD Section 8 Certificate:	A government subsidized housing program administered by local public housing agencies through which low-income households qualify for rent subsidies. Qualified households must pay 30% of adjusted income, 10% of gross income, or the portion of welfare designated for housing, whichever is greatest. Rent subsidies paid to the housing unit owner compensate the owner for the difference in the payment made by the household and the area Fair Market Rent. Qualified housing units must meet quality guidelines. Subsidies may also be project-based, in which a project earns the subsidy by renting the unit to qualified households.
HUD Section 8 Voucher:	A government subsidized housing program administered by local public housing agencies through which income-qualified tenants can use government subsidies to reside at any project which meets certain qualifications. Qualified households pay 30% of adjusted income or 10% of gross income, whichever is greater. Government subsidies pay the housing unit owner the difference between what the qualified household pays and the area payment standard. Voucher holders may choose housing that rents for more than the area payment standard, but they will be responsible for paying

Housing Tax Credit Glossary of Terms

	the difference between the charged rent and payment standard.
Imputed Asset Income:	Cash value of all assets multiplied by the passbook rate. Thus, this is income having been received had all assets earned interest. The greater of imputed income or actual asset income is used in calculating annual gross income if the total of all assets is greater than 5,000.
Income Limits:	50% or 60% of the area median on a per person basis for tax credit purposes.
Income Eligibility:	The gross projected income to be received in the next 12 months following the effective date of the certification according to the HUD section 8 program.
Initial Compliance:	The deadline to initially meet the minimum set-aside election.
Inspection:	Physical on-site monitoring inspections which include, but not limited to, an inspection of the physical appearance of a property as well as the files and documentation of all TC units on a property.
IRC:	Internal Revenue Code
IRS:	Internal Revenue Service
Lease-up Period:	The period of time which begins once a project is placed in service and lasts until the owner claims the project's low income housing tax credits. Owners can start claiming credits at the end of the taxable year that the project was placed in service, or they can wait until the end of the following tax year to claim their credits.
LIHTC:	Low Income Housing Tax Credit
LIHTC Dwelling Lease:	A lease with an original lease term of 6 months or longer which contain signatures of the head of household and an authorized property management representative.
LIHTC Income Limits:	Maximum annual gross income (by household size) that a household can earn in order to be eligible for the Low Income Housing Tax Credit Program.
Limited Partnership:	A group of persons and/or entity who has a vested interest in the property.
Live-in Aide/Attendant:	A person who lives with an elderly disabled or handicapped individual and is essential to that individual(s) care and well-being but not obligated for the individual(s) support and would be living in the unit except to provide support services.
Low Income Family:	A family whose annual income does not exceed 80 percent of the median income for the area, as determined by HUD, with adjustments for smaller or larger families.
Low Income Housing:	Affordable decent, safe, and sanitary dwellings.
Market Rent:	Rent collected from families ineligible for rental assistance through other programs and is generally comparable to the rents of other projects in the

Housing Tax Credit Glossary of Terms

	area where the project(s) is located.
Maximum Allowable Income:	The highest income a household can make and be eligible for the Tax Credit program. The maximum allowable income is set at 60% of the area's median household income unless otherwise noted.
Minimum Set-Aside:	The federally required minimum level of tax credit units in a property (20%,40% or NYC 25%) elected by an owner at the time of allocation.
Mixed Income Projects:	Projects which have tenants whose incomes are rent restricted and those whose income are not restricted.
Noncompliance:	An event in which an owner's project becomes classified for failure to either adhere to guidelines as set forth in Section 42 of the Internal Revenue Code (IRC) and/or conditions of the Extended Use Agreement.
Noncompliance Fee:	A fee charged to an owner by the Corporation for failure to comply with LIHTC, national, state or local guidelines.
Occupied Unit:	A LIHTC unit which has been rented.
Overage:	The term used to describe tenant paid gross rent which exceed LIHTC maximum allowable rent and must be refunded to the tenant by an owner.
Over Income Tenant:	A tenant whose total anticipated gross annual income exceeds the maximum allowable income for the family in a particular area.
Pass Book Rate:	Interest rate determined by HUD and applied to assets when calculating imputed asset income.
Placed in Service (PIS):	The date when a building or a project is ready for occupancy and an owner is permitted to begin claiming tax credits.
Private Letter Ruling:	Generally, a request made to the IRS by individual taxpayers on particular transaction involving the tax credit.
Public Housing:	Very low-income or low-income standards.
Qualified Basis:	Reflects the eligible cost attributable to eligible low-income units, and is determined by taking the amount of allowable project cost and adjusting the amount by the applicable fraction. The "claimable" portion of credits in a property according to the Internal Revenue code (IRC) formula and eligible low income units.
Qualified Census Tract:	The areas as defined by the Census, where 50% of all households have incomes less than 60 percent of the area median family income, adjusted for household size; such areas receive special additional tax benefits under this program; this calculation is based on 1990 census data and current income limit policies and area definitions.
Recapture:	The reduction in the allowable credit as penalties for noncompliance. In addition, the sale or disposition of a tax credit building may as well result in

Housing Tax Credit Glossary of Terms

	recapture event.
Recertification:	The annual re-determination of household income and eligibility.
Recertification Waiver:	A waiver given to owners of 100% tax credit projects for conducting annual recertifications on income eligible tenants. The Internal Revenue Service (IRS) is the entity responsible for issuing the waiver.
Record- Keeping:	Maintenance of well-organized and complete files which are essential for the administration of the project, which should include household characteristics, assistance, support documents, leases, etc.
Rent Floor:	The maximum permissible rent (generally the initial rental amount) for any unit which may not fall below the initial rent when the unit was first occupied.
Restricted Rent:	The maximum allowable rent according to the IRS formula including any utilities or services that must be paid by the resident.
Rental Application:	A form used to survey a tenant(s) income and gather information about household income and composition.
Rural Development (RD):	Formerly Farmers Home Administration.
Section 8:	See Section 8 Certificates.
The "Code":	Refers to Section 42 of the Internal Revenue Code which outlines the requirements and guidelines of the Low Income Housing Tax Credit program.
Transient Housing:	Housing that does not have an initial lease term of six months or longer and has a kitchen and bathroom in each housing unit. There is no limitation on the length of a lease, nor is there any minimum rental period.
Unit Type:	Based on the number of bedrooms: studio, one-bedroom, two-bedroom, etc.
Utility Allowance:	An adjustment for tenant paid utilities, excluding telephone, cable, etc. (utilities paid solely by an owner does not have an utility allowance) used to keep rents within gross rent guidelines of the Tax Credit program. Utility allowance also varies by unit type.
Vacant Unit:	A LIHTC unit from which someone has moved.
Verifications:	The appropriate documents received which proves the income and composition of a household.
Voucher:	See HUD Section 8 Voucher.

C

HTC INCOME & RENT
LIMITS (2005-2007)

Mississippi Home Corporation
FY 2007
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
EFFECTIVE 20- MARCH - 2007

Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
Gulfport-Biloxi, MS	50%	\$16,850.00	\$18,075.00	\$19,300.00	\$21,700.00	\$24,100.00	\$25,075.00	\$26,050.00	\$27,950.00	\$29,900.00	\$31,800.00
MFI \$48,200	60%	\$20,220.00	\$21,690.00	\$23,160.00	\$26,040.00	\$28,920.00	\$30,090.00	\$31,260.00	\$33,540.00	\$35,880.00	\$38,160.00
MAXIMUM RENT AT											
50%		\$421.25	\$451.88	\$482.50	\$542.50	\$602.50	\$626.88	\$651.25	\$698.75	\$747.50	\$795.00
60%		\$505.50	\$542.25	\$579.00	\$651.00	\$723.00	\$752.25	\$781.50	\$838.50	\$897.00	\$954.00
Hattiesburg, MS	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$42,700	50%	\$15,050.00	\$16,125.00	\$17,200.00	\$19,350.00	\$21,500.00	\$22,350.00	\$23,200.00	\$24,950.00	\$26,650.00	\$28,400.00
	60%	\$18,060.00	\$19,350.00	\$20,640.00	\$23,220.00	\$25,800.00	\$26,820.00	\$27,840.00	\$29,940.00	\$31,980.00	\$34,080.00
MAXIMUM RENT AT											
50%		\$376.25	\$403.13	\$430.00	\$483.75	\$537.50	\$558.75	\$580.00	\$623.75	\$666.25	\$710.00
60%		\$451.50	\$483.75	\$516.00	\$580.50	\$645.00	\$670.50	\$696.00	\$748.50	\$799.50	\$852.00
Jackson, MS HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$18,700.00	\$20,025.00	\$21,350.00	\$24,050.00	\$26,700.00	\$27,775.00	\$28,850.00	\$30,950.00	\$33,100.00	\$35,250.00
MFI \$53,400	60%	\$22,440.00	\$24,030.00	\$25,620.00	\$28,860.00	\$32,040.00	\$33,330.00	\$34,620.00	\$37,140.00	\$39,720.00	\$42,300.00
MAXIMUM RENT AT											
50%		\$467.50	\$500.63	\$533.75	\$601.25	\$667.50	\$694.38	\$721.25	\$773.75	\$827.50	\$881.25
60%		\$561.00	\$600.75	\$640.50	\$721.50	\$801.00	\$833.25	\$865.50	\$928.50	\$993.00	\$1,057.50
Simpson County, MS HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$37,500	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
Marshall County, MS HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,250.00	\$16,325.00	\$17,400.00	\$19,600.00	\$21,750.00	\$22,625.00	\$23,500.00	\$25,250.00	\$26,950.00	\$28,700.00
MFI \$38,300	60%	\$18,300.00	\$19,590.00	\$20,880.00	\$23,520.00	\$26,100.00	\$27,150.00	\$28,200.00	\$30,300.00	\$32,340.00	\$34,440.00
MAXIMUM RENT AT											
50%		\$381.25	\$408.13	\$435.00	\$490.00	\$543.75	\$565.63	\$587.50	\$631.25	\$673.75	\$717.50
60%		\$457.50	\$489.75	\$522.00	\$588.00	\$652.50	\$678.75	\$705.00	\$757.50	\$808.50	\$861.00
Memphis, TN-MS-AR HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$20,050.00	\$21,475.00	\$22,900.00	\$25,800.00	\$28,650.00	\$29,800.00	\$30,950.00	\$33,250.00	\$35,550.00	\$37,800.00
MFI \$53,200	60%	\$24,060.00	\$25,770.00	\$27,480.00	\$30,960.00	\$34,380.00	\$35,760.00	\$37,140.00	\$39,900.00	\$42,660.00	\$45,360.00
MAXIMUM RENT AT											
50%		\$501.25	\$536.88	\$572.50	\$645.00	\$716.25	\$745.00	\$773.75	\$831.25	\$888.75	\$945.00
60%		\$601.50	\$644.25	\$687.00	\$774.00	\$859.50	\$894.00	\$928.50	\$997.50	\$1,066.50	\$1,134.00
Tate County, MS HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$16,700.00	\$17,900.00	\$19,100.00	\$21,450.00	\$23,850.00	\$24,800.00	\$25,750.00	\$27,650.00	\$29,550.00	\$31,500.00
MFI \$47,700	60%	\$20,040.00	\$21,480.00	\$22,920.00	\$25,740.00	\$28,620.00	\$29,760.00	\$30,900.00	\$33,180.00	\$35,460.00	\$37,800.00
MAXIMUM RENT AT											
50%		\$417.50	\$447.50	\$477.50	\$536.25	\$596.25	\$620.00	\$643.75	\$691.25	\$738.75	\$787.50
60%		\$501.00	\$537.00	\$573.00	\$643.50	\$715.50	\$744.00	\$772.50	\$829.50	\$886.50	\$945.00
Tunica County, MS HMFA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,250.00	\$16,325.00	\$17,400.00	\$19,600.00	\$21,750.00	\$22,625.00	\$23,500.00	\$25,250.00	\$26,950.00	\$28,700.00
MFI \$29,300	60%	\$18,300.00	\$19,590.00	\$20,880.00	\$23,520.00	\$26,100.00	\$27,150.00	\$28,200.00	\$30,300.00	\$32,340.00	\$34,440.00
MAXIMUM RENT AT											
50%		\$381.25	\$408.13	\$435.00	\$490.00	\$543.75	\$565.63	\$587.50	\$631.25	\$673.75	\$717.50
60%		\$457.50	\$489.75	\$522.00	\$588.00	\$652.50	\$678.75	\$705.00	\$757.50	\$808.50	\$861.00
Pascagoula, MS MSA	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$17,650.00	\$18,900.00	\$20,150.00	\$22,700.00	\$25,200.00	\$26,200.00	\$27,200.00	\$29,250.00	\$31,250.00	\$33,250.00
MFI \$50,400	60%	\$21,180.00	\$22,680.00	\$24,180.00	\$27,240.00	\$30,240.00	\$31,440.00	\$32,640.00	\$35,100.00	\$37,500.00	\$39,900.00
MAXIMUM RENT AT											
50%		\$441.25	\$472.50	\$503.75	\$567.50	\$630.00	\$655.00	\$680.00	\$731.25	\$781.25	\$831.25
60%		\$529.50	\$567.00	\$604.50	\$681.00	\$756.00	\$786.00	\$816.00	\$877.50	\$937.50	\$997.50
ADAMS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$33,800	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00

Mississippi Home Corporation
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Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

ALCORN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,750.00	\$15,800.00	\$16,850.00	\$18,950.00	\$21,050.00	\$21,900.00	\$22,750.00	\$24,400.00	\$26,100.00	\$27,800.00
MFI \$42,100	60%	\$17,700.00	\$18,960.00	\$20,220.00	\$22,740.00	\$25,260.00	\$26,280.00	\$27,300.00	\$29,280.00	\$31,320.00	\$33,360.00
MAXIMUM RENT AT											
50%		\$368.75	\$395.00	\$421.25	\$473.75	\$526.25	\$547.50	\$568.75	\$610.00	\$652.50	\$695.00
60%		\$442.50	\$474.00	\$505.50	\$568.50	\$631.50	\$657.00	\$682.50	\$732.00	\$783.00	\$834.00
AMITE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$35,600	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
ATTALA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$35,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
BENTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,500	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
BOLIVAR CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$31,300	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
CALHOON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,900.00	\$14,900.00	\$15,900.00	\$17,850.00	\$19,850.00	\$20,650.00	\$21,450.00	\$23,050.00	\$24,600.00	\$26,200.00
MFI \$39,400	60%	\$16,680.00	\$17,880.00	\$19,080.00	\$21,420.00	\$23,820.00	\$24,780.00	\$25,740.00	\$27,660.00	\$29,520.00	\$31,440.00
MAXIMUM RENT AT											
50%		\$347.50	\$372.50	\$397.50	\$446.25	\$496.25	\$516.25	\$536.25	\$576.25	\$615.00	\$655.00
60%		\$417.00	\$447.00	\$477.00	\$535.50	\$595.50	\$619.50	\$643.50	\$691.50	\$738.00	\$786.00
CARROLL CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,450.00	\$15,475.00	\$16,500.00	\$18,600.00	\$20,650.00	\$21,475.00	\$22,300.00	\$23,950.00	\$25,600.00	\$27,250.00
MFI \$41,300	60%	\$17,340.00	\$18,570.00	\$19,800.00	\$22,320.00	\$24,780.00	\$25,770.00	\$26,760.00	\$28,740.00	\$30,720.00	\$32,700.00
MAXIMUM RENT AT											
50%		\$361.25	\$386.88	\$412.50	\$465.00	\$516.25	\$536.88	\$557.50	\$598.75	\$640.00	\$681.25
60%		\$433.50	\$464.25	\$495.00	\$558.00	\$619.50	\$644.25	\$669.00	\$718.50	\$768.00	\$817.50
CHICKASAW CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,925.00	\$15,900.00	\$17,900.00	\$19,900.00	\$20,700.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,250.00
MFI \$39,000	60%	\$16,740.00	\$17,910.00	\$19,080.00	\$21,480.00	\$23,880.00	\$24,840.00	\$25,800.00	\$27,720.00	\$29,640.00	\$31,500.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.13	\$397.50	\$447.50	\$497.50	\$517.50	\$537.50	\$577.50	\$617.50	\$656.25
60%		\$418.50	\$447.75	\$477.00	\$537.00	\$597.00	\$621.00	\$645.00	\$693.00	\$741.00	\$787.50
CHOCTAW CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$36,500	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
CLAIBORNE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,700	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
CLARKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,200.00	\$15,225.00	\$16,250.00	\$18,250.00	\$20,300.00	\$21,100.00	\$21,900.00	\$23,550.00	\$25,150.00	\$26,800.00
MFI \$38,200	60%	\$17,040.00	\$18,270.00	\$19,500.00	\$21,900.00	\$24,360.00	\$25,320.00	\$26,280.00	\$28,260.00	\$30,180.00	\$32,160.00
MAXIMUM RENT AT											
50%		\$355.00	\$380.63	\$406.25	\$456.25	\$507.50	\$527.50	\$547.50	\$588.75	\$628.75	\$670.00
60%		\$426.00	\$456.75	\$487.50	\$547.50	\$609.00	\$633.00	\$657.00	\$706.50	\$754.50	\$804.00

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Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

CLAY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,050.00	\$15,075.00	\$16,100.00	\$18,100.00	\$20,100.00	\$20,900.00	\$21,700.00	\$23,300.00	\$24,900.00	\$26,550.00
MFI \$40,200	60%	\$16,860.00	\$18,090.00	\$19,320.00	\$21,720.00	\$24,120.00	\$25,080.00	\$26,040.00	\$27,960.00	\$29,880.00	\$31,860.00
MAXIMUM RENT AT											
50%		\$351.25	\$376.88	\$402.50	\$452.50	\$502.50	\$522.50	\$542.50	\$582.50	\$622.50	\$663.75
60%		\$421.50	\$452.25	\$483.00	\$543.00	\$603.00	\$627.00	\$651.00	\$699.00	\$747.00	\$796.50
COAHOMA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$30,900	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
COVINGTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$36,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
FRANKLIN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$36,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
GREENE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,575.00	\$15,550.00	\$17,500.00	\$19,450.00	\$20,225.00	\$21,000.00	\$22,550.00	\$24,100.00	\$25,650.00
MFI \$38,200	60%	\$16,320.00	\$17,490.00	\$18,660.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
MAXIMUM RENT AT											
50%		\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
60%		\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
GRENADA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$37,800	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
MAXIMUM RENT AT											
50%		\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
60%		\$411.00	\$440.25	\$469.50	\$528.00	\$586.50	\$609.75	\$633.00	\$681.00	\$727.50	\$774.00
HOLMES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$25,100	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
HUMPHREYS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$27,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
ISSAQUENA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$27,800	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
ITAWAMBA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,100.00	\$16,175.00	\$17,250.00	\$19,400.00	\$21,550.00	\$22,400.00	\$23,250.00	\$25,000.00	\$26,700.00	\$28,450.00
MFI \$42,500	60%	\$18,120.00	\$19,410.00	\$20,700.00	\$23,280.00	\$25,860.00	\$26,880.00	\$27,900.00	\$30,000.00	\$32,040.00	\$34,140.00
MAXIMUM RENT AT											
50%		\$377.50	\$404.38	\$431.25	\$485.00	\$538.75	\$560.00	\$581.25	\$625.00	\$667.50	\$711.25
60%		\$453.00	\$485.25	\$517.50	\$582.00	\$646.50	\$672.00	\$697.50	\$750.00	\$801.00	\$853.50
JASPER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$35,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00

Mississippi Home Corporation
FY 2007
HOUSING TAX CREDITS
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EFFECTIVE 20- MARCH - 2007

Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

JEFFERSON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$27,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
JEFFERSON DA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$32,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
JONES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00	\$19,500.00	\$20,275.00	\$21,050.00	\$22,600.00	\$24,200.00	\$25,750.00
MFI \$38,500	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00	\$23,400.00	\$24,330.00	\$25,260.00	\$27,120.00	\$29,040.00	\$30,900.00
MAXIMUM RENT AT											
50%		\$341.25	\$365.63	\$390.00	\$438.75	\$487.50	\$506.88	\$526.25	\$565.00	\$605.00	\$643.75
60%		\$409.50	\$438.75	\$468.00	\$526.50	\$585.00	\$608.25	\$631.50	\$678.00	\$726.00	\$772.50
KEMPER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$35,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
LAFAYETTE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$17,950.00	\$19,225.00	\$20,500.00	\$23,100.00	\$25,650.00	\$26,675.00	\$27,700.00	\$29,750.00	\$31,800.00	\$33,850.00
MFI \$50,100	60%	\$21,540.00	\$23,070.00	\$24,600.00	\$27,720.00	\$30,780.00	\$32,010.00	\$33,240.00	\$35,700.00	\$38,160.00	\$40,620.00
MAXIMUM RENT AT											
50%		\$448.75	\$480.63	\$512.50	\$577.50	\$641.25	\$666.88	\$692.50	\$743.75	\$795.00	\$846.25
60%		\$538.50	\$576.75	\$615.00	\$693.00	\$769.50	\$800.25	\$831.00	\$892.50	\$954.00	\$1,015.50
LAUDERDALE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,950.00	\$17,075.00	\$18,200.00	\$20,500.00	\$22,750.00	\$23,650.00	\$24,550.00	\$26,400.00	\$28,200.00	\$30,050.00
MFI \$45,500	60%	\$19,140.00	\$20,490.00	\$21,840.00	\$24,600.00	\$27,300.00	\$28,380.00	\$29,460.00	\$31,680.00	\$33,840.00	\$36,060.00
MAXIMUM RENT AT											
50%		\$398.75	\$426.88	\$455.00	\$512.50	\$568.75	\$591.25	\$613.75	\$660.00	\$705.00	\$751.25
60%		\$478.50	\$512.25	\$546.00	\$615.00	\$682.50	\$709.50	\$736.50	\$792.00	\$846.00	\$901.50
LAWRENCE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$16,850.00	\$18,050.00	\$19,250.00	\$21,650.00	\$24,050.00	\$25,000.00	\$25,950.00	\$27,900.00	\$29,800.00	\$31,750.00
MFI \$44,800	60%	\$20,220.00	\$21,660.00	\$23,100.00	\$25,980.00	\$28,860.00	\$30,000.00	\$31,140.00	\$33,480.00	\$35,760.00	\$38,100.00
MAXIMUM RENT AT											
50%		\$421.25	\$451.25	\$481.25	\$541.25	\$601.25	\$625.00	\$648.75	\$697.50	\$745.00	\$793.75
60%		\$505.50	\$541.50	\$577.50	\$649.50	\$721.50	\$750.00	\$778.50	\$837.00	\$894.00	\$952.50
LEAKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$37,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
LEE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$17,800.00	\$19,050.00	\$20,300.00	\$22,850.00	\$25,400.00	\$26,425.00	\$27,450.00	\$29,450.00	\$31,500.00	\$33,550.00
MFI \$50,700	60%	\$21,360.00	\$22,860.00	\$24,360.00	\$27,420.00	\$30,480.00	\$31,710.00	\$32,940.00	\$35,340.00	\$37,800.00	\$40,260.00
MAXIMUM RENT AT											
50%		\$445.00	\$476.25	\$507.50	\$571.25	\$635.00	\$660.63	\$686.25	\$736.25	\$787.50	\$838.75
60%		\$534.00	\$571.50	\$609.00	\$685.50	\$762.00	\$792.75	\$823.50	\$883.50	\$945.00	\$1,006.50
LEFLORE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$30,200	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
LINCOLN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,800.00	\$14,775.00	\$15,750.00	\$17,750.00	\$19,700.00	\$20,500.00	\$21,300.00	\$22,850.00	\$24,450.00	\$26,000.00
MFI \$38,700	60%	\$16,560.00	\$17,730.00	\$18,900.00	\$21,300.00	\$23,640.00	\$24,600.00	\$25,560.00	\$27,420.00	\$29,340.00	\$31,200.00
MAXIMUM RENT AT											
50%		\$345.00	\$369.38	\$393.75	\$443.75	\$492.50	\$512.50	\$532.50	\$571.25	\$611.25	\$650.00
60%		\$414.00	\$443.25	\$472.50	\$532.50	\$591.00	\$615.00	\$639.00	\$685.50	\$733.50	\$780.00

Mississippi Home Corporation
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HOUSING TAX CREDITS
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Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

LOWNDES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,600.00	\$16,700.00	\$17,800.00	\$20,050.00	\$22,250.00	\$23,150.00	\$24,050.00	\$25,800.00	\$27,600.00	\$29,350.00
MFI \$43,800	60%	\$18,720.00	\$20,040.00	\$21,360.00	\$24,060.00	\$26,700.00	\$27,780.00	\$28,860.00	\$30,960.00	\$33,120.00	\$35,220.00
MAXIMUM RENT AT											
50%		\$390.00	\$417.50	\$445.00	\$501.25	\$556.25	\$578.75	\$601.25	\$645.00	\$690.00	\$733.75
60%		\$468.00	\$501.00	\$534.00	\$601.50	\$667.50	\$694.50	\$721.50	\$774.00	\$828.00	\$880.50
MARION CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,800	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
MONROE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,800.00	\$15,850.00	\$16,900.00	\$19,050.00	\$21,150.00	\$22,000.00	\$22,850.00	\$24,550.00	\$26,250.00	\$27,900.00
MFI \$42,300	60%	\$17,760.00	\$19,020.00	\$20,280.00	\$22,860.00	\$25,380.00	\$26,400.00	\$27,420.00	\$29,460.00	\$31,500.00	\$33,480.00
MAXIMUM RENT AT											
50%		\$370.00	\$396.25	\$422.50	\$476.25	\$528.75	\$550.00	\$571.25	\$613.75	\$656.25	\$697.50
60%		\$444.00	\$475.50	\$507.00	\$571.50	\$634.50	\$660.00	\$685.50	\$736.50	\$787.50	\$837.00
MONTGOMERY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$36,400	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
NESHOBA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$38,600	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
NEWTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,925.00	\$15,900.00	\$17,900.00	\$19,900.00	\$20,700.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,250.00
MFI \$39,800	60%	\$16,740.00	\$17,910.00	\$19,080.00	\$21,480.00	\$23,880.00	\$24,840.00	\$25,800.00	\$27,720.00	\$29,640.00	\$31,500.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.13	\$397.50	\$447.50	\$497.50	\$517.50	\$537.50	\$577.50	\$617.50	\$656.25
60%		\$418.50	\$447.75	\$477.00	\$537.00	\$597.00	\$621.00	\$645.00	\$693.00	\$741.00	\$787.50
NOXUBEE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$31,700	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
OKTIBBEHA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,800.00	\$16,950.00	\$18,100.00	\$20,350.00	\$22,600.00	\$23,500.00	\$24,400.00	\$26,200.00	\$28,000.00	\$29,850.00
MFI \$42,300	60%	\$18,960.00	\$20,340.00	\$21,720.00	\$24,420.00	\$27,120.00	\$28,200.00	\$29,280.00	\$31,440.00	\$33,600.00	\$35,820.00
MAXIMUM RENT AT											
50%		\$395.00	\$423.75	\$452.50	\$508.75	\$565.00	\$587.50	\$610.00	\$655.00	\$700.00	\$746.25
60%		\$474.00	\$508.50	\$543.00	\$610.50	\$678.00	\$705.00	\$732.00	\$786.00	\$840.00	\$895.50
PANOLA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$37,600	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
PEARL RIVER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,100.00	\$16,200.00	\$17,300.00	\$19,450.00	\$21,600.00	\$22,475.00	\$23,350.00	\$25,050.00	\$26,800.00	\$28,500.00
MFI \$42,000	60%	\$18,120.00	\$19,440.00	\$20,760.00	\$23,340.00	\$25,920.00	\$26,970.00	\$28,020.00	\$30,060.00	\$32,160.00	\$34,200.00
MAXIMUM RENT AT											
50%		\$377.50	\$405.00	\$432.50	\$486.25	\$540.00	\$561.88	\$583.75	\$626.25	\$670.00	\$712.50
60%		\$453.00	\$486.00	\$519.00	\$583.50	\$648.00	\$674.25	\$700.50	\$751.50	\$804.00	\$855.00
PIKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00

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Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

PONTOTOC CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$16,050.00	\$17,200.00	\$18,350.00	\$20,650.00	\$22,950.00	\$23,875.00	\$24,800.00	\$26,600.00	\$28,450.00	\$30,300.00
MFI \$45,900	60%	\$19,260.00	\$20,640.00	\$22,020.00	\$24,780.00	\$27,540.00	\$28,650.00	\$29,760.00	\$31,920.00	\$34,140.00	\$36,360.00
MAXIMUM RENT AT											
50%		\$401.25	\$430.00	\$458.75	\$516.25	\$573.75	\$596.88	\$620.00	\$665.00	\$711.25	\$757.50
60%		\$481.50	\$516.00	\$550.50	\$619.50	\$688.50	\$716.25	\$744.00	\$798.00	\$853.50	\$909.00
PRENTISS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,200.00	\$15,200.00	\$16,200.00	\$18,250.00	\$20,250.00	\$21,050.00	\$21,850.00	\$23,500.00	\$25,100.00	\$26,750.00
MFI \$40,500	60%	\$17,040.00	\$18,240.00	\$19,440.00	\$21,900.00	\$24,300.00	\$25,260.00	\$26,220.00	\$28,200.00	\$30,120.00	\$32,100.00
MAXIMUM RENT AT											
50%		\$355.00	\$380.00	\$405.00	\$456.25	\$506.25	\$526.25	\$546.25	\$587.50	\$627.50	\$668.75
60%		\$426.00	\$456.00	\$486.00	\$547.50	\$607.50	\$631.50	\$655.50	\$705.00	\$753.00	\$802.50
QUITMAN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$29,300	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
SCOTT CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$36,600	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
SHARKEY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$30,900	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
SMITH CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,000.00	\$16,075.00	\$17,150.00	\$19,300.00	\$21,450.00	\$22,300.00	\$23,150.00	\$24,900.00	\$26,600.00	\$28,300.00
MFI \$42,700	60%	\$18,000.00	\$19,290.00	\$20,580.00	\$23,160.00	\$25,740.00	\$26,760.00	\$27,780.00	\$29,880.00	\$31,920.00	\$33,960.00
MAXIMUM RENT AT											
50%		\$375.00	\$401.88	\$428.75	\$482.50	\$536.25	\$557.50	\$578.75	\$622.50	\$665.00	\$707.50
60%		\$450.00	\$482.25	\$514.50	\$579.00	\$643.50	\$669.00	\$694.50	\$747.00	\$798.00	\$849.00
SUNFLOWER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$33,100	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
TALLAHATCHIE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$30,700	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
TIPPAH CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,950.00	\$15,950.00	\$17,950.00	\$19,950.00	\$20,750.00	\$21,550.00	\$23,150.00	\$24,750.00	\$26,350.00
MFI \$39,400	60%	\$16,740.00	\$17,940.00	\$19,140.00	\$21,540.00	\$23,940.00	\$24,900.00	\$25,860.00	\$27,780.00	\$29,700.00	\$31,620.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.75	\$398.75	\$448.75	\$498.75	\$518.75	\$538.75	\$578.75	\$618.75	\$658.75
60%		\$418.50	\$448.50	\$478.50	\$538.50	\$598.50	\$622.50	\$646.50	\$694.50	\$742.50	\$790.50
TISHOMINGO CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,250.00	\$15,275.00	\$16,300.00	\$18,300.00	\$20,350.00	\$21,175.00	\$22,000.00	\$23,600.00	\$25,250.00	\$26,850.00
MFI \$39,500	60%	\$17,100.00	\$18,330.00	\$19,560.00	\$21,960.00	\$24,420.00	\$25,410.00	\$26,400.00	\$28,320.00	\$30,300.00	\$32,220.00
MAXIMUM RENT AT											
50%		\$356.25	\$381.88	\$407.50	\$457.50	\$508.75	\$529.38	\$550.00	\$590.00	\$631.25	\$671.25
60%		\$427.50	\$458.25	\$489.00	\$549.00	\$610.50	\$635.25	\$660.00	\$708.00	\$757.50	\$805.50
UNION CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,800.00	\$16,950.00	\$18,100.00	\$20,350.00	\$22,600.00	\$23,500.00	\$24,400.00	\$26,200.00	\$28,000.00	\$29,850.00
MFI \$45,200	60%	\$18,960.00	\$20,340.00	\$21,720.00	\$24,420.00	\$27,120.00	\$28,200.00	\$29,280.00	\$31,440.00	\$33,600.00	\$35,820.00
MAXIMUM RENT AT											
50%		\$395.00	\$423.75	\$452.50	\$508.75	\$565.00	\$587.50	\$610.00	\$655.00	\$700.00	\$746.25
60%		\$474.00	\$508.50	\$543.00	\$610.50	\$678.00	\$705.00	\$732.00	\$786.00	\$840.00	\$895.50

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Note: Income Amounts for 1.5 and 4.5 persons are for rent calculation purposes only!

WALTHALL CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$33,700	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
WARREN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$17,350.00	\$18,575.00	\$19,800.00	\$22,300.00	\$24,750.00	\$25,750.00	\$26,750.00	\$28,700.00	\$30,700.00	\$32,650.00
MFI \$48,500	60%	\$20,820.00	\$22,290.00	\$23,760.00	\$26,760.00	\$29,700.00	\$30,900.00	\$32,100.00	\$34,440.00	\$36,840.00	\$39,180.00
MAXIMUM RENT AT											
50%		\$433.75	\$464.38	\$495.00	\$557.50	\$618.75	\$643.75	\$668.75	\$717.50	\$767.50	\$816.25
60%		\$520.50	\$557.25	\$594.00	\$669.00	\$742.50	\$772.50	\$802.50	\$861.00	\$921.00	\$979.50
WASHINGTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,800	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
WAYNE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$35,300	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
WEBSTER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,300.00	\$15,300.00	\$16,300.00	\$18,350.00	\$20,400.00	\$21,225.00	\$22,050.00	\$23,650.00	\$25,300.00	\$26,950.00
MFI \$40,800	60%	\$17,160.00	\$18,360.00	\$19,560.00	\$22,020.00	\$24,480.00	\$25,470.00	\$26,460.00	\$28,380.00	\$30,360.00	\$32,340.00
MAXIMUM RENT AT											
50%		\$357.50	\$382.50	\$407.50	\$458.75	\$510.00	\$530.63	\$551.25	\$591.25	\$632.50	\$673.75
60%		\$429.00	\$459.00	\$489.00	\$550.50	\$612.00	\$636.75	\$661.50	\$709.50	\$759.00	\$808.50
WILKINSON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$27,300	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
WINSTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,575.00	\$15,550.00	\$17,500.00	\$19,450.00	\$20,225.00	\$21,000.00	\$22,550.00	\$24,100.00	\$25,650.00
MFI \$38,900	60%	\$16,320.00	\$17,490.00	\$18,660.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
MAXIMUM RENT AT											
50%		\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
60%		\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
YALOBUSHA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$37,300	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00
YAZOO CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,550.00	\$15,500.00	\$17,450.00	\$19,400.00	\$20,175.00	\$20,950.00	\$22,500.00	\$24,050.00	\$25,600.00
MFI \$34,000	60%	\$16,320.00	\$17,460.00	\$18,600.00	\$20,940.00	\$23,280.00	\$24,210.00	\$25,140.00	\$27,000.00	\$28,860.00	\$30,720.00
MAXIMUM RENT AT											
50%		\$340.00	\$363.75	\$387.50	\$436.25	\$485.00	\$504.38	\$523.75	\$562.50	\$601.25	\$640.00
60%		\$408.00	\$436.50	\$465.00	\$523.50	\$582.00	\$605.25	\$628.50	\$675.00	\$721.50	\$768.00

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		PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
Gulfport-Biloxi, MS		50%	\$16,400.00	\$17,575.00	\$18,750.00	\$21,100.00	\$23,450.00	\$24,400.00	\$25,350.00	\$27,200.00	\$29,100.00	\$30,950.00
MFI \$46,800		60%	\$19,680.00	\$21,090.00	\$22,500.00	\$25,320.00	\$28,140.00	\$29,280.00	\$30,420.00	\$32,640.00	\$34,920.00	\$37,140.00
MAXIMUM RENT AT												
50%			\$410.00	\$439.38	\$468.75	\$527.50	\$586.25	\$610.00	\$633.75	\$680.00	\$727.50	\$773.75
60%			\$492.00	\$527.25	\$562.50	\$633.00	\$703.50	\$732.00	\$760.50	\$816.00	\$873.00	\$928.50
Hattiesburg, MS												
MFI \$43,000		50%	\$15,050.00	\$16,125.00	\$17,200.00	\$19,350.00	\$21,500.00	\$22,350.00	\$23,200.00	\$24,950.00	\$26,650.00	\$28,400.00
60%			\$18,060.00	\$19,350.00	\$20,640.00	\$23,220.00	\$25,800.00	\$26,820.00	\$27,840.00	\$29,940.00	\$31,980.00	\$34,080.00
MAXIMUM RENT AT												
50%			\$376.25	\$403.13	\$430.00	\$483.75	\$537.50	\$558.75	\$580.00	\$623.75	\$666.25	\$710.00
60%			\$451.50	\$483.75	\$516.00	\$580.50	\$645.00	\$670.50	\$696.00	\$748.50	\$799.50	\$852.00
Jackson, MS HMFA												
MFI \$49,900		50%	\$18,600.00	\$19,925.00	\$21,250.00	\$23,900.00	\$26,550.00	\$27,600.00	\$28,650.00	\$30,800.00	\$32,900.00	\$35,050.00
60%			\$22,320.00	\$23,910.00	\$25,500.00	\$28,680.00	\$31,860.00	\$33,120.00	\$34,380.00	\$36,960.00	\$39,480.00	\$42,060.00
MAXIMUM RENT AT												
50%			\$485.00	\$498.13	\$531.25	\$597.50	\$663.75	\$690.00	\$716.25	\$770.00	\$822.50	\$876.25
60%			\$558.00	\$597.75	\$637.50	\$717.00	\$796.50	\$828.00	\$859.50	\$924.00	\$987.00	\$1,051.50
Simpson County, MS HMFA												
MFI \$36,000		50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
60%			\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT												
50%			\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%			\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
Marshall County, MS HMFA												
MFI \$38,600		50%	\$15,250.00	\$16,325.00	\$17,400.00	\$19,600.00	\$21,750.00	\$22,625.00	\$23,500.00	\$25,250.00	\$26,950.00	\$28,700.00
60%			\$18,300.00	\$19,590.00	\$20,880.00	\$23,520.00	\$26,100.00	\$27,150.00	\$28,200.00	\$30,300.00	\$32,340.00	\$34,440.00
MAXIMUM RENT AT												
50%			\$381.25	\$408.13	\$435.00	\$490.00	\$543.75	\$565.63	\$587.50	\$631.25	\$673.75	\$717.50
60%			\$457.50	\$489.75	\$522.00	\$588.00	\$652.50	\$678.75	\$705.00	\$757.50	\$808.50	\$861.00
Memphis, TN-MS-AR HMFA												
MFI \$54,400		50%	\$20,050.00	\$21,475.00	\$22,900.00	\$25,800.00	\$28,650.00	\$29,800.00	\$30,950.00	\$33,250.00	\$35,550.00	\$37,800.00
60%			\$24,060.00	\$25,770.00	\$27,480.00	\$30,960.00	\$34,380.00	\$35,760.00	\$37,140.00	\$39,900.00	\$42,660.00	\$45,360.00
MAXIMUM RENT AT												
50%			\$501.25	\$536.88	\$572.50	\$645.00	\$716.25	\$745.00	\$773.75	\$831.25	\$888.75	\$945.00
60%			\$601.50	\$644.25	\$687.00	\$774.00	\$859.50	\$894.00	\$928.50	\$997.50	\$1,066.50	\$1,134.00
Tate County, MS HMFA												
MFI \$45,800		50%	\$16,050.00	\$17,175.00	\$18,300.00	\$20,600.00	\$22,900.00	\$23,825.00	\$24,750.00	\$26,550.00	\$28,400.00	\$30,250.00
60%			\$19,260.00	\$20,610.00	\$21,960.00	\$24,720.00	\$27,480.00	\$28,590.00	\$29,700.00	\$31,860.00	\$34,080.00	\$36,300.00
MAXIMUM RENT AT												
50%			\$401.25	\$429.38	\$457.50	\$515.00	\$572.50	\$595.63	\$618.75	\$663.75	\$710.00	\$756.25
60%			\$481.50	\$515.25	\$549.00	\$618.00	\$687.00	\$714.75	\$742.50	\$796.50	\$852.00	\$907.50
Tunica County, MS HMFA												
MFI \$28,500		50%	\$15,250.00	\$16,325.00	\$17,400.00	\$19,600.00	\$21,750.00	\$22,625.00	\$23,500.00	\$25,250.00	\$26,950.00	\$28,700.00
60%			\$18,300.00	\$19,590.00	\$20,880.00	\$23,520.00	\$26,100.00	\$27,150.00	\$28,200.00	\$30,300.00	\$32,340.00	\$34,440.00
MAXIMUM RENT AT												
50%			\$381.25	\$408.13	\$435.00	\$490.00	\$543.75	\$565.63	\$587.50	\$631.25	\$673.75	\$717.50
60%			\$457.50	\$489.75	\$522.00	\$588.00	\$652.50	\$678.75	\$705.00	\$757.50	\$808.50	\$861.00
Pascagoula, MS MSA												
MFI \$48,300		50%	\$16,900.00	\$18,100.00	\$19,300.00	\$21,750.00	\$24,150.00	\$25,125.00	\$26,100.00	\$28,000.00	\$29,950.00	\$31,900.00
60%			\$20,280.00	\$21,720.00	\$23,160.00	\$26,100.00	\$28,980.00	\$30,150.00	\$31,320.00	\$33,600.00	\$35,940.00	\$38,280.00
MAXIMUM RENT AT												
50%			\$422.50	\$452.50	\$482.50	\$543.75	\$603.75	\$628.13	\$652.50	\$700.00	\$748.75	\$797.50
60%			\$507.00	\$543.00	\$579.00	\$652.50	\$724.50	\$753.75	\$783.00	\$840.00	\$898.50	\$957.00
ADAMS CO.												
MFI \$32,900		50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
60%			\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT												
50%			\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%			\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
ALCORN CO.												
MFI \$29,500		50%	\$13,850.00	\$14,850.00	\$15,850.00	\$17,800.00	\$19,800.00	\$20,600.00	\$21,400.00	\$22,950.00	\$24,550.00	\$26,150.00
60%			\$16,620.00	\$17,820.00	\$19,020.00	\$21,360.00	\$23,760.00	\$24,720.00	\$25,680.00	\$27,940.00	\$29,460.00	\$31,380.00
MAXIMUM RENT AT												
50%			\$346.25	\$371.25	\$396.25	\$445.00	\$495.00	\$515.00	\$535.00	\$573.75	\$613.75	\$653.75
60%			\$415.50	\$445.50	\$475.50	\$534.00	\$594.00	\$618.00	\$642.00	\$688.50	\$736.50	\$784.50

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

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HOUSING TAX CREDITS
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AMITE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$32,500	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%										
	60%	\$320.00	\$340.00	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
ATTALA CO.											
	50%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
MFI \$36,900	50%	\$13,450.00	\$14,425.00	\$15,400.00	\$17,300.00	\$19,250.00	\$20,000.00	\$20,750.00	\$22,300.00	\$23,850.00	\$25,400.00
MAXIMUM RENT AT	60%	\$16,140.00	\$17,310.00	\$18,480.00	\$20,760.00	\$23,100.00	\$24,000.00	\$24,900.00	\$26,760.00	\$28,620.00	\$30,480.00
	50%										
	60%	\$336.25	\$360.63	\$385.00	\$432.50	\$481.25	\$500.00	\$518.75	\$557.50	\$596.25	\$635.00
BENTON CO.											
	50%	\$403.50	\$432.75	\$462.00	\$519.00	\$577.50	\$600.00	\$622.50	\$669.00	\$715.50	\$762.00
MFI \$36,700	50%	\$12,850.00	\$13,775.00	\$14,700.00	\$16,500.00	\$18,350.00	\$19,075.00	\$19,800.00	\$21,300.00	\$22,750.00	\$24,200.00
MAXIMUM RENT AT	60%	\$15,420.00	\$16,530.00	\$17,640.00	\$19,800.00	\$22,020.00	\$22,890.00	\$23,760.00	\$25,560.00	\$27,300.00	\$29,040.00
	50%										
	60%	\$321.25	\$344.38	\$367.50	\$412.50	\$458.75	\$476.88	\$495.00	\$532.50	\$568.75	\$605.00
BOLIVAR CO.											
	50%	\$385.50	\$413.25	\$441.00	\$495.00	\$550.50	\$572.25	\$594.00	\$639.00	\$682.50	\$726.00
MFI \$29,900	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%										
	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
CALHOUN CO.											
	50%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
MFI \$36,400	50%	\$13,900.00	\$14,900.00	\$15,900.00	\$17,850.00	\$19,850.00	\$20,650.00	\$21,450.00	\$23,000.00	\$24,600.00	\$26,200.00
MAXIMUM RENT AT	60%	\$16,680.00	\$17,880.00	\$19,080.00	\$21,420.00	\$23,820.00	\$24,780.00	\$25,740.00	\$27,680.00	\$29,520.00	\$31,440.00
	50%										
	60%	\$347.50	\$372.50	\$397.50	\$446.25	\$496.25	\$516.25	\$536.25	\$576.25	\$615.00	\$655.00
CARROLL CO.											
	50%	\$417.00	\$447.00	\$477.00	\$535.50	\$595.50	\$619.50	\$643.50	\$691.50	\$738.00	\$786.00
MFI \$38,600	50%	\$13,700.00	\$14,700.00	\$15,700.00	\$17,650.00	\$19,600.00	\$20,375.00	\$21,150.00	\$22,750.00	\$24,300.00	\$25,850.00
MAXIMUM RENT AT	60%	\$16,440.00	\$17,640.00	\$18,840.00	\$21,180.00	\$23,520.00	\$24,450.00	\$25,380.00	\$27,300.00	\$29,160.00	\$31,020.00
	50%										
	60%	\$342.50	\$367.50	\$392.50	\$441.25	\$490.00	\$509.38	\$528.75	\$568.75	\$607.50	\$646.25
CHICKASAW CO.											
	50%	\$411.00	\$441.00	\$471.00	\$529.50	\$588.00	\$611.25	\$634.50	\$682.50	\$729.00	\$775.50
MFI \$38,200	50%	\$13,950.00	\$14,925.00	\$15,900.00	\$17,850.00	\$19,800.00	\$20,700.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,250.00
MAXIMUM RENT AT	60%	\$16,740.00	\$17,910.00	\$19,080.00	\$21,480.00	\$23,880.00	\$24,840.00	\$25,800.00	\$27,720.00	\$29,640.00	\$31,500.00
	50%										
	60%	\$348.75	\$373.13	\$397.50	\$447.50	\$497.50	\$517.50	\$537.50	\$577.50	\$617.50	\$656.25
CHOCTAW CO.											
	50%	\$418.50	\$447.75	\$477.00	\$537.00	\$597.00	\$621.00	\$645.00	\$693.00	\$741.00	\$787.50
MFI \$36,300	50%	\$13,300.00	\$14,250.00	\$15,200.00	\$17,100.00	\$19,000.00	\$19,750.00	\$20,500.00	\$22,050.00	\$23,550.00	\$25,100.00
MAXIMUM RENT AT	60%	\$15,960.00	\$17,100.00	\$18,240.00	\$20,520.00	\$22,800.00	\$23,700.00	\$24,600.00	\$26,460.00	\$28,260.00	\$30,120.00
	50%										
	60%	\$332.50	\$356.25	\$380.00	\$427.50	\$475.00	\$493.75	\$512.50	\$551.25	\$588.75	\$627.50
CLAIBORNE CO.											
	50%	\$399.00	\$427.50	\$456.00	\$513.00	\$570.00	\$592.50	\$615.00	\$661.50	\$706.50	\$753.00
MFI \$31,600	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%										
	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
CLARKE CO.											
	50%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
MFI \$34,600	50%	\$14,200.00	\$15,225.00	\$16,250.00	\$18,250.00	\$20,300.00	\$21,100.00	\$21,900.00	\$23,550.00	\$25,150.00	\$26,800.00
MAXIMUM RENT AT	60%	\$17,040.00	\$18,270.00	\$19,500.00	\$21,900.00	\$24,360.00	\$25,320.00	\$26,280.00	\$28,260.00	\$30,180.00	\$32,160.00
	50%										
	60%	\$355.00	\$380.63	\$406.25	\$456.25	\$507.50	\$527.50	\$547.50	\$588.75	\$628.75	\$670.00
CLAY CO.											
	50%	\$426.00	\$456.75	\$487.50	\$547.50	\$609.00	\$633.00	\$657.00	\$706.50	\$754.50	\$804.00
MFI \$37,200	50%	\$13,000.00	\$13,950.00	\$14,900.00	\$16,750.00	\$18,600.00	\$19,350.00	\$20,100.00	\$21,600.00	\$23,050.00	\$24,550.00
MAXIMUM RENT AT	60%	\$15,600.00	\$16,740.00	\$17,880.00	\$20,100.00	\$22,320.00	\$23,220.00	\$24,120.00	\$25,920.00	\$27,660.00	\$29,460.00
	50%										
	60%	\$325.00	\$348.75	\$372.50	\$418.75	\$465.00	\$483.75	\$502.50	\$540.00	\$576.25	\$613.75
	60%	\$390.00	\$418.50	\$447.00	\$502.50	\$558.00	\$580.50	\$603.00	\$648.00	\$691.50	\$736.50

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

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HOUSING TAX CREDITS
INCOME AND RENT LIMITS
ISSUED 8- MARCH - 2006

COAHOMA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$30,200	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
COVINGTON CO.	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$34,600	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
FRANKLIN CO.	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$36,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
GREENE CO.	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$38,400	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT	60%	\$16,440.00	\$17,520.00	\$18,600.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
	50%	\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
GRENADA CO.	60%	\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$36,100	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
	50%	\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
HOLMES CO.	60%	\$411.00	\$440.25	\$469.50	\$528.00	\$586.50	\$609.75	\$633.00	\$681.00	\$727.50	\$774.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$24,800	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT	60%	\$16,440.00	\$17,520.00	\$18,600.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
	50%	\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
HUMPHREYS CO.	60%	\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$25,800	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
	50%	\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
ISSAQUEUENA CO.	60%	\$411.00	\$440.25	\$469.50	\$528.00	\$586.50	\$609.75	\$633.00	\$681.00	\$727.50	\$774.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$26,300	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT	60%	\$16,440.00	\$17,520.00	\$18,600.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
	50%	\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
ITAWAMBA CO.	60%	\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$41,600	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
	50%	\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
JASPER CO.	60%	\$411.00	\$440.25	\$469.50	\$528.00	\$586.50	\$609.75	\$633.00	\$681.00	\$727.50	\$774.00
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$35,200	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT	60%	\$16,440.00	\$17,520.00	\$18,600.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
	50%	\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
JEFFERSON CO.	60%	\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$28,000	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
	50%	\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
MAXIMUM RENT AT	60%	\$16,440.00	\$17,520.00	\$18,600.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
	50%	\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

FY 2006
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
ISSUED 8 - MARCH - 2006

JEFFERSON DA CO.		PERCENT OF MEDIAN		1 PERSON		1.5 PERSONS		2 PERSONS		3 PERSONS		4 PERSONS		4.5 PERSONS		5 PERSONS		6 PERSONS		7 PERSONS		8 PERSONS	
MFI \$30,300		50%		\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$19,700.00	\$21,150.00	\$22,600.00	\$24,050.00	\$25,500.00	\$26,950.00	\$28,400.00	\$29,850.00	\$31,300.00	\$32,750.00	\$34,200.00	\$35,650.00	\$37,100.00	\$38,550.00	
MAXIMUM RENT AT 50%		60%		\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$24,100.00	\$26,300.00	\$28,500.00	\$30,700.00	\$32,900.00	\$35,100.00	\$37,300.00	\$39,500.00	\$41,700.00	\$43,900.00	\$46,100.00	\$48,300.00	\$50,500.00	\$52,700.00	
JONES CO.																							
				\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$501.25	\$546.25	\$591.25	\$636.25	\$681.25	\$726.25	\$771.25	\$816.25	\$861.25	\$906.25	\$951.25	\$996.25	\$1,041.25	\$1,086.25	
MAXIMUM RENT AT 50%		60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$601.50	\$655.50	\$709.50	\$763.50	\$817.50	\$871.50	\$925.50	\$979.50	\$1,033.50	\$1,087.50	\$1,141.50	\$1,195.50	\$1,249.50	\$1,303.50	
MFI \$39,100		50%		\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00	\$19,500.00	\$21,450.00	\$23,400.00	\$25,350.00	\$27,300.00	\$29,250.00	\$31,200.00	\$33,150.00	\$35,100.00	\$37,050.00	\$39,000.00	\$40,950.00	\$42,900.00	\$44,850.00	\$46,800.00	
MAXIMUM RENT AT 50%		60%		\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00	\$23,400.00	\$25,740.00	\$28,080.00	\$30,420.00	\$32,760.00	\$35,100.00	\$37,440.00	\$39,780.00	\$42,120.00	\$44,460.00	\$46,800.00	\$49,140.00	\$51,480.00	\$53,820.00	\$56,160.00	
KEMPER CO.																							
				\$341.25	\$365.63	\$390.00	\$438.75	\$487.50	\$536.25	\$585.00	\$633.75	\$682.50	\$731.25	\$780.00	\$828.75	\$877.50	\$926.25	\$975.00	\$1,023.75	\$1,072.50	\$1,121.25	\$1,169.75	
MAXIMUM RENT AT 50%		60%		\$409.50	\$438.75	\$468.00	\$526.50	\$585.00	\$643.50	\$702.00	\$760.50	\$819.00	\$877.50	\$936.00	\$994.50	\$1,053.00	\$1,111.50	\$1,170.00	\$1,228.50	\$1,287.00	\$1,345.50	\$1,404.00	
MFI \$35,300		50%		\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$19,700.00	\$21,150.00	\$22,600.00	\$24,050.00	\$25,500.00	\$26,950.00	\$28,400.00	\$29,850.00	\$31,300.00	\$32,750.00	\$34,200.00	\$35,650.00	\$37,100.00	\$38,550.00	
MAXIMUM RENT AT 50%		60%		\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$24,100.00	\$26,300.00	\$28,500.00	\$30,700.00	\$32,900.00	\$35,100.00	\$37,300.00	\$39,500.00	\$41,700.00	\$43,900.00	\$46,100.00	\$48,300.00	\$50,500.00	\$52,700.00	
LAFAYETTE CO.																							
				\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$501.25	\$546.25	\$591.25	\$636.25	\$681.25	\$726.25	\$771.25	\$816.25	\$861.25	\$906.25	\$951.25	\$996.25	\$1,041.25	\$1,086.25	
MAXIMUM RENT AT 50%		60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$601.50	\$655.50	\$709.50	\$763.50	\$817.50	\$871.50	\$925.50	\$979.50	\$1,033.50	\$1,087.50	\$1,141.50	\$1,195.50	\$1,249.50	\$1,303.50	
MFI \$51,300		50%		\$17,950.00	\$19,225.00	\$20,500.00	\$23,100.00	\$25,650.00	\$28,200.00	\$30,750.00	\$33,300.00	\$35,850.00	\$38,400.00	\$40,950.00	\$43,500.00	\$46,050.00	\$48,600.00	\$51,150.00	\$53,700.00	\$56,250.00	\$58,800.00	\$61,350.00	
MAXIMUM RENT AT 50%		60%		\$21,540.00	\$23,070.00	\$24,600.00	\$27,720.00	\$30,760.00	\$33,800.00	\$36,840.00	\$39,880.00	\$42,920.00	\$45,960.00	\$49,000.00	\$52,040.00	\$55,080.00	\$58,120.00	\$61,160.00	\$64,200.00	\$67,240.00	\$70,280.00	\$73,320.00	
LAUDERDALE CO.																							
				\$448.75	\$480.63	\$512.50	\$577.50	\$641.25	\$705.00	\$768.75	\$832.50	\$896.25	\$960.00	\$1,023.75	\$1,087.50	\$1,151.25	\$1,215.00	\$1,278.75	\$1,342.50	\$1,406.25	\$1,470.00	\$1,533.75	
MAXIMUM RENT AT 50%		60%		\$538.50	\$576.75	\$615.00	\$693.00	\$769.50	\$846.00	\$922.50	\$999.00	\$1,075.50	\$1,152.00	\$1,228.50	\$1,305.00	\$1,381.50	\$1,458.00	\$1,534.50	\$1,611.00	\$1,687.50	\$1,764.00	\$1,840.50	
MFI \$42,800		50%		\$15,000.00	\$16,050.00	\$17,100.00	\$19,250.00	\$21,400.00	\$23,550.00	\$25,700.00	\$27,850.00	\$30,000.00	\$32,150.00	\$34,300.00	\$36,450.00	\$38,600.00	\$40,750.00	\$42,900.00	\$45,050.00	\$47,200.00	\$49,350.00	\$51,500.00	
MAXIMUM RENT AT 50%		60%		\$18,000.00	\$19,260.00	\$20,520.00	\$23,100.00	\$25,680.00	\$28,260.00	\$30,840.00	\$33,420.00	\$36,000.00	\$38,580.00	\$41,160.00	\$43,740.00	\$46,320.00	\$48,900.00	\$51,480.00	\$54,060.00	\$56,640.00	\$59,220.00	\$61,800.00	
LAWRENCE CO.																							
				\$375.00	\$401.25	\$427.50	\$481.25	\$535.00	\$588.75	\$642.50	\$696.25	\$750.00	\$803.75	\$857.50	\$911.25	\$965.00	\$1,018.75	\$1,072.50	\$1,126.25	\$1,180.00	\$1,233.75	\$1,287.50	
MAXIMUM RENT AT 50%		60%		\$460.00	\$481.50	\$513.00	\$577.50	\$642.00	\$706.50	\$771.00	\$835.50	\$900.00	\$964.50	\$1,029.00	\$1,093.50	\$1,158.00	\$1,222.50	\$1,287.00	\$1,351.50	\$1,416.00	\$1,480.50	\$1,545.00	
MFI \$48,100		50%		\$16,850.00	\$18,050.00	\$19,250.00	\$21,650.00	\$24,050.00	\$26,450.00	\$28,850.00	\$31,250.00	\$33,650.00	\$36,050.00	\$38,450.00	\$40,850.00	\$43,250.00	\$45,650.00	\$48,050.00	\$50,450.00	\$52,850.00	\$55,250.00	\$57,650.00	
MAXIMUM RENT AT 50%		60%		\$20,220.00	\$21,660.00	\$23,100.00	\$25,980.00	\$28,860.00	\$31,740.00	\$34,620.00	\$37,500.00	\$40,380.00	\$43,260.00	\$46,140.00	\$49,020.00	\$51,900.00	\$54,780.00	\$57,660.00	\$60,540.00	\$63,420.00	\$66,300.00	\$69,180.00	
LEAKE CO.																							
				\$421.25	\$451.25	\$481.25	\$541.25	\$601.25	\$661.25	\$721.25	\$781.25	\$841.25	\$901.25	\$961.25	\$1,021.25	\$1,081.25	\$1,141.25	\$1,201.25	\$1,261.25	\$1,321.25	\$1,381.25	\$1,441.25	
MAXIMUM RENT AT 50%		60%		\$505.50	\$541.50	\$577.50	\$649.50	\$721.50	\$793.50	\$865.50	\$937.50	\$1,009.50	\$1,081.50	\$1,153.50	\$1,225.50	\$1,297.50	\$1,369.50	\$1,441.50	\$1,513.50	\$1,585.50	\$1,657.50	\$1,729.50	
MFI \$34,300		50%		\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$19,700.00	\$21,150.00	\$22,600.00	\$24,050.00	\$25,500.00	\$26,950.00	\$28,400.00	\$29,850.00	\$31,300.00	\$32,750.00	\$34,200.00	\$35,650.00	\$37,100.00	\$38,550.00	
MAXIMUM RENT AT 50%		60%		\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$24,100.00	\$26,300.00	\$28,500.00	\$30,700.00	\$32,900.00	\$35,100.00	\$37,300.00	\$39,500.00	\$41,700.00	\$43,900.00	\$46,100.00	\$48,300.00	\$50,500.00	\$52,700.00	
LEE CO.																							
				\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$501.25	\$546.25	\$591.25	\$636.25	\$681.25	\$726.25	\$771.25	\$816.25	\$861.25	\$906.25	\$951.25	\$996.25	\$1,041.25	\$1,086.25	
MAXIMUM RENT AT 50%		60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$601.50	\$655.50	\$709.50	\$763.50	\$817.50	\$871.50	\$925.50	\$979.50	\$1,033.50	\$1,087.50	\$1,141.50	\$1,195.50	\$1,249.50	\$1,303.50	
MFI \$50,800		50%		\$17,800.00	\$19,050.00	\$20,300.00	\$22,850.00	\$25,400.00	\$27,950.00	\$30,500.00	\$33,050.00	\$35,600.00	\$38,150.00	\$40,700.00	\$43,250.00	\$45,800.00	\$48,350.00	\$50,900.00	\$53,450.00	\$56,000.00	\$58,550.00	\$61,100.00	
MAXIMUM RENT AT 50%		60%		\$21,360.00	\$22,860.00	\$24,360.00	\$27,420.00	\$30,480.00	\$33,540.00	\$36,600.00	\$39,660.00	\$42,720.00	\$45,780.00	\$48,840.00	\$51,900.00	\$54,960.00	\$58,020.00	\$61,080.00	\$64,140.00	\$67,200.00	\$70,260.00	\$73,320.00	
LEFLORE CO.																							
				\$445.00	\$476.25	\$507.50	\$571.25	\$635.00	\$698.75	\$762.50	\$826.25	\$890.00	\$953.75	\$1,017.50	\$1,081.25	\$1,145.00	\$1,208.75	\$1,272.50	\$1,336.25	\$1,400.00	\$1,463.75	\$1,527.50	
MAXIMUM RENT AT 50%		60%		\$534.00	\$571.50	\$609.00	\$689.50	\$769.50	\$849.50	\$929.50	\$1,009.50	\$1,089.50	\$1,169.50	\$1,249.50	\$1,329.50	\$1,409.50	\$1,489.50	\$1,569.50	\$1,649.50	\$1,729.50	\$1,809.50	\$1,889.50	
MFI \$29,300		50%		\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$19,700.00	\$21,150.00	\$22,600.00	\$24,050.00	\$25,500.00	\$26,950.00	\$28,400.00	\$29,850.00	\$31,300.00	\$32,750.00	\$34,200.00	\$35,650.00	\$37,100.00	\$38,550.00	
MAXIMUM RENT AT 50%		60%		\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$24,100.00	\$26,300.00	\$28,500.00	\$30,700.00	\$32,900.00	\$35,100.00	\$37,300.00	\$39,500.00	\$41,700.00	\$43,900.00	\$46,100.00	\$48,300.00	\$50,500.00	\$52,700.00	
LINCOLN CO.							</																

FY 2006
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
ISSUED 8- MARCH - 2006

	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MARION CO.										
MFI \$33,800	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT 50%	\$15,800.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT 60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MONROE CO.										
MFI \$42,000	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
MAXIMUM RENT AT 50%	\$14,750.00	\$15,800.00	\$16,950.00	\$18,950.00	\$21,050.00	\$21,900.00	\$22,750.00	\$24,400.00	\$26,100.00	\$27,800.00
MAXIMUM RENT AT 60%	\$17,700.00	\$18,960.00	\$20,220.00	\$22,740.00	\$25,260.00	\$26,280.00	\$27,300.00	\$29,280.00	\$31,320.00	\$33,360.00
MONTGOMERY CO.										
MFI \$35,500	\$368.75	\$395.00	\$421.25	\$473.75	\$526.25	\$547.50	\$568.75	\$610.00	\$652.50	\$695.00
MAXIMUM RENT AT 50%	\$442.50	\$474.00	\$505.50	\$568.50	\$631.50	\$657.00	\$682.50	\$732.00	\$783.00	\$834.00
MAXIMUM RENT AT 60%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
NESHOBA CO.										
MFI \$38,200	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT 50%	\$13,350.00	\$14,325.00	\$15,300.00	\$17,200.00	\$19,100.00	\$19,875.00	\$20,650.00	\$22,150.00	\$23,700.00	\$25,200.00
MAXIMUM RENT AT 60%	\$16,020.00	\$17,190.00	\$18,360.00	\$20,640.00	\$22,920.00	\$23,850.00	\$24,780.00	\$26,580.00	\$28,440.00	\$30,240.00
NEWTON CO.										
MFI \$39,800	\$333.75	\$358.13	\$382.50	\$430.00	\$477.50	\$496.88	\$516.25	\$553.75	\$592.50	\$630.00
MAXIMUM RENT AT 50%	\$400.50	\$429.75	\$459.00	\$516.00	\$573.00	\$596.25	\$619.50	\$664.50	\$711.00	\$756.00
MAXIMUM RENT AT 60%	\$13,950.00	\$14,925.00	\$15,900.00	\$17,900.00	\$19,900.00	\$20,700.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,250.00
NOXUBEE CO.										
MFI \$30,700	\$348.75	\$373.13	\$397.50	\$447.50	\$497.50	\$517.50	\$537.50	\$577.50	\$617.50	\$656.25
MAXIMUM RENT AT 50%	\$418.50	\$447.75	\$477.00	\$537.00	\$597.00	\$621.00	\$645.00	\$693.00	\$741.00	\$787.50
MAXIMUM RENT AT 60%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
OKTIBBEHA CO.										
MFI \$40,300	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT 50%	\$15,800.00	\$16,950.00	\$18,100.00	\$20,350.00	\$22,600.00	\$23,500.00	\$24,400.00	\$26,200.00	\$28,000.00	\$29,850.00
MAXIMUM RENT AT 60%	\$18,960.00	\$20,340.00	\$21,720.00	\$24,420.00	\$27,120.00	\$28,200.00	\$29,280.00	\$31,440.00	\$33,600.00	\$35,820.00
PANOLA CO.										
MFI \$36,800	\$395.00	\$423.75	\$452.50	\$508.75	\$565.00	\$587.50	\$610.00	\$655.00	\$700.00	\$746.25
MAXIMUM RENT AT 50%	\$474.00	\$508.50	\$543.00	\$610.50	\$678.00	\$705.00	\$732.00	\$786.00	\$840.00	\$895.50
MAXIMUM RENT AT 60%	\$12,900.00	\$13,800.00	\$14,700.00	\$16,550.00	\$18,400.00	\$19,125.00	\$19,850.00	\$21,350.00	\$22,800.00	\$24,300.00
PEARL RIVER CO.										
MFI \$43,200	\$387.00	\$414.00	\$441.00	\$496.50	\$552.00	\$573.75	\$595.50	\$640.50	\$684.00	\$729.00
MAXIMUM RENT AT 50%	\$15,100.00	\$16,200.00	\$17,300.00	\$19,450.00	\$21,600.00	\$22,475.00	\$23,350.00	\$25,050.00	\$26,800.00	\$28,500.00
MAXIMUM RENT AT 60%	\$18,120.00	\$19,440.00	\$20,760.00	\$23,340.00	\$25,920.00	\$26,970.00	\$28,020.00	\$30,060.00	\$32,160.00	\$34,200.00
PIKE CO.										
MFI \$33,700	\$377.50	\$405.00	\$432.50	\$486.25	\$540.00	\$561.88	\$583.75	\$626.25	\$670.00	\$712.50
MAXIMUM RENT AT 50%	\$463.00	\$486.00	\$519.00	\$583.50	\$648.00	\$674.25	\$700.50	\$751.50	\$804.00	\$855.00
MAXIMUM RENT AT 60%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
PONTOTOC CO.										
MFI \$45,600	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT 50%	\$394.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
MAXIMUM RENT AT 60%	\$15,950.00	\$17,100.00	\$18,250.00	\$20,500.00	\$22,800.00	\$23,700.00	\$24,600.00	\$26,450.00	\$28,250.00	\$30,100.00
MAXIMUM RENT AT 50%	\$19,140.00	\$20,520.00	\$21,900.00	\$24,600.00	\$27,360.00	\$28,440.00	\$29,520.00	\$31,740.00	\$33,900.00	\$36,120.00
MAXIMUM RENT AT 60%	\$388.75	\$427.50	\$456.25	\$512.50	\$570.00	\$592.50	\$615.00	\$651.25	\$706.25	\$752.50
	\$478.50	\$513.00	\$547.50	\$615.00	\$684.00	\$711.00	\$738.00	\$793.50	\$847.50	\$903.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

FY 2006
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
ISSUED 8- MARCH - 2006

PRENTISS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$39,000	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00	\$19,500.00	\$20,275.00	\$21,050.00	\$22,600.00	\$24,200.00	\$25,750.00
MAXIMUM RENT AT	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00	\$23,400.00	\$24,330.00	\$25,260.00	\$27,120.00	\$29,040.00	\$30,900.00
	50%										
	60%	\$341.25	\$365.63	\$390.00	\$438.75	\$487.50	\$506.88	\$526.25	\$565.00	\$605.00	\$643.75
QUITMAN CO.		\$409.50	\$438.75	\$468.00	\$526.50	\$585.00	\$608.25	\$631.50	\$678.00	\$726.00	\$772.50
	50%										
	60%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$28,400	50%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
	50%										
	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
SCOTT CO.											
	50%	\$13,050.00	\$13,975.00	\$14,900.00	\$16,800.00	\$18,650.00	\$19,400.00	\$20,150.00	\$21,650.00	\$23,150.00	\$24,600.00
MFI \$37,300	50%	\$15,660.00	\$16,770.00	\$17,880.00	\$20,160.00	\$22,380.00	\$23,280.00	\$24,180.00	\$25,980.00	\$27,780.00	\$29,520.00
MAXIMUM RENT AT	60%	\$326.25	\$349.38	\$372.50	\$420.00	\$466.25	\$485.00	\$503.75	\$541.25	\$578.75	\$615.00
	50%										
	60%	\$391.50	\$419.25	\$447.00	\$504.00	\$559.50	\$582.00	\$604.50	\$649.50	\$694.50	\$738.00
SHARKEY CO.											
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$29,700	50%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
	50%										
	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
SMITH CO.											
	50%	\$15,000.00	\$16,075.00	\$17,150.00	\$19,300.00	\$21,450.00	\$22,300.00	\$23,150.00	\$24,900.00	\$26,600.00	\$28,300.00
MFI \$42,900	50%	\$18,000.00	\$19,290.00	\$20,580.00	\$23,160.00	\$25,740.00	\$26,760.00	\$27,780.00	\$29,880.00	\$31,920.00	\$33,960.00
MAXIMUM RENT AT	60%	\$375.00	\$401.88	\$428.75	\$482.50	\$536.25	\$557.50	\$578.75	\$622.50	\$665.00	\$707.50
	50%										
	60%	\$450.00	\$482.25	\$514.50	\$579.00	\$643.50	\$669.00	\$694.50	\$747.00	\$788.00	\$849.00
SUNFLOWER CO.											
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$31,400	50%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
	50%										
	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
TALLAHATCHIE CO.											
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$30,400	50%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
	50%										
	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
TIPPAH CO.											
	50%	\$13,950.00	\$14,950.00	\$15,950.00	\$17,950.00	\$19,950.00	\$20,750.00	\$21,550.00	\$23,150.00	\$24,750.00	\$26,350.00
MFI \$38,100	50%	\$16,740.00	\$17,940.00	\$19,140.00	\$21,540.00	\$23,940.00	\$24,900.00	\$25,860.00	\$27,780.00	\$29,700.00	\$31,620.00
MAXIMUM RENT AT	60%	\$348.75	\$373.75	\$398.75	\$448.75	\$498.75	\$518.75	\$538.75	\$578.75	\$618.75	\$658.75
	50%										
	60%	\$418.50	\$448.50	\$478.50	\$538.50	\$598.50	\$622.50	\$646.50	\$694.50	\$742.50	\$790.50
TISHOMINGO CO.											
	50%	\$14,250.00	\$15,275.00	\$16,300.00	\$18,300.00	\$20,350.00	\$21,175.00	\$22,000.00	\$23,600.00	\$25,250.00	\$26,850.00
MFI \$38,000	50%	\$17,100.00	\$18,330.00	\$19,560.00	\$21,960.00	\$24,420.00	\$25,410.00	\$26,400.00	\$28,320.00	\$30,300.00	\$32,220.00
MAXIMUM RENT AT	60%	\$356.25	\$381.88	\$407.50	\$467.50	\$508.75	\$529.38	\$550.00	\$590.00	\$631.25	\$671.25
	50%										
	60%	\$427.50	\$458.25	\$489.00	\$549.00	\$610.50	\$635.25	\$660.00	\$708.00	\$757.50	\$805.50
UNION CO.											
	50%	\$15,350.00	\$16,425.00	\$17,500.00	\$19,700.00	\$21,900.00	\$22,775.00	\$23,650.00	\$25,400.00	\$27,150.00	\$28,900.00
MFI \$43,300	50%	\$18,420.00	\$19,710.00	\$21,000.00	\$23,640.00	\$26,280.00	\$27,330.00	\$28,380.00	\$30,480.00	\$32,580.00	\$34,680.00
MAXIMUM RENT AT	60%	\$383.75	\$410.63	\$437.50	\$492.50	\$547.50	\$569.38	\$591.25	\$635.00	\$678.75	\$722.50
	50%										
	60%	\$460.50	\$492.75	\$525.00	\$591.00	\$657.00	\$683.25	\$709.50	\$762.00	\$814.50	\$867.00
WALTHAM CO.											
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$31,500	50%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT	60%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
	50%										
	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

FY 2006
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
ISSUED 8-MARCH - 2006

WARREN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$49,500	50%	\$17,350.00	\$18,575.00	\$19,800.00	\$22,300.00	\$24,750.00	\$25,750.00	\$26,750.00	\$28,700.00	\$30,700.00	\$32,650.00
MAXIMUM RENT AT	60%	\$20,820.00	\$22,290.00	\$23,760.00	\$26,760.00	\$29,700.00	\$30,900.00	\$32,100.00	\$34,440.00	\$36,840.00	\$39,180.00
WASHINGTON CO.											
MFI \$32,600	50%	\$433.75	\$464.38	\$495.00	\$557.50	\$618.75	\$643.75	\$668.75	\$717.50	\$767.50	\$816.25
MAXIMUM RENT AT	60%	\$520.50	\$557.25	\$594.00	\$669.00	\$742.50	\$772.50	\$802.50	\$861.00	\$921.00	\$979.50
WAYNE CO.											
MFI \$33,300	50%	\$12,800.00	\$13,725.00	\$14,650.00	\$16,450.00	\$18,300.00	\$19,025.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,470.00	\$17,580.00	\$19,740.00	\$21,960.00	\$22,830.00	\$23,700.00	\$25,500.00	\$27,240.00	\$28,980.00
WEBSTER CO.											
MFI \$40,000	50%	\$320.00	\$343.13	\$366.25	\$411.25	\$457.50	\$475.63	\$493.75	\$531.25	\$567.50	\$603.75
MAXIMUM RENT AT	60%	\$384.00	\$411.75	\$439.50	\$493.50	\$549.00	\$570.75	\$592.50	\$637.50	\$681.00	\$724.50
WILKINSON CO.											
MFI \$27,500	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
WINSTON CO.											
MFI \$37,000	50%	\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
MAXIMUM RENT AT	60%	\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
YALOBUSHA CO.											
MFI \$37,600	50%	\$337.50	\$361.25	\$385.00	\$433.75	\$481.25	\$500.63	\$520.00	\$558.75	\$596.25	\$635.00
MAXIMUM RENT AT	60%	\$405.00	\$433.50	\$462.00	\$520.50	\$577.50	\$600.75	\$624.00	\$670.50	\$715.50	\$762.00
YAZOO CO.											
MFI \$33,100	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MAXIMUM RENT AT	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00

**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
Biloxi-Gulfport-Pascouglia, MS	50%	\$16,400.00	\$17,575.00	\$18,750.00	\$21,100.00	\$23,450.00	\$24,400.00	\$25,350.00	\$27,200.00	\$29,100.00	\$30,950.00
MFI \$46,900	60%	\$19,680.00	\$21,090.00	\$22,500.00	\$25,320.00	\$28,140.00	\$29,280.00	\$30,420.00	\$32,640.00	\$34,920.00	\$37,140.00
MAXIMUM RENT AT											
50%		\$410.00	\$439.38	\$468.75	\$527.50	\$586.25	\$610.00	\$633.75	\$680.00	\$727.50	\$773.75
60%		\$492.00	\$527.25	\$562.50	\$633.00	\$703.50	\$732.00	\$760.50	\$816.00	\$873.00	\$928.50
Hattiesburg, MS	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
MFI \$42,250	50%	\$14,800.00	\$15,850.00	\$16,900.00	\$19,000.00	\$21,150.00	\$21,975.00	\$22,800.00	\$24,500.00	\$26,200.00	\$27,900.00
	60%	\$17,760.00	\$19,020.00	\$20,280.00	\$22,800.00	\$25,380.00	\$26,370.00	\$27,360.00	\$29,400.00	\$31,440.00	\$33,480.00
MAXIMUM RENT AT											
50%		\$370.00	\$396.25	\$422.50	\$475.00	\$528.75	\$549.38	\$570.00	\$612.50	\$655.00	\$697.50
60%		\$444.00	\$475.50	\$507.00	\$570.00	\$634.50	\$659.25	\$684.00	\$735.00	\$786.00	\$837.00
Jackson, MS	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$18,600.00	\$19,925.00	\$21,250.00	\$23,900.00	\$26,550.00	\$27,600.00	\$28,650.00	\$30,800.00	\$32,900.00	\$35,050.00
MFI \$50,600	60%	\$22,320.00	\$23,910.00	\$25,500.00	\$28,680.00	\$31,860.00	\$33,120.00	\$34,380.00	\$36,960.00	\$39,480.00	\$42,060.00
MAXIMUM RENT AT											
50%		\$465.00	\$498.13	\$531.25	\$597.50	\$663.75	\$690.00	\$716.25	\$770.00	\$822.50	\$876.25
60%		\$558.00	\$597.75	\$637.50	\$717.00	\$796.50	\$828.00	\$859.50	\$924.00	\$987.00	\$1,051.50
Memphis, TN-AR-MS	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$20,050.00	\$21,475.00	\$22,900.00	\$25,800.00	\$28,650.00	\$29,800.00	\$30,950.00	\$33,250.00	\$35,550.00	\$37,800.00
MFI \$54,550	60%	\$24,060.00	\$25,770.00	\$27,480.00	\$30,960.00	\$34,380.00	\$35,760.00	\$37,140.00	\$39,900.00	\$42,660.00	\$45,360.00
MAXIMUM RENT AT											
50%		\$501.25	\$536.88	\$572.50	\$645.00	\$716.25	\$745.00	\$773.75	\$831.25	\$888.75	\$945.00
60%		\$601.50	\$644.25	\$687.00	\$774.00	\$859.50	\$894.00	\$928.50	\$997.50	\$1,066.50	\$1,134.00
ADAMS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$32,550	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
ALCORN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,850.00	\$14,850.00	\$15,850.00	\$17,800.00	\$19,800.00	\$20,600.00	\$21,400.00	\$22,950.00	\$24,550.00	\$26,150.00
MFI \$39,600	60%	\$16,620.00	\$17,820.00	\$19,020.00	\$21,360.00	\$23,760.00	\$24,720.00	\$25,680.00	\$27,540.00	\$29,460.00	\$31,380.00
MAXIMUM RENT AT											
50%		\$346.25	\$371.25	\$396.25	\$445.00	\$495.00	\$515.00	\$535.00	\$573.75	\$613.75	\$653.75
60%		\$415.50	\$445.50	\$475.50	\$534.00	\$594.00	\$618.00	\$642.00	\$688.50	\$736.50	\$784.50
AMITE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,700	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
ATTALA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,450.00	\$14,425.00	\$15,400.00	\$17,300.00	\$19,250.00	\$20,000.00	\$20,750.00	\$22,300.00	\$23,850.00	\$25,400.00
MFI \$38,450	60%	\$16,140.00	\$17,310.00	\$18,480.00	\$20,760.00	\$23,100.00	\$24,000.00	\$24,900.00	\$26,760.00	\$28,620.00	\$30,480.00
MAXIMUM RENT AT											
50%		\$336.25	\$360.63	\$385.00	\$432.50	\$481.25	\$500.00	\$518.75	\$557.50	\$596.25	\$635.00
60%		\$403.50	\$432.75	\$462.00	\$519.00	\$577.50	\$600.00	\$622.50	\$669.00	\$715.50	\$762.00
BENTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$34,100	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
BOLIVAR CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$29,100	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
CALHOUN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,900.00	\$14,900.00	\$15,900.00	\$17,850.00	\$19,850.00	\$20,650.00	\$21,450.00	\$23,050.00	\$24,600.00	\$26,200.00
MFI \$37,700	60%	\$16,680.00	\$17,880.00	\$19,080.00	\$21,420.00	\$23,820.00	\$24,780.00	\$25,740.00	\$27,660.00	\$29,520.00	\$31,440.00
MAXIMUM RENT AT											
50%		\$347.50	\$372.50	\$397.50	\$446.25	\$496.25	\$516.25	\$536.25	\$576.25	\$615.00	\$655.00
60%		\$417.00	\$447.00	\$477.00	\$535.50	\$595.50	\$619.50	\$643.50	\$691.50	\$738.00	\$786.00
CARROLL CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,700.00	\$14,700.00	\$15,700.00	\$17,650.00	\$19,600.00	\$20,375.00	\$21,150.00	\$22,750.00	\$24,300.00	\$25,850.00
MFI \$39,200	60%	\$16,440.00	\$17,640.00	\$18,840.00	\$21,180.00	\$23,520.00	\$24,450.00	\$25,380.00	\$27,300.00	\$29,160.00	\$31,020.00
MAXIMUM RENT AT											
50%		\$342.50	\$367.50	\$392.50	\$441.25	\$490.00	\$509.38	\$528.75	\$568.75	\$607.50	\$646.25
60%		\$411.00	\$441.00	\$471.00	\$529.50	\$588.00	\$611.25	\$634.50	\$682.50	\$729.00	\$775.50
CHICKASAW CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,925.00	\$15,900.00	\$17,900.00	\$19,900.00	\$20,700.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,250.00
MFI \$35,900	60%	\$16,740.00	\$17,910.00	\$19,080.00	\$21,480.00	\$23,880.00	\$24,840.00	\$25,800.00	\$27,720.00	\$29,640.00	\$31,500.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.13	\$397.50	\$447.50	\$497.50	\$517.50	\$537.50	\$577.50	\$617.50	\$656.25
60%		\$418.50	\$447.75	\$477.00	\$537.00	\$597.00	\$621.00	\$645.00	\$693.00	\$741.00	\$787.50
CHOCTAW CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,300.00	\$14,250.00	\$15,200.00	\$17,100.00	\$19,000.00	\$19,750.00	\$20,500.00	\$22,050.00	\$23,550.00	\$25,100.00
MFI \$36,400	60%	\$15,960.00	\$17,100.00	\$18,240.00	\$20,520.00	\$22,800.00	\$23,700.00	\$24,600.00	\$26,460.00	\$28,320.00	\$30,120.00
MAXIMUM RENT AT											
50%		\$332.50	\$356.25	\$380.00	\$427.50	\$475.00	\$493.75	\$512.50	\$551.25	\$588.75	\$627.50
60%		\$399.00	\$427.50	\$456.00	\$513.00	\$570.00	\$592.50	\$615.00	\$661.50	\$706.50	\$753.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

CLAIBORNE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$31,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
CLARKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,200.00	\$15,225.00	\$16,250.00	\$18,250.00	\$20,300.00	\$21,100.00	\$21,900.00	\$23,550.00	\$25,150.00	\$26,800.00
MFI \$40,600	60%	\$17,040.00	\$18,270.00	\$19,500.00	\$21,900.00	\$24,360.00	\$25,320.00	\$26,280.00	\$28,260.00	\$30,180.00	\$32,160.00
MAXIMUM RENT AT											
50%		\$355.00	\$380.63	\$406.25	\$456.25	\$507.50	\$527.50	\$547.50	\$588.75	\$628.75	\$670.00
60%		\$426.00	\$456.75	\$487.50	\$547.50	\$609.00	\$633.00	\$657.00	\$706.50	\$754.50	\$804.00
CLAY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,725.00	\$14,650.00	\$16,450.00	\$18,300.00	\$19,025.00	\$19,750.00	\$21,250.00	\$22,700.00	\$24,150.00
MFI \$36,600	60%	\$15,360.00	\$16,470.00	\$17,580.00	\$19,740.00	\$21,960.00	\$22,830.00	\$23,700.00	\$25,500.00	\$27,240.00	\$28,980.00
MAXIMUM RENT AT											
50%		\$320.00	\$343.13	\$366.25	\$411.25	\$457.50	\$475.63	\$493.75	\$531.25	\$567.50	\$603.75
60%		\$384.00	\$411.75	\$439.50	\$493.50	\$549.00	\$570.75	\$592.50	\$637.50	\$681.00	\$724.50
COAHOMA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$29,400	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
COPIAH CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,400	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
COVINGTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,200	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
FRANKLIN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$34,200	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
GEORGE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,350.00	\$16,425.00	\$17,500.00	\$19,700.00	\$21,900.00	\$22,775.00	\$23,650.00	\$25,400.00	\$27,150.00	\$28,900.00
MFI \$43,800	60%	\$18,420.00	\$19,710.00	\$21,000.00	\$23,640.00	\$26,280.00	\$27,330.00	\$28,380.00	\$30,480.00	\$32,580.00	\$34,680.00
MAXIMUM RENT AT											
50%		\$383.75	\$410.63	\$437.50	\$492.50	\$547.50	\$569.38	\$591.25	\$635.00	\$678.75	\$722.50
60%		\$460.50	\$492.75	\$525.00	\$591.00	\$657.00	\$683.25	\$709.50	\$762.00	\$814.50	\$867.00
GREENE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,575.00	\$15,550.00	\$17,500.00	\$19,450.00	\$20,225.00	\$21,000.00	\$22,550.00	\$24,100.00	\$25,650.00
MFI \$36,200	60%	\$16,320.00	\$17,490.00	\$18,660.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
MAXIMUM RENT AT											
50%		\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
60%		\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
GRENADA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,700.00	\$14,675.00	\$15,650.00	\$17,600.00	\$19,550.00	\$20,325.00	\$21,100.00	\$22,700.00	\$24,250.00	\$25,800.00
MFI \$36,100	60%	\$16,440.00	\$17,610.00	\$18,780.00	\$21,120.00	\$23,460.00	\$24,390.00	\$25,320.00	\$27,240.00	\$29,100.00	\$30,960.00
MAXIMUM RENT AT											
50%		\$342.50	\$366.88	\$391.25	\$440.00	\$488.75	\$508.13	\$527.50	\$567.50	\$606.25	\$645.00
60%		\$411.00	\$440.25	\$469.50	\$528.00	\$586.50	\$609.75	\$633.00	\$681.00	\$727.50	\$774.00
HOLMES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$24,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
HUMPHREYS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$25,100	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
ISSAQUENA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$25,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
ITAWAMBA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,100.00	\$16,175.00	\$17,250.00	\$19,400.00	\$21,550.00	\$22,400.00	\$23,250.00	\$25,000.00	\$26,700.00	\$28,450.00
MFI \$41,200	60%	\$18,120.00	\$19,410.00	\$20,700.00	\$23,280.00	\$25,860.00	\$26,880.00	\$27,900.00	\$30,000.00	\$32,040.00	\$34,140.00
MAXIMUM RENT AT											
50%		\$377.50	\$404.38	\$431.25	\$485.00	\$538.75	\$560.00	\$581.25	\$625.00	\$667.50	\$711.25
60%		\$453.00	\$485.25	\$517.50	\$582.00	\$646.50	\$672.00	\$697.50	\$750.00	\$801.00	\$853.50

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

JASPER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,850	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
JEFFERSON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$26,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
JEFFERSON DA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$30,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
JONES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,900.00	\$13,825.00	\$14,750.00	\$16,600.00	\$18,450.00	\$19,175.00	\$19,900.00	\$21,350.00	\$22,850.00	\$24,300.00
MFI \$36,850	60%	\$15,480.00	\$16,590.00	\$17,700.00	\$19,920.00	\$22,140.00	\$23,010.00	\$23,880.00	\$25,620.00	\$27,420.00	\$29,160.00
MAXIMUM RENT AT											
50%		\$322.50	\$345.63	\$368.75	\$415.00	\$461.25	\$479.38	\$497.50	\$533.75	\$571.25	\$607.50
60%		\$387.00	\$414.75	\$442.50	\$498.00	\$553.50	\$575.25	\$597.00	\$640.50	\$685.50	\$729.00
KEMPER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$35,950	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
LAFAYETTE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$16,800.00	\$18,000.00	\$19,200.00	\$21,600.00	\$24,050.00	\$25,000.00	\$25,950.00	\$27,850.00	\$29,800.00	\$31,700.00
MFI \$48,050	60%	\$20,160.00	\$21,600.00	\$23,040.00	\$25,920.00	\$28,860.00	\$30,000.00	\$31,140.00	\$33,420.00	\$35,760.00	\$38,040.00
MAXIMUM RENT AT											
50%		\$420.00	\$450.00	\$480.00	\$540.00	\$601.25	\$625.00	\$648.75	\$696.25	\$745.00	\$792.50
60%		\$504.00	\$540.00	\$576.00	\$648.00	\$721.50	\$750.00	\$778.50	\$835.50	\$894.00	\$951.00
LAUDERDALE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,550.00	\$15,600.00	\$16,650.00	\$18,700.00	\$20,800.00	\$21,625.00	\$22,450.00	\$24,150.00	\$25,800.00	\$27,450.00
MFI \$41,600	60%	\$17,460.00	\$18,720.00	\$19,980.00	\$22,440.00	\$24,960.00	\$25,950.00	\$26,940.00	\$28,980.00	\$30,960.00	\$32,940.00
MAXIMUM RENT AT											
50%		\$363.75	\$390.00	\$416.25	\$467.50	\$520.00	\$540.63	\$561.25	\$603.75	\$645.00	\$686.25
60%		\$436.50	\$468.00	\$499.50	\$561.00	\$624.00	\$648.75	\$673.50	\$724.50	\$774.00	\$823.50
LAWRENCE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,550.00	\$16,650.00	\$17,750.00	\$20,000.00	\$22,200.00	\$23,100.00	\$24,000.00	\$25,750.00	\$27,550.00	\$29,300.00
MFI \$44,400	60%	\$18,660.00	\$19,980.00	\$21,300.00	\$24,000.00	\$26,640.00	\$27,720.00	\$28,800.00	\$30,900.00	\$33,060.00	\$35,160.00
MAXIMUM RENT AT											
50%		\$388.75	\$416.25	\$443.75	\$500.00	\$555.00	\$577.50	\$600.00	\$643.75	\$688.75	\$732.50
60%		\$466.50	\$499.50	\$532.50	\$600.00	\$666.00	\$693.00	\$720.00	\$772.50	\$826.50	\$879.00
LEAKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$34,100	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
LEE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$17,200.00	\$18,425.00	\$19,650.00	\$22,100.00	\$24,550.00	\$25,525.00	\$26,500.00	\$28,500.00	\$30,450.00	\$32,400.00
MFI \$47,850	60%	\$20,640.00	\$22,110.00	\$23,580.00	\$26,520.00	\$29,460.00	\$30,630.00	\$31,800.00	\$34,200.00	\$36,540.00	\$38,880.00
MAXIMUM RENT AT											
50%		\$430.00	\$460.63	\$491.25	\$552.50	\$613.75	\$638.13	\$662.50	\$712.50	\$761.25	\$810.00
60%		\$516.00	\$552.75	\$589.50	\$663.00	\$736.50	\$765.75	\$795.00	\$855.00	\$913.50	\$972.00
LEFLORE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$27,700	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
LINCOLN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,050.00	\$13,975.00	\$14,900.00	\$16,800.00	\$18,650.00	\$19,400.00	\$20,150.00	\$21,650.00	\$23,150.00	\$24,600.00
MFI \$37,300	60%	\$15,660.00	\$16,770.00	\$17,880.00	\$20,160.00	\$22,380.00	\$23,280.00	\$24,180.00	\$25,980.00	\$27,780.00	\$29,520.00
MAXIMUM RENT AT											
50%		\$326.25	\$349.38	\$372.50	\$420.00	\$466.25	\$485.00	\$503.75	\$541.25	\$578.75	\$615.00
60%		\$391.50	\$419.25	\$447.00	\$504.00	\$559.50	\$582.00	\$604.50	\$649.50	\$694.50	\$738.00
LOWNDES CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,600.00	\$16,700.00	\$17,800.00	\$20,050.00	\$22,250.00	\$23,150.00	\$24,050.00	\$25,800.00	\$27,600.00	\$29,350.00
MFI \$41,100	60%	\$18,720.00	\$20,040.00	\$21,360.00	\$24,060.00	\$26,700.00	\$27,780.00	\$28,860.00	\$30,960.00	\$33,120.00	\$35,220.00
MAXIMUM RENT AT											
50%		\$390.00	\$417.50	\$445.00	\$501.25	\$556.25	\$578.75	\$601.25	\$645.00	\$690.00	\$733.75
60%		\$468.00	\$501.00	\$534.00	\$601.50	\$667.50	\$694.50	\$721.50	\$774.00	\$828.00	\$880.50
MARION CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,200	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00

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**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

MARSHALL CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,850.00	\$13,775.00	\$14,700.00	\$16,500.00	\$18,350.00	\$19,075.00	\$19,800.00	\$21,300.00	\$22,750.00	\$24,200.00
MFI \$36,700	60%	\$15,420.00	\$16,530.00	\$17,640.00	\$19,800.00	\$22,020.00	\$22,890.00	\$23,760.00	\$25,560.00	\$27,300.00	\$29,040.00
MAXIMUM RENT AT											
50%		\$321.25	\$344.38	\$367.50	\$412.50	\$458.75	\$476.88	\$495.00	\$532.50	\$568.75	\$605.00
60%		\$385.50	\$413.25	\$441.00	\$495.00	\$550.50	\$572.25	\$594.00	\$639.00	\$682.50	\$726.00
MONROE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,750.00	\$15,800.00	\$16,850.00	\$18,950.00	\$21,050.00	\$21,900.00	\$22,750.00	\$24,400.00	\$26,100.00	\$27,800.00
MFI \$41,100	60%	\$17,700.00	\$18,960.00	\$20,220.00	\$22,740.00	\$25,260.00	\$26,280.00	\$27,300.00	\$29,280.00	\$31,320.00	\$33,360.00
MAXIMUM RENT AT											
50%		\$368.75	\$395.00	\$421.25	\$473.75	\$526.25	\$547.50	\$568.75	\$610.00	\$652.50	\$695.00
60%		\$442.50	\$474.00	\$505.50	\$568.50	\$631.50	\$657.00	\$682.50	\$732.00	\$783.00	\$834.00
MONTGOMERY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$33,300	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
NESHOBA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,350.00	\$14,300.00	\$15,250.00	\$17,150.00	\$19,050.00	\$19,800.00	\$20,550.00	\$22,100.00	\$23,600.00	\$25,150.00
MFI \$37,000	60%	\$16,020.00	\$17,160.00	\$18,300.00	\$20,580.00	\$22,860.00	\$23,760.00	\$24,660.00	\$26,520.00	\$28,320.00	\$30,180.00
MAXIMUM RENT AT											
50%		\$333.75	\$357.50	\$381.25	\$428.75	\$476.25	\$495.00	\$513.75	\$552.50	\$590.00	\$628.75
60%		\$400.50	\$429.00	\$457.50	\$514.50	\$571.50	\$594.00	\$616.50	\$663.00	\$708.00	\$754.50
NEWTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,300.00	\$14,250.00	\$15,200.00	\$17,100.00	\$19,000.00	\$19,750.00	\$20,500.00	\$22,050.00	\$23,550.00	\$25,100.00
MFI \$37,050	60%	\$15,960.00	\$17,100.00	\$18,240.00	\$20,520.00	\$22,800.00	\$23,700.00	\$24,600.00	\$26,460.00	\$28,260.00	\$30,120.00
MAXIMUM RENT AT											
50%		\$332.50	\$356.25	\$380.00	\$427.50	\$475.00	\$493.75	\$512.50	\$551.25	\$588.75	\$627.50
60%		\$399.00	\$427.50	\$456.00	\$513.00	\$570.00	\$592.50	\$615.00	\$661.50	\$706.50	\$753.00
NOXUBEE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$30,200	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
OKTIBBEHA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,800.00	\$16,950.00	\$18,100.00	\$20,350.00	\$22,600.00	\$23,500.00	\$24,400.00	\$26,200.00	\$28,000.00	\$29,850.00
MFI \$41,100	60%	\$18,960.00	\$20,340.00	\$21,720.00	\$24,420.00	\$27,120.00	\$28,200.00	\$29,280.00	\$31,440.00	\$33,600.00	\$35,820.00
MAXIMUM RENT AT											
50%		\$395.00	\$423.75	\$452.50	\$508.75	\$565.00	\$587.50	\$610.00	\$655.00	\$700.00	\$746.25
60%		\$474.00	\$508.50	\$543.00	\$610.50	\$678.00	\$705.00	\$732.00	\$786.00	\$840.00	\$895.50
PANOLA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$35,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
PEARL RIVER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,950.00	\$15,950.00	\$17,950.00	\$19,950.00	\$20,725.00	\$21,500.00	\$23,100.00	\$24,700.00	\$26,300.00
MFI \$39,850	60%	\$16,740.00	\$17,940.00	\$19,140.00	\$21,540.00	\$23,940.00	\$24,870.00	\$25,800.00	\$27,720.00	\$29,640.00	\$31,560.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.75	\$398.75	\$448.75	\$498.75	\$518.13	\$537.50	\$577.50	\$617.50	\$657.50
60%		\$418.50	\$448.50	\$478.50	\$538.50	\$598.50	\$621.75	\$645.00	\$693.00	\$741.00	\$789.00
PERRY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,850.00	\$13,775.00	\$14,700.00	\$16,500.00	\$18,350.00	\$19,075.00	\$19,800.00	\$21,300.00	\$22,750.00	\$24,200.00
MFI \$36,700	60%	\$15,420.00	\$16,530.00	\$17,640.00	\$19,800.00	\$22,020.00	\$22,890.00	\$23,760.00	\$25,560.00	\$27,300.00	\$29,040.00
MAXIMUM RENT AT											
50%		\$321.25	\$344.38	\$367.50	\$412.50	\$458.75	\$476.88	\$495.00	\$532.50	\$568.75	\$605.00
60%		\$385.50	\$413.25	\$441.00	\$495.00	\$550.50	\$572.25	\$594.00	\$639.00	\$682.50	\$726.00
PIKE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$32,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
PONTOTOC CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,150.00	\$16,225.00	\$17,300.00	\$19,500.00	\$21,650.00	\$22,525.00	\$23,400.00	\$25,100.00	\$26,850.00	\$28,600.00
MFI \$43,300	60%	\$18,180.00	\$19,470.00	\$20,760.00	\$23,400.00	\$25,980.00	\$27,030.00	\$28,080.00	\$30,120.00	\$32,220.00	\$34,320.00
MAXIMUM RENT AT											
50%		\$378.75	\$405.63	\$432.50	\$487.50	\$541.25	\$563.13	\$585.00	\$627.50	\$671.25	\$715.00
60%		\$454.50	\$486.75	\$519.00	\$585.00	\$649.50	\$675.75	\$702.00	\$753.00	\$805.50	\$858.00
PRENTISS CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00	\$19,500.00	\$20,275.00	\$21,050.00	\$22,600.00	\$24,200.00	\$25,750.00
MFI \$38,250	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00	\$23,400.00	\$24,330.00	\$25,260.00	\$27,120.00	\$29,040.00	\$30,900.00
MAXIMUM RENT AT											
50%		\$341.25	\$365.63	\$390.00	\$438.75	\$487.50	\$506.88	\$526.25	\$565.00	\$605.00	\$643.75
60%		\$409.50	\$438.75	\$468.00	\$526.50	\$585.00	\$608.25	\$631.50	\$678.00	\$726.00	\$772.50
QUITMAN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$27,500	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

SCOTT CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$35,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
SHARKEY CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$28,800	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
SIMPSON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$35,300	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
SMITH CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,350.00	\$15,375.00	\$16,400.00	\$18,450.00	\$20,500.00	\$21,300.00	\$22,100.00	\$23,750.00	\$25,400.00	\$27,050.00
MFI \$40,950	60%	\$17,220.00	\$18,450.00	\$19,680.00	\$22,140.00	\$24,600.00	\$25,560.00	\$26,520.00	\$28,500.00	\$30,480.00	\$32,460.00
MAXIMUM RENT AT											
50%		\$358.75	\$384.38	\$410.00	\$461.25	\$512.50	\$532.50	\$552.50	\$593.75	\$635.00	\$676.25
60%		\$430.50	\$461.25	\$492.00	\$553.50	\$615.00	\$639.00	\$663.00	\$712.50	\$762.00	\$811.50
STONE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,650.00	\$14,625.00	\$15,600.00	\$17,550.00	\$19,500.00	\$20,275.00	\$21,050.00	\$22,600.00	\$24,200.00	\$25,750.00
MFI \$38,000	60%	\$16,380.00	\$17,550.00	\$18,720.00	\$21,060.00	\$23,400.00	\$24,330.00	\$25,260.00	\$27,120.00	\$29,040.00	\$30,900.00
MAXIMUM RENT AT											
50%		\$341.25	\$365.63	\$390.00	\$438.75	\$487.50	\$506.88	\$526.25	\$565.00	\$605.00	\$643.75
60%		\$409.50	\$438.75	\$468.00	\$526.50	\$585.00	\$608.25	\$631.50	\$678.00	\$726.00	\$772.50
SUNFLOWER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$30,900	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
TALLAHATCHIE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$29,500	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
TATE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,700.00	\$16,825.00	\$17,950.00	\$20,200.00	\$22,450.00	\$23,350.00	\$24,250.00	\$26,050.00	\$27,850.00	\$29,650.00
MFI \$44,900	60%	\$18,840.00	\$20,190.00	\$21,540.00	\$24,240.00	\$26,940.00	\$28,020.00	\$29,100.00	\$31,260.00	\$33,420.00	\$35,580.00
MAXIMUM RENT AT											
50%		\$392.50	\$420.63	\$448.75	\$505.00	\$561.25	\$583.75	\$606.25	\$651.25	\$696.25	\$741.25
60%		\$471.00	\$504.75	\$538.50	\$606.00	\$673.50	\$700.50	\$727.50	\$781.50	\$835.50	\$889.50
TIPPAH CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,950.00	\$14,950.00	\$15,950.00	\$17,950.00	\$19,950.00	\$20,750.00	\$21,550.00	\$23,150.00	\$24,750.00	\$26,350.00
MFI \$37,600	60%	\$16,740.00	\$17,940.00	\$19,140.00	\$21,540.00	\$23,940.00	\$24,900.00	\$25,860.00	\$27,780.00	\$29,700.00	\$31,620.00
MAXIMUM RENT AT											
50%		\$348.75	\$373.75	\$398.75	\$448.75	\$498.75	\$518.75	\$538.75	\$578.75	\$618.75	\$658.75
60%		\$418.50	\$448.50	\$478.50	\$538.50	\$598.50	\$622.50	\$646.50	\$694.50	\$742.50	\$790.50
TISHOMINGO CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$14,250.00	\$15,275.00	\$16,300.00	\$18,300.00	\$20,350.00	\$21,175.00	\$22,000.00	\$23,600.00	\$25,250.00	\$26,850.00
MFI \$37,800	60%	\$17,100.00	\$18,330.00	\$19,560.00	\$21,960.00	\$24,420.00	\$25,410.00	\$26,400.00	\$28,320.00	\$30,300.00	\$32,220.00
MAXIMUM RENT AT											
50%		\$356.25	\$381.88	\$407.50	\$457.50	\$508.75	\$529.38	\$550.00	\$590.00	\$631.25	\$671.25
60%		\$427.50	\$458.25	\$489.00	\$549.00	\$610.50	\$635.25	\$660.00	\$708.00	\$757.50	\$805.50
TUNICA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$27,800	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
UNION CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$15,350.00	\$16,425.00	\$17,500.00	\$19,700.00	\$21,900.00	\$22,775.00	\$23,650.00	\$25,400.00	\$27,150.00	\$28,900.00
MFI \$42,400	60%	\$18,420.00	\$19,710.00	\$21,000.00	\$23,640.00	\$26,280.00	\$27,330.00	\$28,380.00	\$30,480.00	\$32,580.00	\$34,680.00
MAXIMUM RENT AT											
50%		\$383.75	\$410.63	\$437.50	\$492.50	\$547.50	\$569.38	\$591.25	\$635.00	\$678.75	\$722.50
60%		\$460.50	\$492.75	\$525.00	\$591.00	\$657.00	\$683.25	\$709.50	\$762.00	\$814.50	\$867.00
WALTHALL CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$31,600	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
WARREN CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$16,550.00	\$17,725.00	\$18,900.00	\$21,300.00	\$23,650.00	\$24,600.00	\$25,550.00	\$27,450.00	\$29,350.00	\$31,200.00
MFI \$46,650	60%	\$19,860.00	\$21,270.00	\$22,680.00	\$25,550.00	\$28,380.00	\$29,520.00	\$30,660.00	\$32,940.00	\$35,220.00	\$37,440.00
MAXIMUM RENT AT											
50%		\$413.75	\$443.13	\$472.50	\$532.50	\$591.25	\$615.00	\$638.75	\$686.25	\$733.75	\$780.00
60%		\$496.50	\$531.75	\$567.00	\$639.00	\$709.50	\$738.00	\$766.50	\$823.50	\$880.50	\$936.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

**FY2005
HOUSING TAX CREDITS
INCOME AND RENT LIMITS
Issued 10 - February - 2005**

WASHINGTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,725.00	\$14,650.00	\$16,450.00	\$18,300.00	\$19,025.00	\$19,750.00	\$21,250.00	\$22,700.00	\$24,150.00
MFI \$32,300	60%	\$15,360.00	\$16,470.00	\$17,580.00	\$19,740.00	\$21,960.00	\$22,830.00	\$23,700.00	\$25,500.00	\$27,240.00	\$28,980.00
MAXIMUM RENT AT											
50%		\$320.00	\$343.13	\$366.25	\$411.25	\$457.50	\$475.63	\$493.75	\$531.25	\$567.50	\$603.75
60%		\$384.00	\$411.75	\$439.50	\$493.50	\$549.00	\$570.75	\$592.50	\$637.50	\$681.00	\$724.50
WAYNE CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$32,700	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
WEBSTER CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,600.00	\$14,575.00	\$15,550.00	\$17,500.00	\$19,450.00	\$20,225.00	\$21,000.00	\$22,550.00	\$24,100.00	\$25,650.00
MFI \$38,850	60%	\$16,320.00	\$17,490.00	\$18,660.00	\$21,000.00	\$23,340.00	\$24,270.00	\$25,200.00	\$27,060.00	\$28,920.00	\$30,780.00
MAXIMUM RENT AT											
50%		\$340.00	\$364.38	\$388.75	\$437.50	\$486.25	\$505.63	\$525.00	\$563.75	\$602.50	\$641.25
60%		\$408.00	\$437.25	\$466.50	\$525.00	\$583.50	\$606.75	\$630.00	\$676.50	\$723.00	\$769.50
WILKINSON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$25,000	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00
WINSTON CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,500.00	\$14,450.00	\$15,400.00	\$17,350.00	\$19,250.00	\$20,025.00	\$20,800.00	\$22,350.00	\$23,850.00	\$25,400.00
MFI \$37,300	60%	\$16,200.00	\$17,340.00	\$18,480.00	\$20,820.00	\$23,100.00	\$24,030.00	\$24,960.00	\$26,820.00	\$28,620.00	\$30,480.00
MAXIMUM RENT AT											
50%		\$337.50	\$361.25	\$385.00	\$433.75	\$481.25	\$500.63	\$520.00	\$558.75	\$596.25	\$635.00
60%		\$405.00	\$433.50	\$462.00	\$520.50	\$577.50	\$600.75	\$624.00	\$670.50	\$715.50	\$762.00
YALOBUSHA CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$13,100.00	\$14,025.00	\$14,950.00	\$16,850.00	\$18,700.00	\$19,450.00	\$20,200.00	\$21,700.00	\$23,200.00	\$24,700.00
MFI \$34,700	60%	\$15,720.00	\$16,830.00	\$17,940.00	\$20,220.00	\$22,440.00	\$23,340.00	\$24,240.00	\$26,040.00	\$27,840.00	\$29,640.00
MAXIMUM RENT AT											
50%		\$327.50	\$350.63	\$373.75	\$421.25	\$467.50	\$486.25	\$505.00	\$542.50	\$580.00	\$617.50
60%		\$393.00	\$420.75	\$448.50	\$505.50	\$561.00	\$583.50	\$606.00	\$651.00	\$696.00	\$741.00
YAZOO CO.	PERCENT OF MEDIAN	1 PERSON	1.5 PERSONS	2 PERSONS	3 PERSONS	4 PERSONS	4.5 PERSONS	5 PERSONS	6 PERSONS	7 PERSONS	8 PERSONS
	50%	\$12,800.00	\$13,700.00	\$14,600.00	\$16,450.00	\$18,250.00	\$18,975.00	\$19,700.00	\$21,150.00	\$22,650.00	\$24,100.00
MFI \$32,100	60%	\$15,360.00	\$16,440.00	\$17,520.00	\$19,740.00	\$21,900.00	\$22,770.00	\$23,640.00	\$25,380.00	\$27,180.00	\$28,920.00
MAXIMUM RENT AT											
50%		\$320.00	\$342.50	\$365.00	\$411.25	\$456.25	\$474.38	\$492.50	\$528.75	\$566.25	\$602.50
60%		\$384.00	\$411.00	\$438.00	\$493.50	\$547.50	\$569.25	\$591.00	\$634.50	\$679.50	\$723.00

Income amounts for 1.5 and 4.5 persons are for rent calculation purposes only.

D

HTC ELIGIBILITY FORMS

HTC ELIGIBILITY/CERTIFICATION FORMS

* Below is a list of tax credit eligibility and/or certification forms. Forms identified as "mandatory" are MHC generated forms that may not be altered and/or modified without written prior consent from the Corporation. ALL APPLICABLE FORMS LISTED BELOW UNDER TENANT ELIGIBILITY MUST BE INCLUDED IN EACH RESIDENT FILE OR MADE AVAILABLE UPON REQUEST!

FORM		Mandatory	Non-Mandatory
Household Eligibility Forms			
1	Tenant Release and Consent Form **Revised**		X
2	Tenant Income Certification Form (MHC)	X	
3	Student Verification	X	
4	Employment Verification	X	
5	Under \$5,000 Asset Certification **Revised**	X	
6	Certification of Zero Income		X
7	Affidavit of Non-Employment **Revised**	X	
8	Documentation of Telephone Verification		X
9	Picture I.D. and/or Social Security Cards		X
10	HTC Eligibility Application		X
11	Initial Lease Agreement		X
12	Documentation of Unit Transfer	X	
13	Verification of Regular Contributions		X
14	Live-in Aide Housing Agreement	X	
15	Self-Certification of Unborn Child/Adoption/Custody		X
16	Child Support Affidavit		X
17	Recertification (Renewal) Questionnaire		X
18	Lease Addendum for HTC Developments		X
19	Public Assistance Verification (TANF/AFDC)		X
20	Certification of Daily Needs **Revised**	X	
21	Self-Employment Affidavit	X	
22	Intermediate Care Facility Election of Optional Services	X	
23	Clarification Memo		X
Annual Owner Certification Forms **Revised**			
1	Annual Owner Certification Checklist	X	
2	Owner Certification of Continuing Program Compliance	X	
3	Supplemental Certification of HTC Compliance	X	
4	Occupancy (Rent Roll) Report	X	
5	Utility Allowance Documentation (for the applicable year)	X	
6	Payment Processing Form (if applicable)	X	
Quarterly Occupancy Status Report Forms			
1	Quarterly Occupancy Compliance Report - Part A **Revised**	X	
2	Occupancy (Rent Roll) Report - Part B	X	

TENANT RELEASE AND CONSENT FORM

I/We _____, the undersigned hereby authorize all persons or companies in the categories listed below to release without liability, information regarding employment, income, and/or assets to _____

(Owner or agent)

for purposes of verifying information on my/our apartment rental application.

INFORMATION COVERED

I/We understand that previous or current information regarding me/us may be needed. Verifications and inquiries that may be requested include, but are limited to: personal identity; employment, income, and assets; medical or child care allowances. I/We understand that this authorization cannot be used to obtain any information about me/us that is not pertinent to my eligibility for and continued participation as a Qualified Tenant.

GROUPS OR INDIVIDUALS THAT MAY BE ASKED

The groups or individuals that may be asked to release the above information include, but are not limited to:

Past and Present Employers
Previous Landlords (including
Public Housing Agencies)
Support and Alimony Providers

Welfare Agencies
State Unemployment Agencies
Social Security Administration
Medical and Child Care Providers

Veterans Administration
Retirement Systems
Banks and other
Financial Institutions

CONDITIONS

I/We agree that a photocopy of this authorization may be used for the purposes stated above. The original of this authorization is on file and will stay in effect for twelve months from the date signed. I/We understand I/We have a right to review this file and correct any information that is incorrect.

SIGNATURES

_____ Applicant/Resident	_____ (Print Name)	_____ Date
_____ Co-Applicant/Resident	_____ (Print Name)	_____ Date
_____ Adult Household Member	_____ (Print Name)	_____ Date
_____ Adult Household Member	_____ (Print Name)	_____ Date

NOTE: THIS GENERAL CONSENT MAY NOT BE USED TO REQUEST A COPY OF A TAX RETURN. IF A COPY OF A TAX RETURN IS NEEDED, IRS FORM 4506, AREQUEST FOR COPY OF TAX FORM@ MUST BE PREPARED AND SIGNED SEPARATELY.

Mississippi Home Corporation
TENANT INCOME CERTIFICATION

☐ Initial Certification

☐ Recertification

☐ Other

Effective Date: _____
 Move-in Date: _____
 (MM/DD/YYYY)

PART I - DEVELOPMENT DATA

Development Name: _____ County: _____ BIN #: _____
 Address: _____ Unit Number: _____ # Bedrooms: _____

PART II. HOUSEHOLD COMPOSITION

HH Mbr #	Last Name	First Name & Middle Initial	Relationship to Head of Household	Date of Birth (MM/DD/YY)	Age	F/T Student* (Y or N)	Social Security or Alien Reg. No.
1			HEAD				
2							
3							
4							
5							
6							
Total # of HH Mbrs =							

PART III. GROSS ANNUAL INCOME (USE ANNUAL AMOUNTS)

HH Mbr #	(A) Employment or Wages	(B) Soc. Security/Pensions	(C) Public Assistance	(D) Other Income (Child support, Contribution, etc.,)
TOTALS	\$	\$	\$	\$
Add totals from (A) through (D), above			TOTAL INCOME (E):	\$

PART IV. INCOME FROM ASSETS

Hshld Mbr #	(F) Type of Asset	(G) C/I	(H) Cash Value of Asset	(I) Annual Income from Asset
TOTALS:			\$	\$
Enter Column (H) Total		Passbook Rate		
If over \$5000		\$ _____ X 2.00%	= (J) Imputed Income	\$
Enter the greater of the total of column I or J: imputed income				TOTAL INCOME FROM ASSETS (K)
				\$
(L) Total Annual Household Income from all Sources [Add (E) + (K)]				\$

HOUSEHOLD CERTIFICATION & SIGNATURES

The information on this form will be used to determine maximum income eligibility. I/we have provided for each person(s) set forth in Part II acceptable verification of current anticipated annual income. I/we agree to notify the landlord immediately upon any member of the household moving out of the unit or any new member moving in. *I/we agree to notify the landlord immediately upon any member becoming a full time student.

Under penalties of perjury, I/we certify that the information presented in this Certification is true and accurate to the best of my/our knowledge and belief. The undersigned further understands that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of the lease agreement.

_____ Signature	_____ (Date)	_____ Signature	_____ (Date)
_____ Signature	_____ (Date)	_____ Signature	_____ (Date)

PART V. DETERMINATION OF INCOME ELIGIBILITY

TOTAL ANNUAL HOUSEHOLD INCOME
FROM ALL SOURCES:
From item (L) on page 1

\$

Household Meets
Income Restriction
at:

☐ 60% ☐ 50%

Current Income Limit per Family Size: \$

Household Income at Move-in: \$

Household Size at Move-in: _____

RECERTIFICATION ONLY:

Current Income Limit x 140%:

\$ _____

**Household Income exceeds 140% at
recertification:**

☐ Yes ☐ No

PART VI. RENT

Tenant Paid Rent \$
Utility Allowance \$

Rent Assistance: \$
Other non-optional charges: \$
Owner-based rental assistance: \$

GROSS RENT FOR UNIT:
(Tenant paid rent plus Utility Allowance &
other non-optional charges)

\$

Unit Meets Rent Restriction at:

☐ 60% ☐ 50%

*Maximum Gross Rent **LIMIT** for this unit: \$

*Note: Maximum gross rent is the rental amount listed on the
applicable Income & Rent Limits Chart issued by the MHC and
effective for this certification period.

PART VII. STUDENT STATUS

ARE **ALL** OCCUPANTS FULL TIME STUDENTS?

☐ Yes ☐ No

If yes, Enter student explanation*
(also attach documentation)

***Student Explanation:**

- ☐ TANF assistance
- ☐ Job Training Program
- ☐ Single parent/dependent child
- ☐ Married/joint return

PART VIII. CERTIFICATION NOTES/COMMENTS

SIGNATURE OF OWNER/REPRESENTATIVE

Based on the representations herein and upon the proofs and documentation required to be submitted, the individual(s) named in Part II of this Tenant Income Certification is/are eligible under the provisions of Section 42 of the Internal Revenue Code, as amended, and the Land Use Restriction Agreement (if applicable), to live in a unit in this Development.

SIGNATURE OF OWNER/REPRESENTATIVE

DATE

INSTRUCTIONS FOR COMPLETING TENANT INCOME CERTIFICATION

This form is to be completed by the owner or an authorized representative.

Part I - Development Data

Check the appropriate box for Initial Certification (move-in), Recertification (annual recertification), or Other. If Other, designate the purpose of the recertification (i.e., a unit transfer, a change in household composition, or other state-required recertification).

Move-in Date Enter the date the tenant has or will take occupancy of the unit.

Effective Date Enter the effective date of the certification. For move-in, this should be the move-in date. For annual recertification, this effective date should be no later than one year from the effective date of the previous (re)certification.

Development Name Enter the name of the development.

County Enter the county (or equivalent) in which the building is located.

BIN # Enter the Building Identification Number (BIN) assigned to the building (from IRS Form 8609).

Address Enter the address of the building.

Unit Number Enter the unit number.

Bedrooms Enter the number of bedrooms in the unit.

Part II - Household Composition

List all occupants of the unit. State each household member's relationship to the head of household by using one of the following coded definitions:

H	-	Head of Household	S	-	Spouse
A	-	Adult co-tenant	O	-	Other family member
C	-	Child	F	-	Foster child(ren)/adult(s)
L	-	Live-in caretaker	N	-	None of the above

Enter the date of birth, age, student status, and social security number or alien registration number for each occupant.

Total No. of Household members: Total up the number of household members listed above. This is the total number of occupants in the unit. This number should also match the applicable lease agreement.

If there are more than 6 occupants, use an additional sheet of paper to list the remaining household members and attach it to the certification.

Part III - Annual Income

See HUD Handbook 4350.3 for complete instructions on verifying and calculating income, including acceptable forms of verification.

From the third party verification forms obtained from each income source, enter the gross amount anticipated to be received for the twelve months from the effective date of the (re)certification. Complete a separate line for each income-earning member. List the respective household member number from Part II.

Column (A) Enter the annual amount of wages, salaries, tips, commissions, bonuses, and other income from employment; distributed profits and/or net income from a business.

Column (B)	Enter the annual amount of Social Security, Supplemental Security Income, pensions, military retirement, etc.
Column (C)	Enter the annual amount of income received from public assistance (i.e., TANF, general assistance, disability, etc.).
Column (D)	Enter the annual amount of alimony, child support, unemployment benefits, or any other income regularly received by the household.
Row (E)	Add the totals from columns (A) through (D), above. Enter this amount.

Part IV - Income from Assets

See HUD Handbook 4350.3 for complete instructions on verifying and calculating income from assets, including acceptable forms of verification.

From the third party verification forms obtained from each asset source, list the gross amount anticipated to be received during the twelve months from the effective date of the certification. List the respective household member number from Part II and complete a separate line for each member.

Column (F)	List the type of asset (i.e., checking account, savings account, etc.)
Column (G)	Enter C (for current, if the family currently owns or holds the asset), or I (for imputed, if the family has disposed of the asset for less than fair market value within two years of the effective date of (re)certification).
Column (H)	Enter the cash value of the respective asset.
Column (I)	Enter the anticipated annual income from the asset (i.e., savings account balance multiplied by the annual interest rate).
TOTALS	Add the total of Column (H) and Column (I), respectively.

If the total in Column (H) is greater than \$5,000, you must do an imputed calculation of asset income. Enter the Total Cash Value, multiply by 2% and enter the amount in (J), Imputed Income.

Row (K)	Enter the greater of the total in Column (I) or (J)
Row (L)	Total Annual Household Income From all Sources Add (E) and (K) and enter the total

HOUSEHOLD CERTIFICATION AND SIGNATURES

After all verifications of income and/or assets have been received and calculated, each household member age 18 or older must sign and date the Tenant Income Certification. For move-in, it is recommended that the Tenant Income Certification be signed no earlier than 5 days prior to the effective date of the certification, and NO LATER than the effective date of the TIC.

Part V – Determination of Income Eligibility

Total Annual Household Income from all Sources	Enter the number from item (L).
Current Income Limit per Family Size	Enter the Current Move-in Income Limit for the household size.
Household income at move-in	For recertifications, only. Enter the household income from the move-in

Mississippi Home Corporation
TENANT INCOME CERTIFICATION

Head of Household Name _____ Unit # _____
Effective Date of Certification _____ (MM/DD/YY)

Household size at move-in	certification. On the adjacent line, enter the number of household members from the move-in certification.
Household Meets Income Restriction	Check the appropriate box for the income restriction that the household meets according to what is required by the set-aside(s) for the project.
Current Income Limit x 140%	For recertifications only. Multiply the Current Maximum Move-in Income Limit by 140% and enter the total. Below, indicate whether the household income exceeds that total. If the Gross Annual Income at recertification is greater than 140% of the current income limit, then the available unit rule must be followed.

Part VI - Rent

Tenant Paid Rent	Enter the amount the tenant pays toward rent (not including rent assistance payments such as Section 8 and FmHA).
Rent Assistance	Enter the amount of rent assistance, if any. If no rental assistance is given, insert "0".
Utility Allowance	Enter the utility allowance. If the owner pays all utilities, enter zero.
Other non-optional charges	Enter the amount of <u>non-optional</u> charges, such as mandatory garage rent, storage lockers, charges for services provided by the development, etc.
Gross Rent for Unit	Enter the total of Tenant Paid Rent plus Utility Allowance and other non-optional charges.
Maximum Rent Limit for this unit	Enter the maximum allowable gross rent for the unit.
Unit Meets Rent Restriction at	Check the appropriate rent restriction that the unit meets according to what is required by the set-aside(s) for the project.

Part VII - Student Status

If all household members are full time* students, check "yes". If at least one household member is not a full time student, check "no".

If "yes" is checked, the appropriate exemption must be listed in the box to the right. If none of the exemptions apply, the household is ineligible to rent the unit.

**Full time is determined by the school the student attends.*

Part VIII – Certification Notes and Comments

Insert any notes and/or comments that are pertinent to the household's eligibility.

SIGNATURE OF OWNER/REPRESENTATIVE

It is the responsibility of the owner or the owner's representative to sign and date this document immediately following execution by the resident(s). At move-in, it is recommended that the TIC be signed by the owner/manager no earlier than 5 days prior to the effective date of the certification. No signatures should be acquired after the effective date of the certification.

The responsibility of documenting and determining eligibility (including completing and signing the Tenant Income Certification form) and ensuring such documentation is kept in the tenant file is extremely important and should be conducted by someone well trained in tax credit compliance.

These instructions should not be considered a complete guide on tax credit compliance. The responsibility for compliance with federal program regulations lies with the owner of the building(s) for which the credit is allowable.

STUDENT VERIFICATION

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: _____
Name & Address of Financial Aid Provider

Phone Number

Fax Number

RE: _____
Applicant/Tenant Name

Social Security Number

Unit # (if assigned)

☐ If you are over the age of 23 with dependent child(ren), please check here.

☐ If you are a student residing with your parent(s), please check here.

I hereby authorize release of my financial aid information.

Signature of Applicant/Tenant

Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential and will be used solely for the purpose of determining eligibility for occupancy. Your prompt response is crucial and greatly appreciated.

Signature of Owner's Representative

Return Form To:

THIS SECTION TO BE COMPLETED BY FINANCIAL AID PROVIDER AND/OR EDUCATIONAL INSTITUTION

The above-named individual has applied for residency or is currently residing in housing that requires verification of student status. Please provide the information requested below.

Student currently attends school:	(please circle one)	Full Time	Part Time	
Total scholarships, grants, gifts etc. (public or private, excluding student loans) received is:				
	Source	Amount	Beginning Date	Ending Date
Scholarships	_____	\$ _____	_____	_____
Grants	_____	\$ _____	_____	_____
Other Contributions	_____	\$ _____	_____	_____
Cost of Tuition	_____	\$ _____	_____	_____

Expected Date of Graduation: _____

I hereby certify that the information supplied in this section is true and complete to the best of my knowledge.

Signature: _____

Date: _____

Printed Name: _____

Tel. #: _____

Title: _____

Fax #: _____

Educational Institution: _____

E-mail: _____

NOTE: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to any matter within its jurisdiction. (Updated 11/06)

EMPLOYMENT VERIFICATION

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name & address of employer)

Date: _____

Mode of Delivery:

☐ Mailed Date: _____
☐ Faxed Date: _____
☐ Hand Delivered* Date: _____
* Official Office stamp required

RE: _____
Applicant/Tenant Name

Social Security Number

Unit # (if assigned)

I hereby authorize release of my employment information.

Signature of Applicant/Tenant

Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY EMPLOYER

Employee Name: _____ Job Title: _____

Presently Employed: Yes _____ Date First Employed _____ No _____ Last Day of Employment _____

Current Wages/Salary: \$_____ (circle one) hourly weekly bi-weekly semi-monthly monthly yearly other _____

Average # of regular hours per week: _____

Year-to-date earnings: \$_____ through __/__/__

Overtime Rate: \$_____ per hour

Average # of overtime hours per week: _____

Shift Differential Rate: \$_____ per hour

Average # of shift differential hours per week: _____

Commissions, bonuses, tips, other: \$_____ (circle one) hourly weekly bi-weekly semi-monthly monthly yearly other _____

List any anticipated change in the employee's rate of pay within the next 12 months: _____; Effective date: _____

If the employee's work is seasonal or sporadic, please indicate the layoff period(s): _____

Additional remarks: _____

Employer's Signature

Employer's Printed Name

Date

Employer [Company] Name and Address

Phone #

Fax #

E-mail

NOTE: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to any matter within its jurisdiction.

Employment Verification (December 2002)

UNDER \$5,000 ASSET CERTIFICATION

For households whose combined net assets do not exceed \$5,000.
Complete only one form per household; include assets of children.

Household Name: _____ Unit No. _____

Development Name: _____ City: _____

Complete all that apply for 1 through 4:

1. My/our assets include:

(A) Fair Market Value	(B) Int. Rate	(A*B) Annual Income	Source	(A) Fair Market Value	(B) Int. Rate	(A*B) Annual Income	Source
a. \$		\$	Savings Account	m. \$		\$	Checking Account
b. \$		\$	Cash on Hand	n. \$		\$	Safety Deposit Box
c. \$		\$	Certificates of Deposit	o. \$		\$	Money market funds
d. \$		\$	Stocks	p. \$		\$	Bonds
e. \$		\$	IRA Accounts	q. \$		\$	401K Accounts
f. \$		\$	Keogh Accounts	r. \$		\$	Trust Funds
g. \$		\$	Equity in real estate	s. \$		\$	Land Contracts
h. \$		\$	Lump Sum Receipts	t. \$		\$	Capital investments
i. \$		\$	Life Insurance Policies (excluding Term)				
j. \$		\$	Other Retirement/Pension Funds not named above:				
k. \$		\$	Personal property held as an investment*:				
l. \$		\$	Other (list):				
			TOTAL Add [(a) + (t)]	Fair Market Value		Annual Income	

PLEASE NOTE: Certain funds (e.g., Retirement, Pension, Trust) may or may not be (fully) accessible to you. Include only those amounts that are.

*Personal property held as an investment may include, but is not limited to, gem or coin collections, art, antique cars, etc. Do not include necessary personal property such as, but not necessarily limited to, household furniture, daily-use autos, clothing, assets of an active business, or special equipment for use by the disabled.

2. ☐ Within the past two (2) years, I/we have sold or given away assets (including cash, real estate, etc.) for more than \$1,000 below their fair market value (FMV). Those amounts* are included above and are equal to a total of: \$ _____ (*the difference between FMV and the amount received, for each asset on which this occurred); or
- ☐ I/we have not sold or given away assets (including cash, real estate, etc.) for less than fair market value during the past two (2) years.
3. ☐ I/we do not have any assets at this time.

The net family assets (as defined in 24 CFR 813.102) above do not exceed \$5,000 and the annual income from the net family assets is \$ _____. This amount is included in total gross annual household income listed on the Tenant Income Certification (TIC) effective _____.

Under penalty of perjury, I/we certify that the information presented in this certification is true and accurate to the best of my/our knowledge. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of a lease agreement.

Applicant/Tenant _____ Date _____ Applicant/Tenant _____ Date _____

CERTIFICATION OF ZERO INCOME

(To be completed by adult household members only, if appropriate.)

Household Name: _____ Unit No. _____

Development Name: _____ City: _____

1. I hereby certify that I do not individually receive income from any of the following sources:
 - a. Wages from employment (including commissions, tips, bonuses, fees, etc.);
 - b. Income from operation of a business;
 - c. Rental income from real or personal property;
 - d. Interest or dividends from assets;
 - e. Social Security payments, annuities, insurance policies, retirement funds, pensions, or death benefits;
 - f. Unemployment or disability payments;
 - g. Public assistance payments;
 - h. Periodic allowances such as alimony, child support, or gifts received from persons not living in my household;
 - i. Sales from self-employed resources (Avon, Mary Kay, Shaklee, etc.);
 - j. Any other source not named above.
2. I currently have no income of any kind and there is no imminent change expected in my financial status or employment status during the next 12 months.
3. I will be using the following sources of funds to pay for rent and other necessities: _____

Under penalty of perjury, I certify that the information presented in this certification is true and accurate to the best of my knowledge. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of a lease agreement.

Signature of Applicant/Tenant

Printed Name of Applicant/Tenant

Date

AFFIDAVIT OF NON-EMPLOYMENT

(To be completed by adult household members with UNEARNED income*)

Household Name: _____ Unit No. _____

Development Name: _____

☐ Initial Certification Effective Date: _____
☐ Recertification Effective Date: _____

I, _____, understand that I have applied for occupancy at an Affordable Housing development governed by the rules of the Housing Tax Credit (HTC) program. I further understand that this Program requires me to certify all of my income, assets and eligibility information as part of determining my eligibility AND that my employment status has a direct impact on my eligibility. Thus, I hereby certify that:

☐ I AM NOT employed AND I DO NOT anticipate an imminent change in my financial status or employment status during the next 12 months.

☐ I am currently not employed BUT I AM LOOKING for employment but have not secured a job at this time.

Based on my prior employment experience and/or my educational background, I anticipate earning _____ over the next twelve months.

To support my estimate, I have attached:

- ☐ Previous year's tax returns (*at least two*)
- ☐ Previous job and salary history (*at least three consecutive statements*)
- ☐ Other**: _____

Under penalty of perjury, I certify that the information presented in this affidavit is true and accurate to the best of my knowledge. I further understand that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of my lease agreement.

**Unearned income includes income from Social Security, AFDC/TANF, Child support, or Family Contribution.*

***Any verification that has been approved by the Mississippi Home Corporation (MHC).*

Signature of Applicant/Tenant

Printed Name of Applicant/Tenant

Date

Documentation of Telephone Verification

Applicant _____

Unit # _____

Part I:

Oral (telephone) verification may be used when other methods are not feasible. Describe the reason(s) that third-party written or first-hand verifications are not feasible in this instance.

Part II:

Date: _____ Time: _____

Contact Person: _____ Title: _____

Company Name: _____ Phone: _____

Part III:

Applicant's Date of Employment _____ Position: _____

Gross Pay Before Deductions :

Current Wages/Salary \$ _____ (select one) Weekly____ Bi-weekly____ Monthly____ Bi-monthly____ Annually____ Other____

Average # of regular hours per week _____

Year-to-date earnings \$ _____

Overtime Rate : \$ _____ per hour

Average # of overtime hours per week _____

Other Compensation (select all that apply):

\$ _____ Tips per Week____ Month____ Year____ Other____

\$ _____ Bonuses per Week____ Month____ Year____ Other____

\$ _____ Commission per Week____ Month____ Year____ Other____

\$ _____ Other per Week____ Month____ Year____ Other____

List any anticipated change in the employee's rate of pay within the next 12 months: _____

_____ Effective date: ____/____/____

If the employee's work is seasonal or sporadic, please indicate the layoff period(s): _____

Additional remarks: _____

Signature of Owner or Authorized Representative

Printed Name

Date

NOTE: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to any matter within its jurisdiction.

<input type="checkbox"/> Initial <input type="checkbox"/> Recertification	MHC HOUSING TAX CREDIT ELIGIBILITY APPLICATION	_____ Move-in Date \$ _____ Rent Amount			
Property Name _____ Address _____ Unit # _____					
HOUSEHOLD COMPOSITION					
Applicants/residents, complete in your own handwriting. List the Head of Household and all other persons who will be living in the unit. Give the relationship of each family member to the head. Each household member age 18 years or older must sign and date this application. A household comprised entirely of students will be required to complete a Student Verification, if not otherwise qualified.					
	HOUSEHOLD MEMBER'S NAME	RELATIONSHIP	DATE OF BIRTH	WILL THIS PERSON BE A STUDENT IN THE NEXT 12 MONTHS? YES/NO	SOCIAL SECURITY NUMBER
1		HEAD			
2					
3					
4					
5					
6					
7					
8					

HOUSEHOLD INCOME INFORMATION		
For each household member age 18 or older (including family members temporarily absent), list current and anticipated income for the twelve-month period beginning on the anticipated move-in date or effective date of recertification. All information must be verified. Include <u>all</u> full time, part time or seasonal income even if completing this application in the off-season.		
DO YOU RECEIVE OR EXPECT TO RECEIVE (check either YES or NO to each item, as applicable, and include gross monthly amount):		
YES	NO	
		Gross Monthly Amount
		1. Wages, salaries (include overtime, tips, bonuses, commissions) \$
		2. Does any member work for someone who pays them in cash or has self-employment income \$
		3. Regular pay for a member of the armed forces \$
		4. Public Assistance (MFIP, GA) \$
		5. Worker's compensation \$
		6. Unemployment benefits or severance pay \$
		7. Student financial assistance (public or private, not including student loans) \$
		8. Child support (check yes if you have a court order, even if you are receiving less than the full amount awarded) \$
		9. Alimony/Spousal Maintenance \$
		10. Social Security income (including unearned income of minor children) \$
		11. Disability benefits including social security disability \$
		12. Regular payments from pensions (PERA, railroad, etc.) \$
		13. Regular payments from retirement benefits \$
		14. Death Benefits \$
		15. Regular payments from annuities or life insurance dividends \$
		16. Regular payments from inheritance, insurance settlement, lottery winnings, etc. \$
		17. Net income from rental property \$
		18. Regular cash and non-cash contributions, assistance with paying bills or gifts from individuals not living in the unit (not including groceries) \$
		19. Other (list) _____ \$
		20. Other (list) _____ \$

HOUSEHOLD ASSET INFORMATION	
-----------------------------	--

Yes	No	DOES ANY HOUSEHOLD MEMBER (INCLUDING CHILDREN) HAVE MONEY HELD IN:	CURRENT BALANCE
		21. Checking Accounts (6 month average balance)	\$
		22. Savings Accounts	\$
		23. Stocks	\$
		24. Capital Investments	\$
		25. Bonds	\$
		26. Trusts*	\$
		27. Securities	\$
		28. Whole Life Insurance Policy (do not include term life insurance)	\$
		29. 401K*	\$
		30. IRA/KEOGH Accounts	\$
		31. Certificates of Deposit	\$
		32. Pension/Retirement/Annuity accounts	\$
		33. Money Market Funds	\$
		34. Treasury Bills	\$
		35. Safety Deposit Box	\$
		36. Lump Sum Payment (i.e., inheritance, insurance settlement, lottery winnings, capital gains)	\$
		37. Are any accounts held jointly with someone not in the unit? Which account and with whom? _____	
		38. Other _____	

*Include Trusts, 401K, etc., only if the accounts are accessible to the household prior to termination of employment, retirement, or death. If you are unsure, list the account and it will be verified.

Yes	No		Value
		39. Do you now own Real Estate?	\$
		If yes, list address(es): _____	
		40. Do you hold a contract for deed?	\$
		41. Do you have any coin collections, antique cars, gems/jewelry, stamps or any other items	\$
		held as an investment (wedding rings and personal jewelry do not count)?	
		42. Are any assets held jointly with another person? List person and asset(s). _____ _____	
		Is combined cash value of all household assets under \$5,000?	

From 1-42 above, provide further information for all "YES" checked items.

(If a household member has more than one source of income and/or asset, use a separate line for each source. Use additional sheets, if necessary.)

[illegible]

Please attach documentation available to verify income (i.e., divorce/settlement papers, tax returns, social security benefit award letter, etc.).

I/We hereby certify that I/we

Have **Have not**

☐ sold or given away any assets for less than Fair Market Value during the two year (24 month) period preceding the date of this application. Any assets sold or disposed of for less than Fair Market Value must be identified below.

Household Member	Asset & Estimated Market Value	Date sold/dispensed	Amount Received
			\$
			\$

MISCELLANEOUS

The following questions pertain to yourself and every member of your household who will occupy the unit.

Check either **YES** or **NO** in response to each question. Add an explanation below for all items checked YES.

Yes No

☐ Will any household member, including children, live in the unit on a less than full time basis?

☐ Do you anticipate any change in your household (someone moving in or out) during the next 12 months?

☐ Does any adult member of the household have zero income?

☐ Does/will the household receive rent assistance? If so, indicate from what source (Section 8, Rural Development RA, etc.).

☐ Does your household have any needs that might be better served by a unit which is accessible to persons with mobility, hearing or visual impairments?

Explanation:

SIGNATURES

I/we hereby affirm that the foregoing information is true and complete to the best of my/our knowledge, and authorize the Landlord to make inquiries to verify the statements herein. I/we further understand that any intentional misrepresentation in this application might result in a default in the rental agreement and/or eviction of this household. If any of the aforementioned information changes, I/we agree to notify Landlord immediately.

All household members age 18 or older (and under age 18 if head, spouse, or co-head of household) must sign and date below:

Applicant/Resident Signature _____

Date _____

Applicant/Resident Signature _____

Date _____

Applicant/Resident Signature _____

Date _____

Applicant/Resident Signature _____

Date _____

Documentation of Unit Transfer

Name of Household: _____

Date of Unit Transfer: _____

Transferring from Unit #: _____ Rent Amount: \$_____

Transferring to Unit #: _____ New Rent Amount \$_____

Last (Re)Certification Date: _____ Annual Income: \$_____

Next (Re)Certification Date: _____

Compliance status of transferring household at time of transfer (check one):

- ☐ Not a Section 42 household (market rate unit)
☐ Section 42 household (qualified tax credit unit)

Compliance status of vacant unit at time of transfer (check one):

- ☐ Not a Section 42 household (market rate unit)
☐ Section 42 household (qualified tax credit unit)

Vacated unit adopts the status of the previously vacant unit (i.e., units "swap" status). Place a completed copy of this form in each respective unit file.

Notes: _____

Manager Signature: _____ Date: _____

Print you name: _____

Title: _____

Telephone Number: _____

VERIFICATION OF REGULAR CONTRIBUTIONS

THIS SECTION TO BE COMPLETED BY MANAGEMENT AND EXECUTED BY TENANT

TO: (Name & address of contributor)

Date: _____

Mode of Delivery:

☐ Mailed Date: _____
☐ Faxed Date: _____
☐ Hand Delivered Date: _____

RE: _____
Applicant/Tenant Name

Social Security Number

Unit # (if assigned)

I hereby authorize release of my employment information.

Signature of Applicant/Tenant

Date

The individual named directly above is an applicant/tenant of a housing program that requires verification of income. The information provided will remain confidential to satisfaction of that stated purpose only. Your prompt response is crucial and greatly appreciated.

Project Owner/Management Agent

Return Form To:

THIS SECTION TO BE COMPLETED BY PERSON PROVIDING REGULAR CONTRIBUTIONS

I hereby certify that effective _____ (mm/dd/yy), I pay \$ _____ per (month/week/bimonthly) to the support of _____ (resident's name) who resides at _____ (Address)
City _____ State _____ as of _____ (mm/dd/yy).

Additional remarks: _____

Contributor's Signature

Contributor's Printed Name

Date

Contributor's Address

Phone #

Fax #

E-mail

NOTE: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to any matter within its jurisdiction.

Live-in Aide Housing Agreement

A Live-in Aide is a person or persons who:

- **Resides with an elderly, handicapped or disabled person(s);**
- **Is determined to be essential to the care and well being of the tenant;**
- **Is not obligated for the support of the tenant; and**
- **Would not be living in the unit except to provide the necessary supportive services.**

Name of Household: _____ Unit #: _____

Name of Household member requiring assistance: _____

Name of Live-in Aide: _____

The tenant and Live-in Aide acknowledge and agree to the following:

- ☐ The Live-in Aide is not a tenant of the Landlord. The Live-in Aide shall not become a tenant of the Landlord regardless of the length of his/her stay in the unit or his/her relationship to the Tenant. Relatives who meet the definition and qualify as a Live-in Aide relinquish all rights to the unit as a “remaining member” of the Tenant’s household.
- ☐ The Live-in Aide shall be living in the unit solely to provide support services to the household member requiring assistance. If the household member requiring assistance no longer resides in the unit, the Live-in Aide shall have no rights or privileges to remain on the premises.
- ☐ If the household member requiring assistance dies, the Live-in Aide shall vacate the unit within 10 days of said household’s member’s death. If the household member requiring assistance vacates the unit, the Live-in Aide shall also vacate the unit no later than said household member’s vacate date. Upon the termination of the Live-in Aide’s services for any other reason, the Live-in Aide shall vacate the unit within 24-hours.
- ☐ The Live-in Aide shall not violate any of the House Rules. The Landlord may evict the Live-in Aide if s/he violates any of the House Rules.

Tenant’s Signature

Date

Live-in Aide’s Signature

Date

Owner/Management Agent’s Signature

Date

**SELF-CERTIFICATION OF UNBORN
CHILD/ADOPTION/CUSTODY**

Applicant's Name: _____ Social Security No. _____

Address: _____ City: _____ State: _____

Zip Code: _____

For purposes of determining the income limit and/or number of bedrooms applicable for my household size, I hereby certify that I am:

- ☐ Expecting a child (or children). The due date is: _____
- ☐ In the process of adopting a child (or children).
- ☐ In the process of obtaining custody of child (or children).

Explanation: _____

Under penalties of perjury, I certify that the information presented in this Self-Certification is true and accurate to the best of my knowledge and belief. The undersigned further understands that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in termination of the lease agreement.

Signature: _____

Date: _____

Print your name: _____

Telephone #: _____

Current Address: _____

SS #: _____

Warning: Section 1001 of Title 18 of the U.S. Code makes it a criminal offense to make willful false statements or misrepresentations to any Department or Agency of the United States as to any matter within its jurisdiction.

MISSISSIPPI HOME CORPORATION

CHILD SUPPORT AFFIDAVIT

I, _____, do hereby attest that:

- 1) ☐ I am obliged/entitled (per court order) to receive \$_____ per month in child support and receive \$ _____ per month in child support for the following child(ren):

_____, _____, _____

Please provide documentation (i.e. DHS verification and/or court order) to show the obliged amount.

- 2) ☐ I am obliged/entitled (per court order) to receive \$ _____ per month in child support yet have NOT received any payments in the past 24 months. In the next twelve months, I expect to receive \$_____ for the following child(ren):

_____, _____, _____

Please provide documentation from DHS showing the payment or lack thereof for the past 24 months.

- 3) ☐ I am NOT obliged/entitled (per court order) to receive child support but receive \$_____ per month in child support for the following child(ren):

_____, _____, _____

Please provide a notarized statement from the source of child support (e.g. noncustodial parent).

- 4) ☐ I am NOT obliged /entitled (per court order) to receive child support and do not receive any child support for the following child(ren):

_____, _____, _____

- 5) ☐ None of the above options are applicable.

NOTE: If numbers 1, 2 or 3 is applicable, support documentation MUST accompany this form.

Under penalty of perjury, I/we certify that the information presented in this certification is true and accurate to the best of my/our knowledge. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of a lease agreement.

Applicant/Tenant

Date

Applicant/Tenant

Date

RECERTIFICATION (RENEWAL) QUESTIONNAIRE

(To be used at the time of recertification only)

(For Office Use Only)

Date Mailed:

Date Received:

Recert Due Date:

Tenant

Name: _____ Unit: _____

Person to contact in case of emergency: _____ Phone: _____

Address: _____ Relationship: _____

Complete for ALL household members (including the head of household, all adults, and all minors):

Name	Birth date	Social Security Number	Is HH member a full time student? (circle yes or no)		Is HH member employed? (circle yes or no)	
			YES	NO	YES	NO
			YES	NO	YES	NO
			YES	NO	YES	NO
			YES	NO	YES	NO
			YES	NO	YES	NO
			YES	NO	YES	NO

List ALL sources of income for all members of the household that you have disclosed on page 2 of this questionnaire:

Name of Household Member	Source of Income	Mailing Address	Phone Number and Contact Person	Gross Amount List by week, month, etc.

List ALL assets for all members of the household that you have disclosed on page 2 of this questionnaire:

Name of Household Member	Type of Asset (Checking, savings, CD etc.)	Account Number	Bank & Mailing Address

I certify that the information listed above and on page 2 is true and correct to the best of my knowledge. I acknowledge that I have been informed that this information is being obtained to verify the household's on going eligibility and compliance with the Low-Income Housing Tax Credit Program as regulated by Section 42 of the Internal Revenue Code.

Signature: _____ Date: _____

Signature: _____ Date: _____

Please circle YES or NO for every item listed below and indicate amount under the appropriate HH members name

Does any Household Member have any:	Member:		(Head)	(#2)	(#3)	(#4)	(#5)
Checking Accounts	YES	NO	\$	\$	\$	\$	\$
Savings Accounts	YES	NO	\$	\$	\$	\$	\$
Certificates of Deposits	YES	NO	\$	\$	\$	\$	\$
Money Market Funds	YES	NO	\$	\$	\$	\$	\$
Stocks/Bonds	YES	NO	\$	\$	\$	\$	\$
Treasury Bills	YES	NO	\$	\$	\$	\$	\$
IRA/Keough Accounts	YES	NO	\$	\$	\$	\$	\$
Company Retirement Accounts	YES	NO	\$	\$	\$	\$	\$
Life Insurance Policies (Whole Life)	YES	NO	\$	\$	\$	\$	\$
Pension Funds	YES	NO	\$	\$	\$	\$	\$
Trust Accounts	YES	NO	\$	\$	\$	\$	\$
If yes, is it irrevocable?	YES	NO	\$	\$	\$	\$	\$
Cash held in Safety Deposit Boxes, etc.	YES	NO	\$	\$	\$	\$	\$
House/Real Estate	YES	NO	\$	\$	\$	\$	\$
Rental Property	YES	NO	\$	\$	\$	\$	\$
Other Investments	YES	NO	\$	\$	\$	\$	\$
Have you received any lump sum payments such as the following:							
Inheritances	YES	NO	\$	\$	\$	\$	\$
Lottery or other Winnings	YES	NO	\$	\$	\$	\$	\$
Insurance Settlements	YES	NO	\$	\$	\$	\$	\$
Workers' Compensation Settlements	YES	NO	\$	\$	\$	\$	\$
Social Security Disability Settlements	YES	NO	\$	\$	\$	\$	\$
Unemployment Compensation Settlements	YES	NO	\$	\$	\$	\$	\$
VA Disability Settlements	YES	NO	\$	\$	\$	\$	\$
Severance Pay	YES	NO	\$	\$	\$	\$	\$
Capital Gains	YES	NO	\$	\$	\$	\$	\$
Other	YES	NO	\$	\$	\$	\$	\$
Have you disposed of any assets for less than fair market value in the past 2 years?							
Do you receive any of the following:							
Wages, Salary, etc. thru Employment	YES	NO	\$	\$	\$	\$	\$
Income from a Business or Profession	YES	NO	\$	\$	\$	\$	\$
Social Security	YES	NO	\$	\$	\$	\$	\$
SSI	YES	NO	\$	\$	\$	\$	\$
AFDC or other Public Assistance	YES	NO	\$	\$	\$	\$	\$
Alimony	YES	NO	\$	\$	\$	\$	\$
Child Support	YES	NO	\$	\$	\$	\$	\$
Unemployment Compensation Settlements	YES	NO	\$	\$	\$	\$	\$
Workers' Compensation Settlements	YES	NO	\$	\$	\$	\$	\$
Severance Pay	YES	NO	\$	\$	\$	\$	\$
Retirement Income	YES	NO	\$	\$	\$	\$	\$
Annuities Income	YES	NO	\$	\$	\$	\$	\$
Insurance Policies Income	YES	NO	\$	\$	\$	\$	\$
Disability or Death Benefits	YES	NO	\$	\$	\$	\$	\$
Income from Rental Property	YES	NO	\$	\$	\$	\$	\$
Regularly Recurring monetary gifts	YES	NO	\$	\$	\$	\$	\$

LEASE ADDENDUM FOR HTC PROPERTIES

Tenant Eligibility: Landlord does not discriminate on the basis of race, religion, gender, national origin, handicap, or familial status.

This property has received an allocation of Housing Tax Credits (HTC) under section 42 of the Internal Revenue Code. The Landlord is responsible for compliance with the code. In order to accomplish this, Tenant agrees to immediately notify the Landlord of all changes in household composition and all changes in household student status. Further, Tenant agrees to complete annually or at any other such time requested by Landlord the Recertification Questionnaire disclosing current household composition, household student status and all household income and assets. Tenant agrees to cooperate fully during the recertification process signing all third party verifications and providing all requested names and addresses. Tenant agrees to respond promptly to recertification notices to ensure a timely completion of the process. Tenant understands that failure to comply within thirty (30) days of the initial recertification notice is considered material non-compliance with this lease and therefore grounds for termination of the lease and eviction.

Tenant understands and certifies that the household meets the following student criteria: If the occupant or if all the occupants of a unit are full-time students, the unit will not be considered a qualifying tax credit unit unless one of the full-time students is:

1. A single parent with children, none of which are declared as dependents on another Person's tax return.
2. Married and filing a joint federal tax return.
3. Receiving TANF/AFDC payments on behalf of minor children.
4. Enrolled in a job-training program receiving assistance under the Job Training Partnership Act or funded by a state or local government agency.

Tenant certifies that the following information is complete and correct. List all members of the household:

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

LEASE ADDENDUM FOR HTC PROPERTIES

Name:		Social Security #:		
Birth date:		Full-time Student:	Yes	No

For any persons to be added to the lease, they must fill out an application and meet the Landlord's "Tenant Selection Criteria". Any occupant deemed permanent by the Landlord that does not comply with this procedure or vacate promptly when determined ineligible or jeopardizes the household tax credit compliance is the responsibility of the Tenant and grounds for termination of the lease.

Tenant understands and agrees that the Landlord will verify in writing through a third party when necessary, the information provided on the application and recertification questionnaire in order to ensure IRC section 42 compliance. Failure of the Tenant to provide satisfactory, complete and accurate information will be considered material non-compliance with the lease. Misrepresentation of any information required to determine tenant eligibility will entitle Landlord to terminate this lease and pursue eviction.

The Tenant is permitted to have a guest(s) visit their household. However, the Landlord reserves the right to request a recorded declaration of domicile or proof of domicile if it is suspected that the guest is an unauthorized household occupant. Such suspicion may arise whenever an adult person(s) is making reoccurring visits or one continuous visit 7 days and/or nights without prior notification to the Landlord. Should the Tenant or person in question not provide the requested information needed to confirm other domicile, or should the facts be sufficient to evidence domicile in the project, then the Landlord may consider such person(s) an unauthorized occupant and terminate the lease for material non-compliance.

Tenant understands and agrees to be bound by the above stipulations. Further, the Tenant agrees to take no action to jeopardize the Landlord's tax credit compliance. Should it be determined that Tenant's continued occupancy, for whatever reason, jeopardizes the Landlord's tax credit compliance, the Tenant agrees to voluntarily after receipt of written notification from the Landlord, relocate to another dwelling and relinquish tenancy in their current unit. The Landlord will allow the Tenant sixty (60) days to accomplish this process.

TENANT

LANDLORD

(SEAL)

By:

Tenant

(Agent for Landlord)

(SEAL)

Date

Tenant

PUBLIC ASSISTANCE VERIFICATION

DATE: _____

TO: _____

ADDRESS: _____

TEL: _____ FAX: _____

FROM: _____

ADDRESS: _____

MANAGER: _____

TEL: _____ FAX: _____

Mr./Ms. _____, SS# _____ has applied for residency at _____ . As part of our processing, it is necessary to obtain verification of his/her _____. Please complete the section below and return it in the enclosed self-addressed envelope. Thank you for your prompt response.

RELEASE STATEMENT

I hereby authorize the above named management agent to make inquiries regarding _____ for the purpose of determining my eligibility for occupancy.

SIGNATURE _____ DATE _____

THE FOLLOWING TO BE COMPLETED BY INFORMATION PROVIDER

Name of Head of Household _____

Household Size _____ Number of Adults _____ Number of Minors _____

Please list all household members receiving any type of assistance through this agency.

HOUSEHOLD MEMBER	TYPE OF ASSISTANCE	GROSS MONTHLY PAYMENT
		\$
		\$
		\$
		\$

Please indicate any anticipated changes to:

1. The monthly payment(s) _____
2. The household size of the applicant/resident _____

AGENCY REPRESENTATIVE

I certify that the above information is true and correct to the best of my knowledge.

SIGNATURE/TITLE _____ DATE _____

PRINTED NAME _____ TELEPHONE _____

WARNING: Section 1001 of Title 18 U.S. code makes it a criminal offense to make willful, false statements or misrepresentation of any material fact involving the use of or obtain federal funds.

PUBLIC ASSISTANCE VERIFICATION

CERTIFICATION OF DAILY NEEDS

(To be completed by all households certifying to income less than \$2,500.00.)

Household Name: _____ Unit No. _____
Development Name: _____

☐ Initial Certification Effective Date: _____
☐ Recertification Effective Date: _____

For the next twelve months, I plan to provide for the following items through the sources listed below:

<u>ITEMS</u>	<u>SOURCE</u>	<u>AMOUNT</u>
RENT	_____	_____
FOOD	_____	_____
CLOTHING	_____	_____
TRANSPORTATION		
Gas	_____	_____
Repairs	_____	_____
UTILITIES		
Electric	_____	_____
Gas	_____	_____
Water	_____	_____
Cable	_____	_____
Telephone	_____	_____
PERSONAL HYGIENE (i.e. toiletries)	_____	_____
CLEANING SUPPLIES	_____	_____
HEALTH BILLS	_____	_____
MISCELLANEOUS	_____	_____

Under penalty of perjury, I certify that the information presented in this affidavit is true and accurate to the best of my knowledge. I further understand that providing false representations herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of my lease agreement.

Signature of Applicant/Tenant

Printed Name of Applicant/Tenant

Date

SELF-EMPLOYMENT AFFIDAVIT

You have applied to live in an apartment that is governed by the federal government's Housing Credit Program. This Program requires us to certify all of your income, assets and eligibility information as part of determining your household's eligibility. Program requirements state we must verify each income and asset source as well as other claims of eligibility. We must determine this prior to granting your eligibility and, if such eligibility is granted, each subsequent year you remain in the unit.

COMPLETE THIS FORM IN ITS ENTIRETY

I hereby attach copies of my individual federal tax returns for the immediate preceding two calendar years for which self employment tax returns could have been filed (or, if not filed, were not required to be filed) and certify that the information shown in such income tax returns is true and complete to the best of my knowledge. Business income counted towards income eligibility for the Housing Credit Program is net income from the operation of a business or profession, including cash withdrawals from the business. Do NOT deduct accelerated depreciation, payments made to expand the business or principal payments on debt.

Name of Business: _____ Business Address: _____

Type of Business: _____ City, State, Zip: _____

Position Held: _____ Start Date: _____

Anticipated Annual Income: \$ _____

Number of Self-Employment Federal Tax Returns filed in the last two years: _____

____ tax return income: \$ _____
(Year of)
____ tax return income: \$ _____
(Year of)
Average: \$ _____

NOTE:

- If anticipated annual income is greater than the average of the tax returns, include the anticipated annual income.
- If anticipated annual income is less than the average of the tax returns, provide explanation; otherwise, include average of the tax returns.

Attach a copy of your SIGNED or electronically submitted Federal Tax Return including Profit/Loss Statement (Schedule C) for preceding two calendar years.

If this is a new business, you will need to provide an anticipated Profit/Loss Statement or a written business plan.

Under penalty of perjury, I certify that the information presented in this certification is true and accurate to the best of my knowledge. The undersigned further understands that providing false representation herein constitutes an act of fraud. False, misleading or incomplete information may result in the termination of a lease agreement.

Signature of Applicant/Resident

Printed Name

Date

Household Name: _____ Unit #: _____
Certification Period: _____ to _____
TIC effective date TIC expiration date

**Intermediate Care Facility
Notification/Election of Optional Services**

I, _____ for and been approved for residency at _____ [enter development name], an assisted living tax credit community. As a condition of residency, I understand that I am eligible to receive a non-housing related "Optional Service Package" (i.e., assistance with medication, bathing, meals, etc.) and limited, skilled nursing, medical or psychiatric care from the staff of said development (or any hired affiliate) at an OPTIONAL charge. I further understand that if I elect NOT to receive the Optional Service Package provided by _____ [enter development name] that I am still entitled to occupancy provided said services have been secured from another third-party affiliate and evidence of such has been released to said development prior to occupancy.

Therefore, with receipt of this notification and my signature below, I elect to:

☐ Receive the Optional Service Package provided by _____ [enter development name]. With my election, I understand that I will be charged an additional optional service fee of \$ _____, which is separate and distinct from the basic rental rate, to cover the cost associated with said services. I further understand that this election is for the certification period covered above but may be changed and/or amended upon written notification and acceptance by the owner/management or at the next scheduled recertification;

☐ NOT receive the Optional Service Package provided by _____ [enter development name]. With my election, I understand that I must retain said services from an outside third-party source and provide evidence of such to the owner/manager of the development prior to occupancy/recertification can be granted. I further understand that this election is for the certification period covered above but may be changed and/or amended upon written notification and acceptance by the owner/management or at the next scheduled recertification.

Resident signature

Date

Resident signature

Date

Clarification Memo

Date: _____

Applicant/Resident Name: _____

Unit #: _____

Certification Period:

- ☐ Initial Certification
☐ Recertification
☐ Other: _____
(Identify period)

Mode of Clarification:

- ☐ Telephone Conversation
☐ Person-to-Person Interview
☐ Other: _____
(Identify mode of Clarification)

Contact Name: _____

Title: _____

Company/Organization: _____

Reason for Clarification:

Summary of Clarified Information:

Signature of Verifier

Printed Name of Verifier

Date Verified

SOURCES OF ACCEPTABLE INCOME VERIFICATIONS

Sources of Assets

SOURCES/METHODS OF ACCEPTABLE INCOME/ASSET VERIFICATION

SOURCES	ACCEPTABLE VERIFICATION
Employment Income: Wage Earners:	Written third-party; check stubs (six consecutive check stubs required).
Self-Employment:	W-2 forms (2 calendar years), Most recent income tax form; Sworn statement of earnings and anticipated earnings.
Income Maintenance: Wage Earners: Welfare: Social Security: Supplemental Security Income: Disability Income: Pensions:	Written third-party; check stubs (six consecutive).
Unemployment Compensation Department of Labor:	Written third-party verification; Print out showing unemployment check dates and amounts; Oral Verification
Support Payments:	Written third-party; Copy of divorce decree: amount and type of support
Full-time Student Status:	Written third-party (e.g., registrar's office, school dean, counselor, advisor or VA)
Married Full-Time Students Qualifying As Low or Very Low Income Tenants	Income tax return for preceding year
Education Scholarships, Grants & Veterans Administration Benefits	Written third party from registrar's office; VA printout or statement
Assets:	Written third-party verification when amounts exceed \$5,000; sworn statement from household members, when total amount(s) less than \$5,000

Savings Account, Checking Account, Cash on Hand, Interest Income and Dividend Income:	Written third-party (e.g., accountant; financial institution, investment banker) Current bank statements; Passbook; checking account statement; certificate of deposits, bonds: financial statements.
Interest Income From Sale of Property:	Written third-party (e.g., accountants, real estate broker or financial institution); Amortization schedule (with amount of interest over 12-month period); closing statement or promissory note; Income tax return.
Stocks/Bonds/Other forms of capital investment:	Written third-party (e.g., accountant, financial institution, investment banker, stock broker.
Equity in Real Property:	Real estate tax statements (with current market value and outstanding indebtedness)
Rental Income From Property Owned by Applicant:	Written third-party (management/agent); copy of lease and/or rental agreement; copy of Promissory. Note; Income tax return; current or recent checks, leases, utility bills, complete tax statements, insurance premiums, banks statements or amortization schedules showing outstanding indebtedness & monthly principal and interest payments, and other relevant expenses.

Assets

ASSETS INCLUDE:	ASSETS DO NOT INCLUDE:
Amounts in savings and average six month balance in checking accounts.	Necessary personal property, except as noted in A9.
Stocks, bonds, saving certificates, money market funds and other investment accounts.	Interest in Indian trust lands.
Equity in real property or other capital investments. Equity is the estimated current market value of the asset less the unpaid balance on all loans secured by the asset and reasonable costs (such as broker fees) that would be incurred in selling the asset.	Assets that are part of an active business or farming operation.
The cash value of trusts that are available to the household.	NOTE: Rental properties are considered personal assets held as an investment rather than business assets unless real estate is the applicant's/tenant's main occupation.
IRA, Keogh and similar retirement savings accounts, even though withdrawal would result in a penalty.	Assets not accessible to the family and which provide no income for the family.
Contributions to company retirement/pension funds that can be withdrawn without retiring or terminating employment.	Vehicles especially equipped for the handicapped.
Assets which, although owned by more than one person, allow unrestricted access by the applicant.	Equity in owner-occupied cooperatives and manufactured homes in which the family lives.
Lump sum receipts such as inheritances, capital gains, lottery winnings, insurance settlements, and other claims.	
Personal property held as an investment such as gems, jewelry, coin collections antique cars, etc.	

Count as income

- Actual income from assets if total assets are \$5,000 or less;**
- If Assets are more than \$5,000, the greater of**
 - actual income from assets, or**
 - total assets x passbook rate**

SOURCES OF UTILITY ALLOWANCE DOCUMENTATION

PHA

HUD

RHS

LOCAL UTILITY COMPANY (with Methodology)

HOUSING ALLOWANCES FOR
UTILITIES AND OTHER PUBLIC SERVICES
EFFECTIVE
DATE January 1, 2004

NAME OF BORROWER _____

LOCATION AND IDENTIFICATION OF PROJECT _____

PART 1

Monthly Dollar Allowances

UTILITY OR SERVICE		0-BR	1-BR	2-BR	3-BR	4-BR
HEATING						
a.	Natural Gas			28		
	Bottle Gas					
c.	Electric					
	Oil					
AIR CONDITIONING				20		
COOKING						
	Natural Gas					
	Bottle Gas					
	Electric			7		
OTHER ELECTRIC LIGHTING, REFRIGERATION, ETC.				19		
WATER HEATING						
a.	Natural Gas			12		
	Bottle Gas					
	Electric					
d.	Oil					
WATER						
SEWER						
TRASH COLLECTION						
OTHER (Specify)						
TOTAL ALLOWANCE		0		80		0
(Round to next highest dollar)						

PREPARED BY:

Borrower or Agent

Title

Signature

Date

APPROVED BY RURAL DEVELOPMENT:

Name

Title

Signature

Date

HOUSING ALLOWANCES FOR UTILITIES AND OTHER PUBLIC SERVICES

PART II

BLOCK A

BLOCK B

TO: _____

ALLOWANCES FOR UTILITIES
AND SERVICES BILLEDDIRECTLY TO AND PAID BY
TENANTPer
Month

Address of tenant _____

No. of Bedrooms 2

You will be billed directly for
utilities and service charges.
Block B sets forth the allowances
credited in your rent for the payment
of utilities. You may be billed for
more or less than shown in Block B
depending on your use of utilities.

HEATING	\$ 28
AIR CONDITIONING	20
COOKING	7
OTHER ELECTRIC	13
WATER HEATING	12
WATER	
SEWER	
TRASH COLLECTION	
OTHER (Specify)	

Signature of Borrower/or Agent _____

January 1, 2004

(Date)

Total (Round to next
highest dollar)

\$ 80

REC'D JUN 29 2005

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT SECTION 8 EXISTING HOUSING ALLOWANCES FOR TENANT-FURNISHED UTILITIES AND OTHER SERVICES						DATE 10/01/2002
LOCALITY * COUNTIES OF COAHOMA, PANOLA, QUITMAN, UNIT TYPE						
SUNFLOWER, TALLAHATCHIE & TUNICA					MONTHLY DOLLAR ALLOWANCES	
UTILITY OR SERVICE	0-BR	1-BR	2-BR	3-BR	4-BR	5-BR
HEATING						
a. Natural Gas		17.00	23.00	29.00	35.00	41.00
b. Bottle Gas						
c. Oil						
d. Electric		25.00	30.00	35.00	40.00	45.00
AIR CONDITIONING		10.00	10.00	10.00	10.00	10.00
COOKING						
a. Natural Gas		3.00	3.00	3.00	3.00	3.00
b. Electric		5.00	5.00	5.00	5.00	5.00
c. Bottle Gas						
OTHER ELECTRIC LIGHTING, REFRIGERATION, ETC.		8.00	10.00	12.00	14.00	16.00
WATER HEATING						
a. Natural Gas		8.00	10.00	12.00	14.00	16.00
b. Electric		13.00	16.00	19.00	22.00	25.00
c. Bottle Gas						
d. Oil						
WATER		6.00	6.00	6.00	6.00	6.00
SEWER		3.00	3.00	3.00	3.00	3.00
TRASH COLLECTION						
RANGE		10.00	10.00	10.00	10.00	10.00
REFRIGERATOR		10.00	10.00	10.00	10.00	10.00
OTHER (Specify)						
ACTUAL FAMILY ALLOWANCES (To be used by family to compute allowance. Complete below for Actual Unit Rented.)				UTILITY OR SERVICE		PER MONTH
NAME OF FAMILY				HEATING		29
				AIR CONDITIONING		10
ADDRESS OF UNIT				COOKING		3
				OTHER ELECTRIC		12
				WATER HEATING		12
				WATER		-
				SEWER		-
				TRASH COLLECTION		-
				RANGE		-
				REFRIGERATOR		-
NUMBER OF BEDROOMS 3				OTHER (Specify)		-
				TOTAL		\$ 66

North Delta Regional Housing Authority
P.O. Drawer 1148
Clarksdale, MS 38614

RECD JUN 7 2005

U. S. Department of Housing & Urban Development
 Section 8 Allowances for Tenant-Furnished Utilities and Other Services
 HUD-52667

**MISSISSIPPI REGIONAL HOUSING AUTHORITY II
 UTILITY ALLOWANCE CALCULATION**

Hof H Name: _____ # of Bedrooms: _____

Unit Address: _____
 Street Address City St Zip

	1BR	2BR	3BR	4BR	5BR
HEATING					
NATURAL GAS	✓ 14.00	17.00	20.00	22.00	25.00
ELECTRIC	✓ 16.00	✓ 19.00	✓ 20.00	23.00	25.00
BOTTLED GAS	6.00	6.00	6.00	6.00	6.00
COOKING					
NATURAL GAS	3.00	4.00	5.00	5.00	5.00
ELECTRIC	✓ 3.00	✓ 5.00	✓ 7.00	9.00	11.00
BOTTLED GAS	6.00	6.00	6.00	6.00	6.00
AIR CONDITIONING	✓ 12.00	✓ 12.00	✓ 12.00	12.00	12.00
OTHER ELECTRIC	✓ 16.00	✓ 17.00	✓ 19.00	22.00	24.00
WATER HEATING					
NATURAL GAS	8.00	9.00	10.00	12.00	13.00
ELECTRIC	✓ 10.00	✓ 12.00	✓ 14.00	16.00	17.00
BOTTLED GAS	6.00	6.00	6.00	6.00	6.00
WATER					
CITY	8.00	8.00	10.00	11.00	12.00
COUNTY	10.00	10.00	12.00	13.00	14.00
SEWER					
CITY	8.00	8.00	10.00	11.00	12.00
COUNTY	-0.00-	-0.00-	-0.00-	-0.00-	-0.00-
TRASH COLLECTION					
CITY	11.00	11.00	11.00	11.00	11.00
COUNTY	9.00	9.00	9.00	9.00	9.00
RANGE	5.00	5.00	5.00	5.00	5.00
REFRIGERATOR	5.00	5.00	5.00	5.00	5.00
TOTAL	57	65	72		

Note: In accordance with HUD regulations 24 CFR 982.512, the Utility Allowances for tenant furnished utilities are reviewed annually by the Mississippi Regional Housing Authority II in the month of October. In October, 2004, these allowances were reviewed but not revised. They remain the same as those given to you in October, 2003.

Phyllis S. Johnson
 Executive Director

Date

October 1, 2004

PETITION FOR LOCAL ESTIMATES
UTILITY ALLOWANCE
GUIDELINES

MISSISSIPPI HOME CORPORATION UTILITY ALLOWANCE GUIDELINES

When petitioning a local utility company for a utility average or estimate, the following guideline(s) must be used*:

1. Averages or estimates obtained from a local utility company for the geographical area are acceptable.
2. A petition to a local utility company for utility usage averages/estimates may be submitted by any individual (i.e., owner, developer, tenant) that has a direct interest in the development in which the utility allowance estimate is being requested. Any fees associated with the request will be the responsibility of the person(s) requesting the utility averages/estimates.
3. A 12-month period should be used as a base in obtaining a utility average or estimate from a local utility company.
4. Utility allowance estimates or averages should be based on actual rates and average consumption estimates that will be adequate to cover expected average utility costs over a twelve-month period.
5. Information regarding typical utility usage and the cost of utilities and services is generally available through the following local sources:
 - Electric utility suppliers
 - Natural gas utility suppliers
 - Water and sewer suppliers
 - Fuel oil and bottled gas suppliers
6. The cost of each utility must be stated separately. For each utility, the type and size of the unit must be taken into consideration. For example, if there are different types of units among bedroom sizes (i.e., townhouse vs. flat, studio vs. efficiency) data must be collected for each type utilizing the requirements listed above.
7. In order to minimize costs and usage of staff time, a local utility company may randomly sample annual utility costs by bedroom size across the entire population of residential units to be included in the utility average or estimate. See the suggested guidelines at the end of this section.
8. Developments financed by Rural Housing Service (RHS) must use the RHS approved utility allowance.

9. Developments financed by HUD must use the HUD approved utility allowance.
10. The Public Housing Authority (PHA) utility allowance must be used for units occupied by Section 8 Voucher holders. PHA utility allowances can be used for developments not financed by HUD or RHS.
11. All utility allowances must be updated annually and all documentation must be retained. Updates must be implemented within 90 days of the published date of the updated allowance.

**Once an owner/developer/tenant petitions a local utility company for estimates, the verified estimates MUST be used (regardless of whether the averages obtained are higher than the previously used estimates). The owner/developer/tenant must also furnish MHC with a copy of the utility allowance estimates that were verified along with any other support documentation. All supporting documentation used in determining both the initial allowances and any revisions should be maintained. Such documentation may include the consumption estimates that the basis of the dollar allowances, letters or rate schedules as well as worksheets used to develop the schedule.*

Final approval is subject to review of all support documentation by MHC.

OBTAINING UTILITY ALLOWANCES FROM A LOCAL UTILITY COMPANY UTILIZING STATISTICAL SAMPLING (ENERGY COSTS)

Scope: The utility allowance is intended to enable participating families to pay typical costs for utilities paid by energy-conserving households occupying units of similar size and type in the same locality. When establishing a utility allowance schedule, every effort should be made to base the allowances on actual rates and average consumption estimates that will be adequate to cover expected average utility costs over a twelve month period. The allowances should be based on an estimated full year of usage divided equally over twelve months, although the family's actual usage may fluctuate from month to month. Vacant units should not be included in the calculations.

The utility allowance schedule must be reviewed annually and allowances must be revised when there has been a change of 10 percent or more in the utility rates or fuel costs since the last revision of the schedule. To conduct a utility allowance review, new rate schedules or quotes from utility and fuel suppliers must be obtained. These new rates should be compared with the rates previously used to calculate the last revision to the utility allowance schedule to determine whether an adjustment is needed.

Purpose: The purpose is to estimate annual energy costs based upon a statistically valid random sample. A statistically valid random sample is a probability sample that includes the following features:

- The sampling methodology employed is such that, at least in principle, each distinct sample chosen by the methodology has a known probability of selection.
- The sampling units match the target population and are randomly selected (typically utilizing appropriate software).
- The size of the sample chosen is sufficient to achieve the desired level of precision with the desired confidence.

The result of the sampling process should be a confidence interval estimate of the annual energy costs for the selected population of interest.

Approach: The following steps should serve as guidelines for the process of estimating annual energy costs using a statistically valid random sample.

1. Select the target population. It is usually appropriate to stratify the population of interest into more homogeneous units if possible. For example, it is typically more efficient to stratify the population by number of bedrooms, or total square feet, or some other way that is related to energy consumption.
2. Choose a precision level and a confidence level. Typically, the confidence level should be 90% or 95%. The precision level is the amount of error that is acceptable. A precision amount of \$5.00 implies the sampling process is designed to estimate the annual energy cost by a plus or minus of \$5.00. Sometimes it is useful to think of the percent error (somewhere between 5% and 10% should suffice) that is acceptable and work backwards to a dollar amount.
3. Using an appropriate (statistically valid) calculation method, determine the sample size required to meet both the desired precision and the chosen confidence. This may require obtaining some pilot data to estimate the standard deviation.
4. Randomly choose the sampling units and use the results to estimate the energy costs. That is, enumerate each item and use software to randomly select the units to be analyzed.

References: Chapter 18, "Allowances for Utilities and Other Services", HUD's Housing Choice Voucher Program Guidebook

Mark A. McComb, Ph.D developed sampling guidelines under "Purpose and Approach" sections

[Format to use when petitioning local utility company on development with 10 or more units.

RETYPE on company Letterhead]

[Date]

[Name]

[Address]

[City, State, Zip]

**RE: Request for Utility Estimates /Actual at [Property Name,
Address
City]**

Dear Sir or Madam:

Please accept this correspondence as an official request for the utility allowance usage pattern for the above captioned development. For your use, *Exhibit A* has been provided that identifies each building in the development and the unit number/size/type associated with each building address.

In preparing your estimates, we ask that you please provide data based on the [electrical, gas and water] usage pattern of each unit size (i.e., 1 bedroom, 2 bedrooms, 3 bedrooms, etc.) in the development over a 12-month period. In addition, please ensure that estimates/figures provided are based on data acquired from the applicable number of units (per unit size). Note, if any unit variations exist (i.e., townhouse vs. flat, studio vs. efficiency), then please provide estimates for these unit variations separately. {{See Exhibit A}}

Finally, in accordance with the requirement established by the Mississippi Home Corporation, the state housing finance agency to which these estimates must be submitted, we respectfully ask that you forward a copy of your response directly to the contact person identified at the bottom of this form.

Thank you in advance for your assistance. In order to assist you in preparing a response, please find attached a letter/framework that may be used if needed. Should you have any questions, please do not hesitate to contact [enter contact person] at [enter phone number].

Sincerely,

[Signature and Title of Representative of
the Ownership Entity, management agent, tenant]

Enclosures: Exhibit A

Cc: Mississippi Home Corporation
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39229-3369

[OWNER'S NAME]

EXHIBIT A

[illegible]

**[Framework for utility allowance estimates with 10 or more units.
RETYPE on company Letterhead]**

[Date]

[Name]
[Address]
[City, State, Zip]

**RE: Request for Utility Estimates /Actual at [Property Name,
Address
City]**

Dear Sir or Madam:

Thank you for your request for the utility usage patterns at [enter development name] located in [enter city, Mississippi]. As you requested, a copy of this correspondence has been forwarded to the Mississippi Home Corporation.

We have reviewed the accounts at this location and determined the utility usage based on a 12-month average of the units (per bedroom size and type) provided on Exhibit A to be approximately [enter usage estimates per bedroom size, respectively]. Please be advised that the usage pattern may be different from month to month based upon the individual customer's living habits.

Should you have any questions, please feel free to contact our customer service center at [enter telephone number]. Thank you for allowing us to provide your utility needs. As always, we value YOU as a customer and appreciate this opportunity to serve you.

Sincerely,

[Signature & title of Utility Company agent preparing report]

Cc: Mississippi Home Corporation
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39229-3369

**[Format to Use when petitioning Local uUtility Company on Development w/10 units or less.
RETYPE on company Letterhead]**

[Date]

[Name]

[Address]

[City, State, Zip]

**RE: Request for Utility Estimates /Actual at [Property Name,
Address
City]**

Dear Sir or Madam::

Please accept this correspondence as an official request for the utility allowance usage pattern for the above captioned development. For your use, *Exhibit A* has been provided that identifies each building on the development and the unit number/size/type associated with each building address.

In preparing your estimates, we ask that you please provide data based on the [electrical, gas and water] usage pattern of each unit size (i.e., 1 bedroom, 2 bedrooms, 3 bedrooms, etc.) in the development over a 12-month period. In addition, please ensure that estimates/figures provided are based on data acquired from a review of the usage pattern of the units in the development. Note, if any unit variations exist (i.e., townhouse vs. flat, studio vs. efficiency), then please provide estimates for these unit variations separately. {{See Exhibit A}}

Finally, in accordance with the requirement established by the Mississippi Home Corporation, the state housing finance agency to which these estimates must be submitted, we respectfully ask that you forward a copy of your response directly to the contact person identified at the bottom of this form.

Thank you in advance for your assistance. In order to assist you in preparing a response, please find attached a letter/framework that may be used if needed. Should you have any questions, please do not hesitate to contact [enter contact person] at [enter phone number].

Sincerely,

[Signature and Title of Representative of
the Ownership Entity, management agent, tenant]

Enclosures: Exhibit A

Cc: Mississippi Home Corporation
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39229-3369

[DEVELOPMENT NAME]
[OWNER'S NAME]

EXHIBIT A

[illegible]

**[Framework for Utility Allowance estimates w/10 or less units.
RETYPE on company Letterhead]**

[Date]

[Name]

[Address]

[City, State, Zip]

**RE: Request for Utility Estimates /Actual at [Property Name,
Address
City]**

Dear Sir or Madam:

Thank you for your request for the utility usage patterns at [enter development name] located in [enter city, Mississippi]. As you requested, a copy of this correspondence has been forwarded to the Mississippi Home Corporation.

We have reviewed the accounts at this location and determined the utility usage based on a 12-month average of the units (per bedroom size and type) you provided on Exhibit A to be approximately [enter usage estimates per bedroom size, respectively]. Please be advised that the usage pattern may be different from month to month based upon the individual customer's living habits.

Should you have any questions, please feel free to contact our customer service center at [enter telephone number]. Thank you for allowing us to provide your utility needs. As always, we value YOU as a customer and appreciate this opportunity to serve you.

Sincerely,

[Signature & title of Utility Company agent preparing report]

Cc: Mississippi Home Corporation
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39229-3369



ANNUAL OWNER CERTIFICATION REPORT

AOC Checklist

Owner's Certification Of Continued Program Compliance

Supplemental Certification Of HTC Compliance

Occupancy (Rent Roll) Report

Utility Allowance Documentation (if applicable)

DUE JANUARY 31ST OF EACH TAX YEAR

Mississippi Home Corporation

Attachment A

Annual Owner Certification (AOC) Report Guidelines

In an effort to expedite the Annual Owner Certification (AOC) review process, the Compliance Division has developed the following guidelines for packaging the AOC Report:

1. Each AOC Report must be individually packaged (i.e., per development) in accordance with the guidelines listed below.
2. All components of the report must be submitted in the format (form) established and/or generated by the Compliance Division, where applicable.
3. Compliance fees (i.e., late submission), if applicable, must be attached to the top of the AOC Report using the supplied Payment Processing Form.
4. Each AOC Report must be secured/binded with an Acco Fastener.
5. All components of the report must be type-written or completed in blue or black ink. No Pencils!
6. All components of the report, including signatures, must be ORIGINALS. PHOTOCOPIES WILL NOT BE REVIEWED.

Depending on AOC submission method, each component of the AOC Report MUST be ORGANIZED AND PRESENTED in the order listed below:

Certification On-Line (COL)

- I. Compliance Monitoring Fees, if applicable
- II. Annual Certification Checklist
- III. Owner Certification of Continued Program Compliance (*signed & notarized by owner*)
NOTE: In addition to COL submission, a hard copy of this report must also be submitted to MHC for review.
- IV. Supplemental Certification of HTC Compliance (*signed & notarized by owner*)
- V. Applicable Utility Allowance Documentation

NOTE: A hard copy of the Occupancy Report is NOT needed with COL submission. However, please retain a copy for your records!

Manual

- I. Compliance Monitoring Fees
- II. Annual Certification Checklist
- III. Owner Certification of Continued Program Compliance (*signed & notarized by owner*)
- IV. Supplemental Certification of HTC Compliance (*signed & notarized by owner*)
- V. Applicable Utility Allowance Documentation
- VI. Occupancy (Rent Roll) Report for period of January 1st through December 31st. (*per building*)

Forward completed report to:

Mississippi Home Corporation
Attn.: Compliance Division
P O Box 23369
Jackson, MS 39225-3369



Mississippi Home Corporation

Compliance Monitoring Payment Processing Form

COMPLETE THIS FORM AND SUBMIT IT WITH YOUR PAYMENT

(If you are paying for multiple developments using a single check/money order, complete one form for each development. Show the respective amount being paid per development.)

1) DEVELOPMENT INFORMATION

Development Name: _____

Development Number: _____

Submitted by: _____

E-mail: _____

Phone: _____

2) METHOD OF PAYMENT ☐ Check No. _____ ☐ Money Order No. _____

Invoice No: _____

3) FEES

Fee Type	Description	Fee	Qty.	Total
Annual Administrative Fee	Administrative fee for compliance monitoring during extended use period	\$20/LI Unit*		
Occupancy Report Processing Fee	Fee for processing manually submitted Occupancy Reports	\$20/LI Unit		
Late Submission Fee	Fee for late submission of requested paperwork	\$100/day late		

**RHS only \$10/unit*

Mail Payment(s) to:
Mississippi Home Corporation
Attn: Compliance Monitoring Division
PO Box 23369
Jackson MS 39225-3369

Questions? Contact Deborah Heard @ 601. 718. 4622 or Deborah.Heard@mshc.com

For Internal Use Only \$ _____ Received: _____

TO: MISSISSIPPI HOME CORPORATION
P O BOX 23369, JACKSON, MS 39225-3369

Annual Owner Certification Report Checklist

(Complete a separate form for each HTC development.)

The following components of the Annual Owner Certification (AOC) Report must be submitted to the Mississippi Home Corporation *on or before* **January 31st** for review:

Please indicate method of submission (*only select one submission method*):

<input type="checkbox"/> Certification On-Line (COL)		Required method of submission	
		COL	MANUAL
<input type="checkbox"/>	Payment Processing Form, if applicable		X
<input type="checkbox"/>	Owner's Certification of Continuing Program Compliance <i>(Signed & Notarized)</i>	X	X
<input type="checkbox"/>	Supplemental Certification of HTC Compliance <i>(Signed & Notarized)</i>		X
<input type="checkbox"/>	Applicable Utility Allowance Documentation		X
<input type="checkbox"/>	Occupancy (Rent Roll) Report <i>per building</i>	X	

<input type="checkbox"/> Manual		Required method of submission	
		COL	MANUAL
<input type="checkbox"/>	Payment Processing Form, if applicable		X
<input type="checkbox"/>	Owner's Certification of Continuing Program Compliance <i>(Signed & Notarized)</i>		X
<input type="checkbox"/>	Supplemental Certification of HTC Compliance <i>(Signed & Notarized)</i>		X
<input type="checkbox"/>	Applicable Utility Allowance Documentation		X
<input type="checkbox"/>	Occupancy (Rent Roll) Report <i>per building</i>		X

Signature of Person Verifying Doc. Completion

Signature of Owner

Date

Housing Tax Credit (HTC)
OWNER'S CERTIFICATION OF CONTINUING PROGRAM COMPLIANCE

Deadline for submission is on or before 5:00 p.m., January 31st.

To: *MISSISSIPPI HOME CORPORATION; P O BOX 23369, Jackson, MS 39225-3369*

Part I – Development Data

Certification Dates:	From: January 1, 20__	To: December 31, 20__	
Project Name:		Project No: MS	
Project Address:		City:	Zip:
Tax ID # of Ownership Entity:			

Part II – Current Development Status

☐ No buildings have been Placed in Service

☐ At least one building has been placed in Service but owner elects to begin credit period in the following year.

☐ Project is in carryover status and IRS Form 8609 has not been issued by the Mississippi Home Corporation.

If either of the above applies, please check the appropriate box, and proceed to page 2 to sign and date this form.

The undersigned _____ on behalf of _____ the "Owner"), hereby certifies that:

1. The project meets the minimum requirements of: (check one)
- ☐ 20 - 50 test under Section 42(g)(1)(A) of the Code

☐ 40 - 60 test under Section 42(g)(1)(B) of the Code

☐ 15 - 40 test for "deep rent-skewed" projects under Section 42(g)(4) and 142(d)(4)(B) of the Code
2. There has been no change in the applicable fraction (as defined in Section 42(c)(1)(B) of the Code) for any building in the project:
- ☐ NO CHANGE

☐ CHANGE (List the applicable fraction to be reported to the IRS on page 3)
3. The owner has received an annual Tenant Income Certification from each low-income resident and documentation to support that certification, or the owner has a re-certification waiver letter from the IRS in good standing, has received an annual Tenant Income Certification from each low-income resident, and documentation to support the certification at their initial occupancy.
- ☐ YES

☐ NO
4. Each low-income unit in the project has been rent-restricted under Section 42(g)(2) of the Code:
- ☐ YES

☐ NO
5. All low-income units in the project are and have been for use by the general public and used on a non-transient basis (except for transitional housing for the homeless provided under Section 42 (i)(3)(B)(iii) of the Code):
- ☐ YES

☐ NO

☐ HOMELESS
6. No finding of discrimination under the Fair Housing Act, 42 U.S.C 3601-3619, has occurred for this project. A finding of discrimination includes an adverse final decision by the Secretary of Housing and Urban Development (HUD), 24 CFR 180.680, an adverse final decision by a substantially equivalent state or local fair housing agency, 42 U.S.C 3616a(a)(1), or an adverse judgment from a federal court:
- ☐ NO FINDING

☐ FINDING
7. Each building in the project is and has been suitable for occupancy, taking into account local health, safety, and building codes (or other habitability standards), and the state or local government unit responsible for making building code inspections did not issue a report of a violation for any building or low income unit in the project:
- ☐ YES

☐ NO
- If "No", state nature of violation on page 3 and attach a copy of the violation report as required by 26 CFR 1.42-5 and any documentation of correction.
8. There has been no change in the eligible basis (as defined in Section 42(d) of the Code) of any building in the project since last certification submission:
- ☐ NO CHANGE

☐ CHANGE (State nature of change on page 3)
9. All tenant facilities included in the eligible basis under Section 42(d) of the Code of any building in the project, such as swimming pools, other recreational facilities, parking areas, washer/dryer hookups, and appliances were provided on a comparable basis without charge to all tenants in the buildings:
- ☐ YES

☐ NO
10. If a low-income unit in the project has been vacant during the year, reasonable attempts were or are being made to rent that unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units were or will be rented to tenants not having a qualifying income:
- ☐ YES

☐ NO
11. If the income of tenants of a low-income unit in any building increased above the limit allowed in Section 42(g)(2)(D)(ii) of the Code, the next available unit of comparable or smaller size in that building was or will be rented to residents having a qualifying income:
- ☐ YES

☐ NO

12. An extended low-income housing commitment as described in section 42(h)(6) was in effect, including the requirement under section 42(h)(6)(B)(iv) that an owner cannot refuse to lease a unit in the project to an applicant because the applicant holds a voucher or certificate of eligibility under Section 8 of the United States Housing Act of 1937, 42 U.S.C. 1437s. Owner has not refused to lease a unit to an applicant based solely on their status as a holder of a Section 8 voucher and the project otherwise meets the provisions, including any special provisions, as outlined in the extended low-income housing commitment (not applicable to buildings with tax credits from years 1987-1989):

☐ YES☐ NO☐ N/A
13. The owner received its credit allocation from the portion of the state ceiling set-aside for a project involving "qualified non-profit organizations" under Section 42(h)(5) of the code and its non-profit entity materially participated in the operation of the development within the meaning of Section 469(h) of the Code.

☐ YES☐ NO☐ N/A
14. The owner has complied with Section 42(h)(6)(E)(ii)(I) and not evicted or terminated the tenancy of an existing tenant of any low-income unit other than for good cause:

☐ YES☐ NO
15. The owner has complied with Section 42(h)(6)(E)(ii)(II) and has not increased the gross rent above the maximum allowed under Section 42 with respect to any low-income unit:

☐ YES☐ NO
16. There has been no change in the ownership or management of the project:

☐ NO CHANGE☐ CHANGE *(Detail change on page 3)*

Note: Failure to complete this form in its entirety will result in noncompliance with program requirements. *In addition, any individual other than an owner or general partner of the project is not permitted to sign this form, unless authorized by the Mississippi Home Corporation.

The project is otherwise in compliance with the Code, including any Treasury Regulations, the applicable MS Qualified Allocation Plan, and all other applicable laws, rules and regulations. This Certification and any attachments are made UNDER PENALTY OF PERJURY.

By: _____

Title: _____

Date: _____

Signature of Ownership Entity* _____

STATE OF _____

COUNTY OF _____

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that
_____, whose names(s) _____
signed to the foregoing instrument, and who (is) (are) known to me, acknowledged before me on this date that,
being informed of the contents of this document, (he) (she) (they) executed the same voluntarily on the day the
same bears date.

Given under my hand and official seal this _____ day of _____, 20____.

(Seal)

Notary Public

My Commission Expires: _____

[illegible]

B. CHANGES IN OWNERSHIP OR MANAGEMENT
(to be completed ONLY if "CHANGE" marked for
question 14 above)

1. TRANSFER OF OWNERSHIP

Date of Change:	
Taxpayer ID Number:	
Legal Owner Name:	
General Partnership:	
Status of Partnership (LLC, etc):	

2. CHANGE IN OWNER CONTACT

Date of Change:	
Owner Contact:	
Owner Contact Phone:	
Owner Contact Fax:	
Owner Contact Email:	

3. CHANGE IN MANAGEMENT CONTACT

Date of Change:	
Management Co. Name:	
Management Address:	
Management city, state, zip:	
Management Contact:	
Management Contact Phone:	
Management Contact Fax:	
Management Contact Email:	

Page # _____ OF _____

(NOTE: Please read instructions on next page before completing this form. Also attach applicable utility schedule.)

Prepared by: _____
 Title: _____
 Telephone Number: () _____

[illegible]

Student Exception	
1=	TANF Assistance
2=	Job Training Program
3=	Single Parent/dependent Child
4=	Married/joint return

INSTRUCTIONS FOR COMPLETING THE OCCUPANCY (RENT ROLL) REPORT

A separate rent roll report should be completed for each building in the development.

H E A D I N G I N F O	Reporting Period	Indicate the period in time in which this report covers (i.e. January 1, 2006 thru December 31, 2006).
	Project Name	Indicate the Project name as identified on IRS form 8609, Part 1-A. (Note as 'AKA' the new project name, if applicable).
	Project Number	Indicate the project number assigned by Mississippi Home Corporation (i.e., MS 09-999).
	Building Address	Indicate the building address as identified on IRS form 8609, Part 1-A.
	Building Identification Number (BIN)	List the building identification number assigned to the project, and identified on IRS form Part 1-E.
	Total # of units in the building	Identify the total number of rental units in this building.
	Prepared by, Title & Phone Number	List the name and title of the person completing the report and their phone number (including area code).
a	Unit Number	Identify the number assigned to the unit by the owner.
b	Unit Square Footage	Identify the low-income status of the qualifying unit at the time of the most recent certification.
c	No. of Bedrooms	Identify the total number of separate bedrooms in the unit.
d	No. in household	Identify the number of persons considered to be part of the household during the next 12 month period, including (if applicable) members not anticipated to reside in the unit and non-related household members.
e	Move-in Date	THE DATE IN WHICH THE RESIDENT(S) MOVED INTO THE UNIT (not building). For residents who occupied the unit on the date the building was Placed in Service, the move in date is the date THE UNIT was certified as a HTC unit.
f	Move – Out Date	The date the resident(s) vacated the unit, if applicable.
g	Head of Household Full Name	List the person identified as head of household on the Tenant Certification (TIC) form (Last, First).
h	Date of last certification	The date on which the income of the household was examined or reexamined for eligibility purposes.
i	Initial Certification for household	Indicate by 'Y' for yes and 'N' for No if this is the initial certification for the household.
j	Current Annual Gross Income	The GROSS Annual household income anticipated/projected for the 12 months following the date of the Annual Certification/Recertification.
k	Tenant Paid Rent	The tenant paid portion of the monthly rent amount identified on the lease as the date the income was recertified. THIS DOES NOT INCLUDE THE AMOUNT OF SUBSIDY PAID by Section 8 or RHS.
l	Mandatory Charges	Identify the total amount of mandatory charges (i.e., charges for use of common areas such as community room, garage, swimming pool, etc.) for the unit.
m	Rental Subsidy Amount	Identify the total amount of monthly rental subsidy received for the unit. This amount should not include the tenant paid portion of the rent.
n	Utility Allowance	Indicate the monthly amount of utilities for this unit that the owner DOES NOT pay. This is the amount that the resident would be responsible for monthly. Section 8 Utility Allowance Charts must be used for Section 8 Voucher or Certificate Holders, while RHS provided allowances must be used for RHS residents. In addition, ATTACH A COPY OF THE CURRENT UTILITY ALLOWANCE SCHEDULE IN EFFECT FOR THESE UNITS.
o	F/T Student household	Identify whether or not the household has certified under the full-time student designation. If the entire household is comprised of full-time students, insert "yes". If the ENTIRE household is not comprised of full-time students, then mark "no".
p	Qualifying Student Exception	Identify the IRS exception in which the household qualifies. 1=TANF Assistance; 2= Job Training Program; 3=Single Parent/dependent child; 4=Married filing a joint tax return; 5 = None of the above
q	Unit Transfer (Y/N)	Identify whether or not this household (during this quarter) transferred from one unit to another unit during the reporting period. Y = Yes; N= No.
r	Unit Transfer Number	Identify the unit number in which the listed household is transferring to. This number does not have to be in this building.

MISSISSIPPI HOME CORPORATION
SUPPLEMENTAL CERTIFICATION OF HTC COMPLIANCE
Report Period: January 1, 20__ to December 31, 20__

Development Name: _____ Development Number: MS-__ - __
Street Address: _____
County: _____ City, State, and Zip Code: _____

PART I: Rent Structure Summary: Please complete the following table regarding contract/basic rent at different income levels for the federal minimum set aside and state deeper targeting for the low-income units in the development.

	1 BR	2BR	3BR	4BR	5BR
Rent @ 50%					
Rent @ 50% with Owner Subsidy					
Rent @ 60%					
Rent @ 60% with Owner Subsidy					

Are there any variations in rent for the same unit size? ____ If yes, please explain. _____

Please list the effective dates of all rental increases during the reporting period: _____

PART II: Additional Compliance Obligations:

- ☐ Not applicable (*Proceed to Part III*)
- ☐ Deeper income targeting (50% of AMI) Number of families meeting criteria: _____
- ☐ Owner Rental Subsidy Number of units meeting criteria: _____
- _____ Number of units provided assistance for person(s) without any other form of rental assistance.
- _____ Number of units provided assistance by person w/ another form of rental assistance. (i.e. Section 8)
- _____ Number of assisted units which are occupied by persons 55 & older.
- _____ Number of assisted units which are occupied by single parent households.
- _____ Number of assisted units which are occupied by persons with gross household income at or below 50% of AMI.

Part III: Social Service Information: Indicate the number served in each category and subcategory, if applicable. Attach attendance roster(s), where applicable.

- ☐ Not applicable (*Proceed to Part IV*)
- ☐ Applicable (*Select activity status as of year end*)
- ☐ Inactive Effective date: ____ (mm/dd/yy) Please attach written explanation.
- ☐ Active Date of last meeting: ____ (mm/dd/yy)

Select from list below all social services provided. Indicate in space provided the total number of people served during the year.

- | | | | |
|--|-------|---|-------|
| <input type="checkbox"/> Basic Adult Education | _____ | <input type="checkbox"/> Personal Development | _____ |
| <input type="checkbox"/> Budgeting | _____ | <input type="checkbox"/> Counseling Services | _____ |
| <input type="checkbox"/> Computer Literacy Classes | _____ | <input type="checkbox"/> Crafts | _____ |
| <input type="checkbox"/> Financial Planning | _____ | <input type="checkbox"/> Credit Counseling | _____ |
| Assistance/Courses | | | |
| <input type="checkbox"/> GED Classes | _____ | <input type="checkbox"/> English as a Second Language | _____ |
| <input type="checkbox"/> Job Skills | _____ | <input type="checkbox"/> Home Buyer Education | _____ |
| | | <input type="checkbox"/> Job Skills-Mentally Disabled | _____ |
| <input type="checkbox"/> Children's Activities | _____ | <input type="checkbox"/> Vocational Training | _____ |
| <input type="checkbox"/> After School | _____ | | |
| <input type="checkbox"/> Child Care | _____ | <input type="checkbox"/> Senior Citizens Program | _____ |
| <input type="checkbox"/> Educational/Scholastic Tutoring | _____ | <input type="checkbox"/> Bible Study | _____ |
| | | <input type="checkbox"/> Home Care | _____ |
| <input type="checkbox"/> Community Safety | _____ | <input type="checkbox"/> Senior Meals Program | _____ |
| <input type="checkbox"/> Crime Watch | _____ | <input type="checkbox"/> Medical Services | _____ |
| <input type="checkbox"/> Personal Protection | _____ | | |
| <input type="checkbox"/> Drug Prevention/Intervention | _____ | <input type="checkbox"/> Social Activities | _____ |
| | | <input type="checkbox"/> Social Activities and Events | _____ |
| <input type="checkbox"/> Domestic Skills | _____ | <input type="checkbox"/> Community Gardens | _____ |
| <input type="checkbox"/> Health & Nutritional Courses | _____ | <input type="checkbox"/> Computer Facilities | _____ |
| <input type="checkbox"/> Housekeeping | _____ | | |
| <input type="checkbox"/> Minor Maintenance | _____ | <input type="checkbox"/> Transportation Services | _____ |
| | | <input type="checkbox"/> Other Services-describe below: | _____ |

Part IV: Development Physical Condition Indicate in the space provided the status of the development during the reporting period. If any repairs have gone beyond its anticipated repair date and remain damaged, please attach a brief explanation.

- A. Damage sustained to development/unit?
☐ No (*Proceed to Part IV*) ☐ YES Date of Occurrence: _____ (mm/dd/yy)
- B. Area(s) of damage:
 Buildings: Total number of buildings damaged: _____
 Please list BINS affected: _____
- Unit(s): Total number of units damaged: _____
 Please list units affected: _____
- C. Cause of Damage:
☐ Fire ☐ Natural Disaster ☐ Other: _____
- D. Extent of damage:
☐ Heavy ☐ Moderate ☐ Light
- E. Repairs Completed:
☐ Yes Date: _____ (mm/dd/yy)
☐ NO Anticipated date of completion: _____ (mm/dd/yy)
- F. Estimated Cost of Repairs:

Part V: Owner Certification

I, the undersigned, as owner or general partner of the HTC development noted herein, hereby certify under penalty of perjury that the information contained on this certification, including any attachments hereto, is true, correct and complete to the best of my knowledge.

Signature _____

Date _____

Printed Name and Title

TO BE COMPLETED NOTARY

STATE OF

COUNTY OF _____

I, the undersigned, a Notary Public in and for said County, in said state, hereby certify that _____, whose name(s) _____ signed to the foregoing instrument, and who (is)(are) known to me, acknowledged before me on this date that, being informed of the contents of this document, (he)(she)(they) executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____, 20_____.

Notary Public

(Seal)

My Commission Expires:



QUARTERLY OCCUPANCY REPORT

Owner's Certification Of Continued Program Compliance

Occupancy (Rent Roll) Report

***DUE QUARTERLY FOR NEW PROGRAM
PARTICIPANTS***

Mississippi Home Corporation
HTC QUARTERLY OCCUPANCY COMPLIANCE REPORT
PART A- LEASE UP OCCUPANCY SUMMARY REPORT

Period: _____, 20__ to _____, 20__

Development No: MS-_____

Required Minimum Set-Aside: ☐ 20/50 ☐ 40/60

Development Name: _____

Development Status: ☐ Under Construction * ☐ Initial Lease-Up
Anticipated PIS: _____ ☐ 100% Lease-Up

City, Zip: _____

Owner: _____

Owner TIN: _____ Phone: _____

Manager/Contact: _____

Phone: _____

BIN	PIS Date	Credit Start (YYYY)	LI Units Occupied	LI Units Vacant	LI Units Empty	Market Units	Units Total
Development Total							

*Please attach additional sheets as needed.

I/we (owner) relied in good faith upon information supplied by the occupants and verified the information provided. I/We certify that data presented in this report is accurate to the best of our knowledge.

Signature (Preparer)

Signature (Managing Owner)

Date _____

MISSISSIPPI HOME CORPORATION
HOUSING TAX CREDIT PROGRAM
Quarterly Occupancy Report ~ PART B

NOTE: LIST EACH UNIT IN THE DEVELOPMENT AND PROVIDE STATUS AS OF THE LAST DAY OF THE QUARTER REPORTING.

Development Name: _____
Dev. Number: _____
BIN NO. _____
PIS Date: _____
Vacancy %: _____

Total # of Buildings in Development:
Total # of rental units in building:

Minimum Set-Aside(select one): [] 20/50 [] 40/60

Prepared by: _____
Title: _____
Telephone Number: _____

NOTE: Complete only ONE FORM for each building which contains a tax credit unit. Monthly figures MUST be used for rental and utility allowance amounts. Annual figures MUST be used to report gross anticipated household income.

HOUSEHOLD ELIGIBILITY INFORMATION															
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(p)	(q)
Unit Number	Unit Status (LI, OI, UR)*	Head of Household	SS Number	No. of Occupants	Bedrooms	Move-In Date (mm/dd/yy)	Date of Last Certification (mm/dd/yy)	Annual Gross Income	Rental Subsidy Amount	Tenant Paid Rent	Utility Allowance	Gross Rent (j)+(k)	Move-Out Date	F/T Student Household? (Y or N)	UNIT INFORMATION

*Unit Occupancy Status Codes

V= Vacant HTC unit
E= Empty never rented unit
UR= Unrestricted unit/Market
OI= Over Income @ recertification
LI= Qualified low income unit

MHC INSPECTION FORMS

(This form must not be returned no later than (Return Date))

**Mississippi Home Corporation Housing Tax Credit Program
Building Physical Inspection Reference Form**

The Mississippi home Corporation, monitoring agency of the Housing Tax Credit (HTC) Program for the State of Mississippi, will be conducting a building inspection of _____ on (Inspection Date). Please provide a copy of the most current rent roll, contact person's name, phone and fax numbers, and directions to the referenced development and forward to: Mississippi Home Corporation; Attn: Building Inspector; P.O. Box 23369; Jackson, MS 39225 of fax to (601) 718-4643 no later than _____.

Attention: Building Inspection Administrator

Note: Please complete a separate form for each HTC property in the notified letter.

Property Name: _____
Owner: _____
Property Address: _____
City/Town/Zip code _____

Date/ Time of inspection: _____
Contact Person: _____
Phone: _____
Fax: _____

Complete Directions to Property

Please provide "turn by turn" directions

(Use additional sheets if necessary)

**{PLEASE RETURN TO MISSISSIPPI HOME CORPORATION BY
Due Date }**

**MISSISSIPPI HOME CORPORATION HTC
MONITORING ACKNOWLEDGEMENT FORM**

The Mississippi Home Corporation monitoring agency of the HTC program for the State of Mississippi, will be conducting an on-site records review of _____ on _____. **Please provide directions to the referenced development and forward to: Mississippi Home Corporation P O Box 23369, Jackson, MS 39225 or Fax to (601) 718-4643 no later than _____.**

ATTN: COMPLIANCE DIVISION

NOTE: *Please complete a separate form for each HTC property notified in the letter.*

Property Name: _____ Owner : _____

Property Address: _____ City/Town: _____

Date/Time of inspection: _____

INDIVIDUAL TO CONTACT FOR MONITORING/COMPLIANCE:

Name _____ Phone: _____

Fax: _____

Location Preferred for On-site Record review (this can be at the property or at another location where the records are kept).

Street Address _____ City/Town _____

DIRECTIONS TO PROPERTY:

**MISSISSIPPI HOME CORPORATION
HOUSING TAX CREDITS (HTC) PROGRAM
DESK AUDIT QUESTIONNAIRE**

Owner: _____ Project: _____
Address: _____ Address: _____

Tax ID #: _____ Project #: _____

DATE PROJECT PLACED IN SERVICE: _____

DATE OF ALLOCATION: _____

PLEASE CHECK ALL THAT APPLY:

(1) SET ASIDE ELECTION:

☐ 20/50 ☐ @ 100 %
☐ 40/50 ☐ @ 100 %
☐ 40/60 ☐ @ 100 %

(2) TYPE OF PROJ. WITH TAX CREDITS:

☐ HOME FUNDS ☐ FmHA 515 ☐ CONV. ☐ ELDERLY
() 55 and older or () 62 and older

(3) TOTAL # OF UNITS IN PROJECT?

☐ VACANT ☐ OCCUPIED

(4) TOTAL # OF STAFF UNITS? _____ IF ANY, WHICH UNITS? _____

(5) # OF UNITS WITH: ☐ 1 BR ☐ 2 BR ☐ 3 BR ☐ 4 BR

(6) TOTAL NUMBER OF BUILDINGS: _____

(7) TOTAL NUMBER OF UNITS PER BUILDING: _____

(8) DATE OF LAST RECORDS INSPECTION : _____

(9) LIST ALL AMENITIES _____

A signed copy of this form and all other required documentation must be received by the Mississippi Home Corporation Compliance Monitoring Division no later than 5:00pm on **[Due Date]**.

Thank you for your cooperation with our monitoring procedures.

Signature of owner's representative (agent)

Phone Number

Date

J

RECERTIFICATION WAIVER PROCEDURES

Mississippi Home Corporation

Federal HTC Recertification Waiver - Request Guidelines

What is the Waiver?	SECTION 1.42-5 OF THE INCOME TAX REGULATION REQUIRES THAT AN OWNER RECEIVE AN ANNUAL INCOME RECERTIFICATION FOR EACH LOW-INCOME RESIDENT IN THE DEVELOPMENT. SECTION 42(G)(8)(B) PROVIDES THAT AN OWNER OF AN ELIGIBLE DEVELOPMENT MAY REQUEST A WAIVER FROM THE ANNUAL RECERTIFICATION PROCESS.
Who is Eligible?	A 100% Housing Tax Credit Development that has been placed in service for at least three years, has completed at least one AOC Report, had at least one tenant file review performed by MHC, and has an overall favorable compliance status. Must NOT be a participant in another affordable housing program (Section 8 project based or Rural Development).
When can I apply for the recertification waiver?	The recertification waiver request to the IRS can be applied for at any time. HOWEVER, because of the steps involved, the request for a Statement of Compliance from MHC's Compliance Monitoring Division can only be made during the months of - April through October of each calendar year.
Where can I get a Recertification Waiver - Authorization to Apply Application?	<p>The application to begin the Recertification Waiver request process can be obtained from:</p> <p style="text-align: center;">Mississippi Home Corporation Attn.: Karen C. Georgetown 735 Riverside Drive Jackson, Mississippi 39225 Or online at www.MSHC.com</p> <p style="text-align: center;">*REMEMEBER, the IRS will be the entity that issues the final Recertification Waiver!</p>
What are the steps involved in obtaining the Recertification Waiver?	<ol style="list-style-type: none"> 1. Owner must submit to MHC a request for a Development Eligibility Letter/Authorization to Apply Application. 2. Upon approval of Development Eligibility request, have an MHC approved contractor perform a 100% file review on the development's records. <i>Must receive a favorable Compliance Certification.</i> 3. Submit a copy of the Compliance Certification from the contractor to MHC for review along with IRS Form 8877 Request for Waiver of Annual Income. 4. Receive IRS Form 8877 from MHC with Agency Attestation and Exemption Statement completed. 5. Submit IRS Form 8877 to IRS for consideration of Recertification Waiver. Forward copy of request to MHC. 6. Receive 'OFFICIAL' notification from IRS noting approval of Recertification Waiver. Forward copy to MHC. 7. Receive acknowledgement from MHC of IRS waiver. Note: Before MHC can acknowledge an approved IRS Waiver, we must have a copy of the IRS approval notification on file.
When will the Recertification Waiver take effect?	Once an owner receives the approved recertification waiver from the IRS, s/he owner MUST immediately forward a copy to MHC. Upon review and processing by MHC, MHC will issue an Acknowledgement Letter recognizing the effective date of the waiver.
What fees are associated with the Recertification Waiver request?	Typically, an owner pays the independent contractor a per unit fee for performing the 100% file inspection. This fee varies by contractor. <i>MHC charges \$20 per unit to perform recertification waiver request. In addition, MHC standard research fee of \$55.00 per hour of research applies.</i>

ANNUAL INCOME RECERTIFICATION WAIVER FREQUENTLY ASKED QUESTIONS (FAQ'S)

Q: What is this waiver?

A: Section 1.42-5 of the Income Tax Regulations (the compliance monitoring regulations) requires that an owner receive an annual income verification for each low-income resident in the development. Section 42(g)(8)(B) provides that an owner of an eligible development may request a waiver from the annual recertification process.

Q: Is my development eligible to request the waiver?

A: The development must be 100% tax credit eligible and have been placed in service for at least three years. In addition, the development must have completed *at least* three Annual Owner Certification Reports, undergone *at least* ONE tenant file review (on-site or desk audit), has a overall favorable compliance status and is not in noncompliance with any other program offered by the Corporation. Finally, the development must not participate in other programs (ex. FmHA or other project-based subsidies) requiring annual recertifications of income.

Q: Who do I contact to begin the Recertification Waiver request process?

A: Mississippi Home Corporation, Karen C. Georgetown, AVP of Compliance Monitoring, 735 Riverside Drive, Jackson, MS 39225. 601.718.4632.

Q: Does the state housing credit agency (MHC) grant the waiver?

A: No, the Internal Revenue Service must review the waiver request and will either grant or deny the waiver request. However, MHC must pre-approve waiver request by signing the Attestation and Exemption Statement on IRS form 8877.

Q: What happens once I contact MHC?

A: MHC requires that all internal records be up to date, that according to the regulations the development is actually eligible to request the waiver, that the development meets all other MHC noted requirements and that there are no outstanding items of noncompliance. MHC, in order to document eligibility, reviews the compliance status of the development. If no outstanding compliance items are noted, then MHC issues an Eligibility Letter to the owner, along with all documents/information needed to proceed with the process.

Q: What is involved with this record inspection?

A: MHC has an approved list of companies that may contract directly with the development owner and work with them to complete a record inspection of 100% of the units in the development. If the company finds no evidence of noncompliance, it will issue a report to MHC so that MHC, in turn, may provide to the owner a Statement of Compliance which states that each rental unit in the building was a low-income unit under Sec. 42 at the end of the most recent credit period of the building. As an alternative, MHC will be available to conduct 100% record inspection for a nominal fee. When requesting an inspection from MHC, an owner may request a review of up to a total of 250 units or ten developments whichever is least. Owners are limited to one request per year.

Q: What happens if the contractor finds noncompliance?

A: If an independent company is utilized, the company is contracting exclusively with the owner, no report is filed with MHC or the Internal Revenue Service regarding the noncompliance event found. If the noncompliance is correctable, the owner should attempt to correct it. The owner and contractor then must decide whether or not to a) proceed with the certification or b) proceed with the waiver request. Reportable instances of noncompliance found during an inspection conducted by MHC will be reported to the Internal Revenue Service.

Q: What are the costs associated with requesting the waiver?

A: Developments inspected by MHC will be charged \$20 per unit. For independent contractors, the owner will deal directly with the company/ies approved by MHC to perform the inspection of all developments. Fees are usually negotiated on a per unit basis and ranges from \$12 to \$20.

Q: Once the IRS grants the waiver, when is it effective?

A: The waiver is generally effective once approved by the IRS, however before MHC can acknowledge an approved IRS Waiver, we must have a copy of the IRS approval notification on file.

Q: Can the waiver be revoked?

A: Yes. The waiver may be revoked if the building ceases to be a 100% low-income building or the Internal Revenue Service determines that an owner has violated Section 42 in a sufficiently serious manner.

Q: Will I still complete annual monitoring reports?

A: Yes, the only change to the current compliance monitoring process is the annual recertifications of previously qualified households. An annual certification by the resident of student status is still required.

Q: Will I still be subject to periodic monitoring tenant file reviews?

A: Yes. MHC will continue to perform periodic inspections of the tenant file records particularly to determine if sufficient certifications are being acquired on all NEW MOVE-IN's.

**[Format Owner Should Use to
Request Waiver from IRS.
RETYPE on company Letterhead]**

[Date]

Internal Revenue Service Center
Post Office Box 245
Philadelphia, PA 19255

RE: Annual Recertification Waiver for
[Property Name, City]
[Owner's Name]
[Owner's Taxpayer I.D.#]

Gentlemen:

Pursuant to Section 42(g)(8)(B), _____, the owner of the above captioned development, hereby applies for the Annual Income Recertification Waiver. Attached is a IRS Form 8877 (*Request for Waiver of Annual Income Recertification Requirement for the Low-Income Housing Credit*) bearing the certification of myself and the Mississippi Home Corporation (MHC), the state housing credit monitoring agency, to whom I report.

The Owner, _____, understands that MHC may continue to require an annual income recertification under its monitoring procedure and that the waiver does not exempt _____[the owner] from the record keeping and certification requirements of Sec. 1.42-5 for the verification of the annual income of a tenant upon the tenant's initial occupancy of any unit in the building(s).

A copy of this request and MHC's Statement of Compliance will remain a part of the development's records regardless of any ownership transfer. This request is signed under penalties of perjury, and to the best of my knowledge and belief that all information is true, correct, and complete.

Sincerely,

[Signature and Title of Representative of
the Ownership Entity--not management agent]

Enclosures: IRS Form 8877

Housing Tax Credit (HTC)
ANNUAL INCOME RECERTIFICATION WAIVER
AUTHORIZATION TO APPLY APPLICATION

To: MISSISSIPPI HOME CORPORATION; P O Box 23369, Jackson, MS 39225-3369

This application must be completed in IN BLUE OR BLACK INK OR TYPE-WRITTEN by the development owner ONLY!

NOTE: Applications may be submitted anytime between the months of April through October.

Part I - GENERAL INFORMATION

Owner's Name:

Owner's Address:

Contact Person:

Taxpayer I.D. Number: **Telephone No:**

Fax No:

Development Name:

Development Address:

City:

Development Number:

Total Number of Units: **Total Number of LI Units:**

Total Number of Buildings in the development:

Placed-in-Service Date:
(Use additional sheet if needed)

Anticipated date of IRS Recertification Request:

Part II –STATEMENT OF ELIGIBILITY*

Pursuant to Section 42(g)(8)(B) of the Internal Revenue Code and MHC's eligibility requirements, I certify that to the best of my knowledge:

The referenced development ☐ *is* ☐ *is NOT* currently in compliance with the rules and regulations governing the HTC program, MHC's Compliance Monitoring Plan and/or the MHC Qualified Allocation Plan;

I ☐ *have* ☐ *have NOT* submitted *at least* one Annual Owner Certification Report as required by Sec. 1.42-5 of the Internal Revenue Code for the development;

The referenced development ☐ *has* ☐ *has NOT* undergone *at least* one on-site monitoring and/or desk audit review performed by MHC since the development was Placed in Service;

The referenced development ☐ *is* ☐ *is NOT* a participant in any other affordable housing program such as Sec. 8 project-based or Rural Development; and

That there ☐ *are* ☐ *are NOT any* unfavorable compliance issues outstanding on the referenced development.

Part III – OWNER'S REQUEST/CERTIFICATION

I, _____, the owner of the above noted development, hereby request authorization from the Mississippi Home Corporation (MHC) to apply for the annual income recertification waiver as stated in Sec. 42(g)(8)(B) for the noted development. I recognize, by my signature below, that MHC may continue to require an annual income certification under its monitoring procedures and acknowledge that the waiver does not exempt me from the recordkeeping and certification requirements of Section 1.42-5 for the verification of annual income of a tenant upon the tenant's initial occupancy of any unit in the building. In addition, I understand that there is no guarantee the Internal Revenue Service will issue a waiver in response to my request and that until such waiver is received and acknowledged by MHC that I am still obligated to continue the annual recertification of all tenant income/assets.

Signature of Owner

Date

NOTE: MHC will research the overall compliance status of the development to ensure all eligibility requirements are met. Owner will be billed for time spent researching the compliance status of the development. Fees must be submitted before Eligibility

Letter is issued!
ANNUAL INCOME RECERTIFICATION WAIVER
MHC Recognized Certifiers for the 100 Percent File Review*

Spectrum Seminars, Inc.
545 Shore Road
Cape Elizabeth, Maine 04107

www.spectrumseminars.com

207.767.8000
Fax: 207.767.2200

TheoPro Compliance & Consulting, Inc.

21150 West Capitol Drive Suite 3
Pewaukee, Wisconsin 53072

www.icomply42.com

Toll Free .877.783.1133
Fax 262.783.7734

Quadel Consulting Corporation
Tax Credit Compliance System
1250 Eye Street NW, Suite 330
Washington, DC 20005

www.trng@Quadel.com

202.789.2500 or
800.987.2581

Elizabeth Moreland Consulting, Inc.

125 May Street
Orange City, FL 32763

www.housingcreditcollege.com

800.644.0390
Fax: 800.466.5689

A.J. Johnson Consulting Services, Inc.

813 Chatsworth Drive
Newport News, VA 23601

Email: ajjohn@cox.net

757.599.3964
Fax: 757.599.3963

*Contractor selected to perform 100% file review must NOT have a direct or indirect financial interest nor consulting or material business relationship with the owner, manager, developer or investor of the development in which the 100% file review is being performed.

*****Please note that Mississippi Home Corporation is also available for 100% record reviews.***

QUALIFIED CONTRACT PROVISIONS & METHODOLOGY

(Date)

Mississippi Home Corporation
P O Box 23369
Jackson, MS 39225-3369

RE: Development Name:
 Project No.
 Project Address:

Dear Housing Finance Agency:

I hereby request that the Corporation present a “qualified contract” for the purchase of (Development Name). This request is made pursuant to Section 42(h)(6)(E)(i)(II) of the Internal Revenue Code. We understand the Corporation will have one year from its receipt of this letter and all of the accompanying information described below, to present a “qualified contract” for the purchase of the referenced development.

We have enclosed with this request the following documents and information required by the Corporation:

1. A fully completed “Calculation of Qualified Contract” Price, including Worksheets A-E. This form was completed, or reviewed and approved by the accountant’s for the development, (Accountant’s Name).
 2. A thorough narrative description of the development, including all amenities, suitable for familiarizing prospective purchasers with the development (# of units, unit mix, rent amount per unit, utility allowance, # of buildings, a complete description of all improvements, services, and current staff).
 3. A description of all income, rental and other restrictions, if any, applicable to the operation of the development.
 4. A detailed set of photographs of the development, including the interior and exterior of representative apartment units and buildings, and the development grounds.
 5. Area maps, site plans, as built survey, if applicable.
-

6. A copy of the most recent 12 months of operating statements for the development which will fairly apprise a potential purchaser of the development's operating expenses, debt service, gross receipts, net cash flow and debt service coverage ratio.
7. Prior year audited operating statement, current operating budget, year-to-date comparison of actual expenses to operating budget.
8. Description of utilities provided by owner, insurance company, Insurance provider and existing coverage and cost, special assessments, real estate tax assessment, valuation, tax rate and current taxes.
9. A current rent roll reflecting the unit #, tenant name, lease expiration, current rent amount.
10. If any portion of the land or improvements are leased, copies of the leases.
11. Title policy (most recent).
12. Copy of the most recent physical needs assessment. If none is available, description by owner/manager of the development's physical needs (deferred maintenance).

We understand that the above information may be shared with prospective purchasers, real estate brokers and agents of the Corporation, and summary data may be posted on the Corporation's website.

We will reasonably cooperate with the Corporation and its agents with respect to the Corporation's efforts to present a qualified contract for the purchase of the development. In this regard, we understand that prior to the presentation of a qualified contract, we may need to share "due diligence" with the Corporation and with prospective purchasers, including but not limited to, additional rent rolls, project tax returns, income certifications, and other Section 42 compliance records, records with respect to repair and maintenance of the development, operating expenses and debt service. Provided, before information is shared with a prospective purchaser, we may require that it enter into a commercially reasonable form of nondisclosure agreement. We will also share with the Corporation, at its request, the documents and other information that were used to prepare the enclosed Calculation of Qualified Contract Price, including Worksheets A-E. We also agree to allow the Corporation, its agents, and prospective purchasers, upon reasonable written prior notice, to visit and inspect the development, including representative apartment units.

We further understand that if the Corporation finds a prospective purchaser willing to present an offer to purchase the development for an amount equal to or greater than

the “qualified contract” price, we agree to enter into a commercially reasonable form of earnest money agreement or other contract of sale of the development which will allow prospective purchaser a reasonable period of time to undertake additional, customary due diligence prior to closing the purchase.

We further state our willingness (non-willingness) to amend the sales price to \$_____based on current market conditions and other pertinent considerations.

Very truly yours,

Owner

Attachments

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

Calculation of Qualified Contract Price
IRC Section 42(h)(6)(F)

As of _____

A. Calculation of Low-Income Portion of Payment

(i) Outstanding indebtedness secured by or with
respect to the Buildings (from Worksheet A)

(ii) Adjusted investor Equity (from Worksheet B)

(iii) Other Capital Contributions not reflected in (i) or (ii)
(from Worksheet C)

(iv) Total of (i), (ii) and (iii)

(v) Cash Distributions from or available from the
Development (from Worksheet D)

(vi) Line (iv) reduced by Line (v)

(vii) Applicable fraction

(viii) Low-Income Portion of Qualified Contract Price
(Line (vi) multiplied by Line (vii))

B. Fair Market Value of Non-Low-Income Portion of Building(s) (from Worksheet E)

Qualified Contract Price (Sum of Line A (vii) and Line B)

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

Worksheet B

Calculation of Adjusted Investor Equity in the Low-Income Building(s)
IRC Section 42 (h)(6)(F)(i)(II)

"Adjusted investor equity" means, with respect to each calendar year, the aggregate amount of cash that taxpayers invested with respect to the low-income buildings, increased by the applicable cost of living adjustment. An amount may be taken into account as an investment in a low income building only to the extent there was an obligation to invest such amount as of the beginning of the credit period and to the extent such amount is reflected in the adjusted basis of the building. Amounts should be included in this Worksheet B only if they satisfy the requirements of IRS Code Section 42.

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Year ____ **Adjusted Investor Equity**

Investor:		
Investment Amount		
Cost of Living Adjustment %		
Cost of Living Increase		\$
Subtotal	\$	

Total Adjusted Investor Equity \$

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

WORKSHEET C

OTHER CAPITAL CONTRIBUTIONS

IRC Section 42 (h)(6)(F)(i)(II)

Please set forth below the amount of any other capital contributions by an investor with respect to the low income portion of the buildings that are not included in the "Outstanding Indebtedness" identified in Worksheet A or the "Adjusted Investor Equity" identified in Worksheet B.

Investment Amount

Name of Investor:

Date of Investment

Use of Contributions/Proceeds:

Other Information:

Investment Amount

Name of Investor:

Date of Investment

Use of Contributions/Proceeds:

Other Information:

Investment Amount

Name of Investor:

Date of Investment

Use of Contributions/Proceeds:

Other Information:

Total of Other Contributions

\$

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

WORKSHEET D

Cash Distributions From or Available From the Project

IRC Section 42 (h)(6)(F)(ii)

The "qualified contract" price is reduced by the total of all cash distribution from, or available from the project. Accordingly, in Section A below, please set forth all cash distributions by the project owner for each of the calendar years of the first 14 years of the compliance period. For this purpose, please include all cash distributed or paid to a partner (or member, in the case of a limited liability company) or any related party affiliate thereof, whether characterized as a return of capital fee, a distribution, or otherwise. Further, if you believe that any portion of the cash distribution is not properly included in this calculation, please set forth the amount you believe should be executed with an explanation of why you believe that it should be excluded.

In Section B, please set forth the amount of cash currently held in the described accounts and the amounts thereof you believe are, or will be available for distribution.

In Section C, please set forth and describe any non-cash distributions that have been made by the project owner. Absent unusual circumstances, the amount of non-cash distributions will not be applied to reduce the "qualified contract price".

Section A. Cash Distributed

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Year	<input type="text"/> Distributions	
	Total Distributions	<input type="text"/>
	Recipient:	<input type="text"/>
	Characterization of Distribution:	<input type="text"/>

Total Distributions in First 14 Years of Compliance Period \$

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

WORKSHEET D (CONTINUED)

Section B. Cash Available for DistributionAmounts Held in Replacement Reserve Account(s) Amount available for Distribution Amounts Held in Operating Reserve Account(s) Amount available for Distribution

Amounts Held in Other Reserve Accounts

Account Amount Held Amount available for distribution Account Amount Held Amount available for distribution Account Amount Held Amount available for distribution Amounts Held in Partnership Accounts other than Reserves Amount available for distribution **Total Amount Available for Distribution** **Total Cash Distributed and Available for Distribution** \$ **Section C. All Non-Cash Distributions**Asset Distributed Recipient Date of Distribution Estimated Value of Asset at the
time of Distribution Reason for/or Characterization of
Distribution Asset Distributed Recipient Date of Distribution Estimated Value of Asset at the
time of Distribution Reason for/or Characterization of
Distribution Asset Distributed Recipient Date of Distribution Estimated Value of Asset at the
time of Distribution Reason for/or Characterization of
Distribution

MISSISSIPPI HOME CORPORATION

HOUSING TAX CREDIT PROGRAM

WORKSHEET E

Fair Market Value on Non-Low Income Portion of Building(s)

Set forth or attach to this worksheet the appraisal, study, methodology proof or other support for the fair market value of the non-low income portion of the building(s).



POINT SELECTION CRITERIA (1996-2008)

MISSISSIPPI HOME CORPORATION

1996-2008 SELECTION CRITERIA

[illegible]



IRS PROGRAM "TAX" FORMS

8609

8609-A

8823

8586

8693

8611

Low-Income Housing Credit Allocation and Certification

OMB No. 1545-0988

Part I Allocation of Credit. *Caution: Use for allocations made in 2005 and later or, in the case of buildings financed with tax-exempt bonds, bonds issued or buildings placed in service in 2005 or later.*

Check if: ☐ Addition to Qualified Basis ☐ Amended Form

A Address of **building** (do not use P.O. box) (see instructions)

B Name and address of **housing credit agency**

C Name, address, and TIN of **building owner** receiving allocation

D Employer identification number of agency

E Building identification number (BIN)

TIN ▶

1a Date of allocation ▶/...../..... **b** Maximum housing credit dollar amount allowable

1b

2 Maximum applicable credit percentage allowable %

2 %

3a Maximum qualified basis

3a

b Check here ☐ if the eligible basis used in the computation of line 3a was increased under the high-cost area provisions of section 42(d)(5)(C). Enter the percentage to which the eligible basis was increased (see instructions) %

3b 1 _ _ %

4 Percentage of the aggregate basis financed by tax-exempt bonds. (If zero, enter -0-.) %

4 %

5 Date building placed in service ▶/...../.....

6 Check the boxes that describe the allocation for the building (check those that apply):

- a** ☐ Newly constructed and federally subsidized **b** ☐ Newly constructed and **not** federally subsidized **c** ☐ Existing building
d ☐ Sec. 42(e) rehabilitation expenditures federally subsidized **e** ☐ Sec. 42(e) rehabilitation expenditures **not** federally subsidized
f ☐ Not federally subsidized by reason of 40-50 rule under sec. 42(i)(2)(E) **g** ☐ Allocation subject to nonprofit set-aside under sec. 42(h)(5)

Signature of Authorized Housing Credit Agency Official—Completed by Housing Credit Agency Only

Under penalties of perjury, I declare that the allocation made is in compliance with the requirements of section 42 of the Internal Revenue Code, and that I have examined this form and to the best of my knowledge and belief, the information is true, correct, and complete.

Signature of authorized official Name (please type or print) Date

Part II First-Year Certification—Completed by Building Owners with respect to the First Year of the Credit Period

7 Eligible basis of building (see instructions)

7

8a Original qualified basis of the building at close of first year of credit period

8a

b Are you treating this building as part of a multiple building project for purposes of section 42 (see instructions)? ☐ Yes ☐ No

☐ Yes ☐ No

9a If box 6a or box 6d is checked, do you elect to reduce eligible basis under section 42(i)(2)(B)?

☐ Yes ☐ No

b Do you elect to reduce eligible basis by disproportionate costs of non-low income units (section 42(d)(3))?

☐ Yes ☐ No

10 Check the appropriate box for each election:

Caution: Once made, the following elections are irrevocable.

a Elect to begin credit period the first year after the building is placed in service (section 42(f)(1))

☐ Yes ☐ No

b Elect **not** to treat large partnership as taxpayer (section 42(j)(5))

☐ Yes

c Elect minimum set-aside requirement (section 42(g)) (see instructions) ☐ 20-50 ☐ 40-60

☐ 25-60 (N.Y.C. only)

d Elect deep rent skewed project (section 142(d)(4)(B)) (see instructions)

☐ 15-40

Under penalties of perjury, I declare that the above building continues to qualify as a part of a qualified low-income housing project and meets the requirements of Internal Revenue Code section 42. I have examined this form and attachments, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature Taxpayer identification number Date

Name (please type or print) Tax year

What's New

Building owners no longer have to attach Form 8609 to their tax returns for each year during the 15-year compliance period. Instead, building owners will make a one-time submission of Form 8609 to the Low-Income Housing Credit (LIHC) Unit at the IRS Philadelphia campus. You must file Form 8609 with the unit even if you have filed the form with your tax return in prior years. File the form with the unit no later than the due date (including extensions) of your first tax return with which you are filing new Form 8609-A, Annual Statement for Low-Income Housing Credit. See *Building Owner*, under *Filing Requirement*, for instructions on filing Form 8609 with the unit.

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

Owners of residential low-income rental buildings are allowed a low-income housing credit for each qualified building over a 10-year credit period. Form 8609 generally is used to obtain a housing credit allocation from the housing credit agency. A separate Form 8609 must be issued for each building in a multiple building project. Form 8609 is also used to certify certain information.

Housing credit agency. This is any state or local agency authorized to make low-income housing credit allocations within its jurisdiction.

Building identification number (BIN). This number is assigned by the housing credit agency. The BIN initially assigned to a building must be used for any allocation of credit to the building that requires a separate Form 8609 (see *Multiple Forms 8609* on this page). For example, rehabilitation expenditures treated as a separate new building should not have a separate BIN if the building already has one. Use the number first assigned to the building.

Allocation of credit. For an owner to claim a low-income housing credit on a building (except as explained under *Tax-exempt bonds* later), the housing credit agency must make an allocation of the credit by the close of the calendar year in which the building is placed in service, unless:

1. The allocation is the result of an advance binding commitment by the credit agency made not later than the close of the calendar year in which the building is placed in service (see section 42(h)(1)(C));
2. The allocation relates to an increase in qualified basis (see section 42(h)(1)(D));
3. The allocation is made for a building placed in service no later than the second calendar year following the calendar year in which the allocation is made if the building is part of a project in which the taxpayer's basis is more than 10% of the project's reasonably expected basis as of the end of that second calendar year; or
4. The allocation is made for a project that includes more than one building if:
 - a. The allocation is made during the project period,
 - b. The allocation applies only to buildings placed in service during or after the

calendar year in which the allocation is made, and

- c. The part of the allocation that applies to any building is specified by the end of the calendar year in which the building is placed in service.

See sections 42(h)(1)(E) and 42(h)(1)(F) and Regulations section 1.42-6 for more details.

The agency can only make an allocation to a building located within its geographical jurisdiction. Once an allocation is made, the credit is allowable for all years during the 10-year credit period. A separate Form 8609 must be completed for each building to which an allocation of credit is made.

Multiple Forms 8609. Allocations of credit in separate calendar years require separate Forms 8609. Also, when a building receives separate allocations for acquisition of an existing building and for rehabilitation expenditures, a separate Form 8609 must be completed for each credit allocation.

Tax-exempt bonds. No housing credit allocation is required for any portion of the eligible basis of a qualified low-income building that is financed with tax-exempt bonds taken into account for purposes of the volume cap under section 146. An allocation is not needed when 50% or more of the aggregate basis of the building and the land on which the building is located (defined below) is financed with certain tax-exempt bonds for buildings placed in service after 1989. However, the owner still must get a Form 8609 from the appropriate housing credit agency (with the applicable items completed, including an assigned BIN).

Land on which the building is located.

This includes only land that is functionally related and subordinate to the qualified low-income building (see Regulations sections 1.103-8(a)(3) and 1.103-8(b)(4)(iii) for the meaning of "functionally related and subordinate").

Filing Requirement

Housing credit agency. Complete and sign Part I of Form 8609 and make copies of the form. Submit a copy with Form 8610, Annual Low-Income Housing Credit Agencies Report, and keep a copy for the records. The agency must send the original, signed Form 8609 (including instructions) to the building owner.

Building owner. To make your one-time submission of Form 8609 to the LIHC unit, please follow the directions below for the revision date found on the Form 8609 that the housing credit agency sent to you.

Revision date of January 2000 or earlier. Send a copy of the completed and signed version of the form.

Revision date of November 2003. Copy the information from the November 2003 revision onto the December 2005 revision. Include from the "Signature of Authorized Housing Credit Agency Official" area on the November 2003 revision the name (but not the signature) of the authorized official and the date. Sign and complete the signature area of Part II of the December 2005 revision and submit it, and keep a copy for your records.

Revision date of December 2005. After you have received Form 8609 with a completed Part I from the housing credit agency, complete and sign Part II and submit it. Part II must be completed and signed even if an allocation of credit by a housing credit agency is not required, as in the case of a building financed by tax-exempt bonds.

Where to file Form 8609. Send the properly completed form(s) to:

Internal Revenue Service
P.O. Box 331
Attn: LIHC Unit, DP 607 South
Philadelphia Campus
Bensalem, PA 19020

Note. The housing credit agency may require you to submit a copy of Form 8609 with a completed Part II to the agency. You should contact the agency to obtain agency filing requirements.

Also, file Form 8609-A for each year of the 15-year compliance period. The credit is claimed on Form 8586, Low-Income Housing Credit. See the forms for filing instructions.

Building Owner's Recordkeeping

Keep the following items in your records for three years after the due date (including extensions) of the owner's tax return for the tax year that includes the end of the 15-year compliance period.

- A copy of the original Form 8609 received from the housing agency and all related Forms 8609-A (or predecessor Schedules A (Form 8609)), Forms 8586, and any Forms 8611, Recapture of Low-Income Housing Credit.
- If the maximum applicable credit percentage allocated to the building on line 2 reflects an election under section 42(b)(2)(A)(ii), a copy of the election statement.
- If the binding agreement specifying the housing credit dollar amount is contained in a separate document, a copy of the binding agreement.
- If the housing credit dollar amount allocated on line 1b reflects an allocation made under section 42(h)(1)(F), a copy of the allocation document.

Specific Instructions

Part I—Allocation of Credit Completed by Housing Credit Agency Only

Addition to qualified basis. Check this box if an allocation relates to an increase in qualified basis under section 42(f)(3). Enter only the housing credit dollar amount for the increase. Do not include any portion of the original qualified basis when determining this amount.

Amended form. Check this box if this form amends a previously issued form. Complete all entries and explain the reason for the amended form. For example, if there is a change in the amount of initial allocation before the close of the calendar year, file an amended Form 8609 instead of the original form.

Item A. Identify the building for which this Form 8609 is issued when there are multiple buildings with the same address (e.g., BLDG. 6 of 8).

Line 1a. Generally, where Form 8609 is the allocating document, the date of the allocation is the date the Form 8609 is completed, signed, and dated by an authorized official of the housing credit agency during the year the building is placed in service.

However, if an allocation is made under section 42(h)(1)(E) or 42(h)(1)(F), the date of allocation is the date the authorized official of the housing credit agency completes, signs, and dates the section 42(h)(1)(E) or 42(h)(1)(F) document used to make the allocation. If no allocation is required (i.e., 50% or greater tax-exempt bond financed building), leave line 1a blank.

Line 1b. Enter the housing credit dollar amount allocated to the building for each year of the 10-year credit period. The amount should equal the percentage on line 2 multiplied by the amount on line 3a. As the housing credit agency is required to allocate an amount that is only necessary to assure project feasibility, the percentage on line 2 and the amount on line 3a can be adjusted by the housing agency. For tax-exempt bond projects for which no allocation is required, enter the housing credit dollar amount allowable under section 42(h)(4).

Line 2. Enter the maximum applicable credit percentage allowable to the building for the month the building was placed in service or, if applicable, for the month determined under section 42(b)(2)(A)(ii). This percentage may be less than the applicable percentage published by the IRS.

If an election is made under section 42(b)(2)(A)(ii) to use the applicable percentage for a month other than the month in which a building is placed in service, the requirements of Regulations section 1.42-8 must be met. The agency must keep a copy of the binding agreement. The applicable percentage is published monthly in the Internal Revenue Bulletin. For new buildings that are not federally subsidized under section 42(i)(2)(A), use the applicable percentage for the 70% present value credit. For new buildings that are federally subsidized, or existing buildings, use the applicable percentage for the 30% present value credit. See the instructions for line 6 for the definition of "federally subsidized." A taxpayer may elect under section 42(i)(2)(B) to reduce eligible basis by the principal amount of any outstanding below-market federal loan or the proceeds of any tax-exempt obligation in order to obtain the higher credit percentage.

For allocations to buildings for additions to qualified basis under section 42(f)(3), do not reduce the applicable percentage even though the building owner may only claim a credit based on two-thirds of the credit percentage allocated to the building.

Line 3a. Enter the maximum qualified basis of the building. However, in computing qualified basis, the housing credit agency should use only the amount of eligible basis necessary to result in a qualified basis which, multiplied by the percentage on line 2, equals the credit amount on line 1b. To figure this, multiply the eligible basis of the qualified low-income building by the smaller of:

- The fractional amount of low-income units to all residential rental units (the "unit fraction") or
- The fractional amount of floor space of the low-income units to the floor space of all residential rental units (the "floor space fraction").

Generally, a unit is not treated as a low-income unit unless it is suitable for occupancy and is used other than on a transient basis. Section 42(i)(3) provides for certain exceptions (e.g., units that provide for transitional housing for the homeless may qualify as low-income units). See sections 42(i)(3) and 42(c)(1)(E) for more information.

Except as explained in the instructions for line 3b below, the eligible basis for a new building is its adjusted basis as of the close of the first tax year of the credit period. For an existing building, the eligible basis is its acquisition cost plus capital improvements through the close of the first tax year of the credit period. See the instructions for line 3b and section 42(d) for other exceptions and details.

Line 3b. Special rule to increase basis for buildings in certain high-cost areas. If the building is located in a high-cost area (i.e., a "qualified census tract" or a "difficult development area"), the eligible basis may be increased as follows.

- For new buildings, the eligible basis may be up to 130% of such basis determined without this provision.
- For existing buildings, the rehabilitation expenditures under section 42(e) may be up to 130% of the expenditures determined without regard to this provision.

Enter the percentage to which eligible basis was increased. For example, if the eligible basis was increased to 120%, enter "120." See section 42(d)(5)(C) for definitions of a qualified census tract and a difficult development area, and for other details.

Note. Before increasing eligible basis, the eligible basis must be reduced by any federal subsidy, which the taxpayer elects to exclude from eligible basis, and any federal grant received.

Line 4. Enter the percentage of the aggregate basis of the building and land on which the building is located that is financed by certain tax-exempt bonds. If this amount is zero, enter zero (do not leave this line blank).

Line 5. The placed-in-service date for a residential rental building is the date the first unit in the building is ready and available for occupancy under state or local law. Rehabilitation expenditures treated as a separate new building under section 42(e) are placed in service at the close of any 24-month period over which the expenditures are aggregated, whether or not the building is occupied during the rehabilitation period.

Line 6. Generally, a building is treated as federally subsidized if at any time during the tax year or any prior tax year there is outstanding any tax-exempt bond financing or any below-market federal loan, the proceeds of which are used (directly or indirectly) for the building or its operation.

However, under section 42(i)(2)(E) buildings receiving assistance under the HOME Investment Partnerships Act (as in effect on

August 10, 1993) or the Native American Housing Assistance and Self-Determination Act of 1996 (as in effect on October 1, 1997) are not treated as federally subsidized if 40% or more of the residential units in the building are occupied by individuals whose income is 50% or less of the area median gross income. Buildings located in New York City receiving this assistance are not treated as federally subsidized if 25% or more of the residential units in the building are occupied by individuals whose income is 50% or less of the area median gross income.

Not more than 90% of the state housing credit ceiling for any calendar year can be allocated to projects other than projects involving qualified nonprofit organizations. A qualified nonprofit organization must own an interest in the project (directly or through a partnership) and materially participate (within the meaning of section 469(h)) in the development and operation of the project throughout the compliance period. See section 42(h)(5) for more details.

Generally, no credit is allowable for acquisition of an existing building unless substantial rehabilitation is done. See sections 42(d)(2)(B)(iv) and 42(f)(5). Do not issue Form 8609 for acquisition of an existing building unless substantial rehabilitation under section 42(e) is placed in service.

Part II—First-Year Certification

Completed by Building Owner with respect to the First Year of the Credit Period



By completing Part II, you are certifying the date the building is placed in service corresponds to the date on line 5. If the Form 8609 issued to you contains the wrong date or no date, obtain a new or amended Form 8609 from the housing credit agency.

Line 7. Enter the eligible basis (in dollars) of the building. Determine eligible basis at the close of the first year of the credit period (see sections 42(f)(1), 42(f)(5), and 42(g)(3)(B)(iii) for determining the start of the credit period).

For new buildings, the eligible basis is generally the cost of construction or rehabilitation expenditures incurred under section 42(e).

For existing buildings, the eligible basis is the cost of acquisition plus rehabilitation expenditures not treated as a separate new building under section 42(e) incurred by the close of the first year of the credit period.

If the housing credit agency has entered an increased percentage in Part I, line 3b, multiply the eligible basis by the increased percentage and enter the result.

Residential rental property may qualify for the credit even though part of the building in which the residential rental units are located is used for commercial use. Do not include the cost of the nonresident rental property. However, you may generally include the basis of common areas or tenant facilities, such as swimming pools or parking areas, provided there is no separate fee for the use of these facilities and they are made available on a comparable basis to all tenants in the project. You must reduce the eligible basis by

the amount of any federal grant received. Also reduce the eligible basis by the entire basis allocable to non-low-income units that are above average quality standard of the low-income units in the building. You may, however, include a portion of the basis of these non-low-income units if the cost of any of these units does not exceed by more than 15% the average cost of all low-income units in the building, and you elect to exclude this excess cost from the eligible basis by checking the "Yes" box for line 9b. See section 42(d)(3).

You may elect to reduce the eligible basis by the principal amount of any outstanding below-market federal loan or the proceeds of any tax-exempt obligation to obtain a higher credit percentage. To make this election, check the "Yes" box in Part II, line 9a. Reduce the eligible basis by the principal amount of such loan or obligation proceeds before entering the amount on line 7. You must reduce the eligible basis by the principal amount of such loan or obligation proceeds, or any federal grant received, before multiplying the eligible basis by the increased percentage in Part I, line 3b.

Line 8a. Multiply the eligible basis of the building shown on line 7 by the smaller of the unit fraction or the floor space fraction as of the close of the first year of the credit period and enter the result on line 8a. Low-income units are units occupied by qualifying tenants, while residential rental units are all units, whether or not occupied. See the instructions for Part I, line 3a.

Line 8b. Each building is considered a separate project under section 42(g)(3)(D) unless, before the close of the first calendar year in the project period (defined in section 42(h)(1)(F)(ii)), each building that is (or will be) part of a multiple building project is identified by attaching a statement to this Form 8609 that includes:

- The name and address of the project and each building in the project,
- The BIN of each building in the project,
- The aggregate credit dollar amount for the project, and
- The credit allocated to each building in the project.

Two or more qualified low-income buildings may be included in a multiple building project only if they:

- Are located on the same tract of land, unless all of the dwelling units in all of the buildings being aggregated in the multiple building project are low-income units (see section 42(g)(7)),
- Are owned by the same person for federal tax purposes,
- Are financed under a common plan of financing, and
- Have similarly constructed housing units.

A qualified low-income building includes residential rental property that is an apartment building, a single-family dwelling, a town house, a row house, a duplex, or a condominium.

Line 9a. You may elect to reduce the eligible basis by the principal amount of any outstanding below-market federal loan or the proceeds of any tax-exempt obligation and claim the 70% present value credit on the remaining eligible basis. However, if you make this election, you may not claim the 30% present value credit on the portion of the basis that was financed with the below-market federal loan or the tax-exempt obligation.

Line 9b. See the instructions for Part II, line 7.

Line 10a. You may elect to begin the credit period in the tax year after the building is placed in service. Once made, the election is irrevocable.

Note. Section 42(g)(3)(B)(iii) provides special rules for determining the start of the credit period for certain multiple building projects.

Line 10b. Partnerships with 35 or more partners are treated as the taxpayer for purposes of recapture unless an election is made not to treat the partnership as the taxpayer. Check the "Yes" box if you do not want the partnership to be treated as the taxpayer for purposes of recapture. Once made, the election is irrevocable.

Line 10c. You must meet the minimum set-aside requirements under section 42(g) for the project by electing one of the following tests.

20-50 Test. 20% or more of the residential units in the project must be both rent restricted and occupied by individuals whose income is 50% or less of the area median gross income or

40-60 Test. 40% or more of the residential units in the project must be both rent restricted and occupied by individuals whose income is 60% or less of the area median gross income.

Once made, the election is irrevocable.

Note. Owners of buildings in projects located in New York City may not use the 40-60 Test. Instead, they may use the 25-60 Test below.

25-60 Test. 25% or more of the residential units in the project must be both rent restricted and occupied by individuals whose income is 60% or less of the area median gross income (see section 142(d)(6)).

Once made, the election is irrevocable.

Caution: *The minimum set-aside requirement must be met by the close of the first year of the credit period in order to claim any credit for the first year or for any subsequent years.*

Line 10d. The deep rent skewed 15-40 election is not an additional test for satisfying the minimum set-aside requirements of section 42(g). The 15-40 test is an election that relates to the determination of a low-income tenant's income. Generally, a continuing resident's income may increase up to 140% of the applicable income limit (50% or less or 60% or less of the area median gross income under the minimum set-aside rules in *Line 10c* earlier). When the deep rent

skewed election is made, the income of a continuing resident may increase up to 170% of the applicable income limit. If this election is made, at least 15% of all low-income units in the project must be occupied at all times during the compliance period by tenants whose income is 40% or less of the area median gross income. A deep rent skewed project itself must meet the requirement of section 142(d)(4)(B). Once made, the election is irrevocable.

Privacy Act and Paperwork Reduction Act

Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103. However, section 6103 allows or requires the Internal Revenue Service to disclose or give the information shown on your tax return to others as described in the Code. For example, we may disclose your tax information to the Department of Justice to enforce the tax laws, both civil and criminal, and to cities, states, the District of Columbia, U.S. commonwealths or possessions, and certain foreign governments to carry out their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce Federal nontax criminal law, or to federal law enforcement and intelligence agencies to combat terrorism.

The time needed to complete and file the form will vary depending on individual circumstances. The estimated average time is:

Learning about the law or the form 4 hr., 10 min.
Recordkeeping 9 hr., 5 min.
Preparing and sending the form to the IRS 4 hr., 30 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making these forms simpler, we would be happy to hear from you. You can write to the Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6406, Washington, DC 20224. Do not send the tax form to this office. Instead, see *Filing Requirement* on page 2.

Annual Statement for Low-Income Housing Credit

OMB No. 1545-0988

Attachment
Sequence No. **36**► **File with owner's federal income tax return.**

Name(s) shown on return

Identifying number

Part I Compliance Information

- A** Building identification number (BIN) ►
- B** This Form 8609-A is for (check the box) ► a newly constructed or existing building ☐
section 42(e) rehabilitation expenditures ☐
- C** Do you have in your records the original Form 8609 (or a copy thereof) signed and issued by the housing credit agency for the building in **A**?
If "No," see the instructions and stop here—do not go to Part II.
- D** Did the building in **A** qualify as a part of a qualified low-income housing project and meet the requirements of section 42 as of the end of the tax year for which this form is being filed?
If "No," see the instructions and stop here—do not go to Part II.
- E** Was there a decrease in the qualified basis of the building in **A** for the tax year for which this form is being filed?
If "Yes," see the instructions. If "No," and the entire credit has been claimed in prior tax years, stop here—do not go to Part II.

Yes	No

Part II Computation of Credit

1 Eligible basis of building	1	
2 Low-income portion (smaller of unit fraction or floor space fraction) (if first year of the credit period, see instructions)	2	
3 Qualified basis of low-income building. Multiply line 1 by line 2 (see instructions for exceptions)	3	
4 Part-year adjustment for disposition or acquisition during the tax year	4	
5 Credit percentage	5	
6 Multiply line 3 or line 4 by the percentage on line 5	6	
7 Additions to qualified basis, if any	7	
8 Part-year adjustment for disposition or acquisition during the tax year	8	
9 Credit percentage. Enter one-third of the percentage on line 5	9	
10 Multiply line 7 or line 8 by the percentage on line 9	10	
11 Section 42(f)(3)(B) modification	11	
12 Add lines 10 and 11	12	
13 Credit for building before line 14 reduction. Subtract line 12 from line 6	13	
14 Disallowed credit due to federal grants (see instructions).	14	
15 Credit allowed for building for tax year. Subtract line 14 from line 13, but do not enter more than the amount shown on Form 8609, Part I, line 1b	15	
16 Taxpayer's proportionate share of credit for the year (see instructions)	16	
17 Adjustments for deferred first-year credit (see instructions)	17	
18 Taxpayer's credit. Combine lines 16 and 17. Enter here and on Form 8586	18	

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Note. Some of the line numbers on the December 1988, March 1991, and November 2003 revisions of Form 8609, Low-Income Housing Credit Allocation Certification, and December 2005 and December 2006 revisions of Form 8609, Low-Income Housing Credit Allocation and Certification, differ from other revisions. In these cases, the line references are shown in parentheses in these instructions.

Purpose of Form

Form 8609-A is filed by a building owner to report compliance with the low-income housing provisions and calculate the

low-income housing credit. After 2004, Form 8609-A must be filed by the building owner for each year of the 15-year compliance period. File one Form 8609-A for the allocation(s) for the acquisition of an existing building and a separate Form 8609-A for the allocation(s) for rehabilitation expenditures.

If the building owner is a partnership, S corporation, estate, or trust (pass-through entity), the entity will complete Form 8609 and Form 8609-A. The entity will attach Form 8609-A to its tax return. If you are a partner, shareholder, or beneficiary in the pass-through entity that owns the building, file only Form 8586, Low-Income Housing Credit, to claim the credit using the information that the entity furnishes you on Schedule K-1.

Recapture of Credit

If the qualified basis of the building has decreased from the qualified basis at the close of the previous tax year, you may have to recapture parts of the credits allowed in previous years. See Form 8611, Recapture of Low-Income Housing Credit.

Sale of Building

Upon a change of ownership, the seller should give the new owner a copy of the Form 8609 (Parts I and II complete). This form allows the new owner to substantiate the credit.

Specific Instructions

Part I—Compliance Information

Item A. Enter the building identification number (BIN) from Part I, item E of Form 8609.

Item B. You need to file one Form 8609-A for a newly constructed or existing building. You need to file a separate Form 8609-A for section 42(e) rehabilitation expenditures because such expenditures are treated as creating a new building.

Item C. In order to claim the credit, you must have an original, signed Form 8609 (or copy thereof) issued by a housing credit agency assigning a BIN for the building. This applies even if no allocation is required (as in the case of a building financed with tax-exempt bonds). Check "Yes" to certify that you have the required Form 8609 in your records.

Caution. Any building owner claiming a credit without receiving a completed Form 8609 that is signed and dated by an authorized official of the housing credit agency is subject to having the credit disallowed.

Item D. If "No," stop here and see Form 8611 to find out if you have to recapture part of the credit allowed in prior years.

Item E. If "Yes," see the instructions for line 2 to figure the reduced qualified basis. Also, see Form 8611 to find out if you have to recapture part of the credit allowed in prior years.

If "No," and the entire credit has been claimed in prior tax years (generally this can occur after the 11th year for which the credit has been claimed for the building), do not complete Part II.

Part II—Computation of Credit

Line 1. Generally, the eligible basis of a building for its entire 15-year compliance period is the amount of eligible basis entered on Form 8609, line 7b (Part II, line 1b, on the 1988 and 1991 revisions; line 7 on the 2003, 2005, and 2006 revisions).

Basis increases for buildings in certain high-cost areas. In order to increase the credit for buildings in certain high-cost areas, the housing credit agency may increase the eligible basis of buildings located in these areas (after adjustments, if any, for federal subsidies and grants). The agency may make this increase under the high cost area provisions of section 42(d)(5)(C).

Gulf Opportunity (GO) Zone, Rita GO Zone, and Wilma GO Zone. The housing credit agency may increase the eligible basis of buildings placed in service in these specific zones in 2006, 2007, and 2008 under 42(d)(5)(C). See Pub. 4492, *Information for Taxpayers Affected by Hurricanes Katrina, Rita, and Wilma*, for a list of the counties and parishes in these specific zones.

For revisions of Form 8609 beginning in 1991, the agency shows the increased percentage of the eligible basis in Part I, line 3b. The eligible basis entered on Form 8609 should reflect the percentage increase.

Note. This increase cannot cause the credit on line 15 to exceed the credit amount allocated on line 1b, Part I, of Form 8609.

Basis reductions. The amount of eligible basis entered on Form 8609 does not include the cost of land, the amount of any federal grant received for the building during the first

year of the credit period, or any portion of a building's adjusted basis for which an election was made prior to November 5, 1990, under section 167(k). Do not reduce the eligible basis on line 1 by the amounts of any federal grants received after the first year of the credit period. The calculation for line 14 will reduce the credit by the amount of any federal grants received during the compliance period that did not reduce the eligible basis during the first year of the credit period.

For more details on determining eligible basis, see the instructions for Form 8609, line 7b (Part II, line 1b, on the 1988 and 1991 revisions; line 7 on the 2003, 2005, and 2006 revisions).

Line 2. Only the portion of the basis on line 1 attributable to the low-income rental units in the building at the close of the tax year qualifies for the credit. This is the smaller of the fractional amount of low-income units to all residential rental units (the "unit fraction") or the fractional amount of floor space of the low-income units to the floor space of all residential rental units (the "floor space fraction"). This fraction must be shown on line 2 as a decimal carried out to at least four places (for example, $\frac{50}{100} = .5000$). Low-income units are units occupied by qualifying tenants, while residential rental units are all units, whether or not occupied.

Generally, a unit is not treated as a low-income unit unless it is suitable for occupancy and is used other than on a transient basis. Section 42(i)(3) provides for certain exceptions (for example, units that provide transitional housing for the homeless may qualify as low-income units). See section 42(i)(3) for more details. Also see section 42(g)(2)(D) regarding the available unit rule and Regulations section 1.42-5(c)(1)(ix) regarding the vacant unit rule.

If you dispose of the building, or your entire interest in the building, before the close of the tax year, the low-income portion must be determined on the date you disposed of the building. If you dispose of less than your entire interest in the building, the low-income portion must be determined at the close of the tax year.

First-year modified percentage. For the first year of the credit period, you must use a modified percentage on line 2 to reflect the average portion of a 12-month period that the units in a building were occupied by low-income individuals. Find the low-income portion as of the end of each full month that the building was in service during the year. Add these percentages together and divide by 12. Enter the result on line 2. For example, if a building was in service for the last 3 full months of your tax year, and was half occupied by low-income tenants as of the end of each of those 3 months, then assuming the smaller fractional amount was the unit fraction, you would enter .1250 on line 2 $([.5 + .5 + .5] \div 12 = .1250)$.

This first year adjustment does not affect the amount of qualified basis on which the credit is claimed in the next 9 tax years. In general, the credit is claimed in those years by reference to the qualified basis at the close of each tax year.

Because the first year credit is not determined solely by reference to the qualified basis at the close of the year, any reduction in credit resulting from the

application of the first year adjustment may be claimed in the 11th year. See the instructions for line 17 on page 4.

Line 3. Generally, multiply line 1 by line 2 to figure the portion of the eligible basis of the building attributable to the low-income residential rental units.

Imputed qualified basis of zero.

However, the qualified basis of the building (line 3) is zero if any of the following conditions apply.

- The minimum set-aside requirement elected for the project on Form 8609, line 10c (Part II, line 5c, on the 1991 and earlier revisions), is not met.

- The deep rent skewed test (15-40 test) elected for the project on Form 8609, line 10d (Part II, line 5c, on the 1988 revision; Part II, line 5d, on the 1991 revision), is violated. The 15-40 test is not an additional test for satisfying the minimum set-aside requirements of section 42(g). The 15-40 test is an election that relates to the determination of a low-income tenant's income. If this test is elected, at least 15% of all low-income units in the project must be occupied at all times during the compliance period by tenants whose income is 40% or less of the area median gross income (or national nonmetropolitan median gross income, when applicable).

- You disposed of the building or your entire interest therein during the tax year. If you did not post a bond or pledge securities under section 42(j)(6), in addition to using an imputed basis of zero on line 3, you may have to recapture a portion of credits previously taken. File Form 8611 to figure and report the recaptured amount. This paragraph affects only those taxpayers who dispose of the building or their entire interest therein. Those acquiring the building (or any interest therein) are not affected and, if the minimum set-aside requirements are otherwise satisfied, they may take a credit for the fraction of the year the building is owned by them, regardless of whether or not the seller posted a bond or pledged securities.

- This is the 12th or later year of the compliance period, and the entire credit has been claimed in prior years.

Note. If the qualified basis of the building is zero, or if the building has an imputed qualified basis of zero, you may not claim a credit for the building for the tax year. You must enter zero on lines 3 and 16, and skip lines 4 through 15, 17, and 18.

At-risk limitation for individuals and closely held corporations. The basis of property may be limited if you borrowed against the property and are protected against loss, or if you borrowed money from a person who has other than a creditor interest in the property. See section 42(k).

Line 4. If you owned the building (or an interest therein) for the entire year, enter zero on line 4 and go to line 5.

Disposal of building or interest therein. If you disposed of a building or your entire interest therein during the tax year and you posted a bond or pledged securities under section 42(j)(6), you may claim a credit based only on the number of days during the tax year for which you owned the building or an interest therein.

Similarly, if you previously had no interest in the building, but you acquired the building or an interest therein during the tax year, you may claim a credit based only on the number of days during the tax year for which you owned the building or an interest therein.

The owner who has owned the building for the longest period during the month in which the change in ownership occurs is deemed to have owned the building for that month. If the seller and new owner have owned the building for the same amount of time during the month of disposition, the seller is deemed to have owned the building for that month.

Example. Both the buyer and the seller are calendar-year taxpayers. The sale takes place on May 25 of a 365-day calendar year. The qualified basis of the low-income building is \$20,000. The seller and buyer will each complete a separate Form 8609-A, and enter \$20,000 on line 3.

In this situation, the seller is deemed to have owned the building for all 31 days of May. Therefore, the seller owned the building for 151 days of the 365-day tax year, and the buyer owned the building for the remaining 214 days. The seller will multiply \$20,000 by 151/365 to get \$8,274. The seller will enter \$8,274 on line 4 of his Form 8609-A. The buyer will multiply \$20,000 by 214/365 to get \$11,726. The buyer will enter \$11,726 on line 4 of her Form 8609-A.

Pass-through entities. If the building is owned by a pass-through entity, the entity does not need to make any adjustment on line 4, unless the entity either disposes of the building or its entire interest therein, or acquires the building or an interest therein during the tax year (and the entity previously had no interest in the building). Do not make an adjustment on line 4 for changes in the interests of the members of the pass-through entity during the tax year. Instead, the entity must reflect these changes in the amount of credit it passes through to its members.

Line 5. If the agency has made an allocation on Form 8609, enter on line 5 the credit percentage shown on Form 8609, Part I, line 2. This percentage must be shown on line 5 as a decimal carried out to at least four places (for example, 8.13% would be shown on line 5 as .0813).

Note. If you were allocated a 70% present value credit percentage for a building that was not federally subsidized and the building later receives a federal subsidy, your credit percentage is reduced to the 30% present value credit that was in effect during the month the building was placed in service or for the month elected under section 42(b)(2)(A)(ii), whichever applies. The 30% present value credit applies to the building for the year the federal subsidy was received and for the remainder of the compliance period, whether or not the federal subsidy is repaid. See section 42(i)(2).

Line 6. If you owned the building, or had an interest therein, for the entire tax year, multiply line 3 by line 5. If you had no ownership interest in the building for a portion of the tax year, multiply line 4 by line 5.

Lines 7 Through 12

If you are not claiming a credit for additions to qualified basis on line 7, skip lines 7 through 12 and go to line 13.

Caution. You may claim a credit for an addition to qualified basis only if the credit amounts have been allocated by the housing credit agency to cover these additions.

Line 7. An addition to qualified basis results when there is an increase in the number of low-income units or an increase in the floor space of the low-income units over that which existed at the close of the first year of the credit period (before application of the modified percentage calculation). Credits for an addition to qualified basis are claimed at the reduced credit percentage of two-thirds of the credit percentage (expressed as a decimal carried out to at least four places) on line 5 through the end of the 15-year compliance period.

If you are claiming a credit for additions to qualified basis, you must subtract the original qualified basis of the building at the close of the first year of the credit period (see Form 8609, line 8a (Part II, line 2a, on the 1988 and 1991 revisions)) from the building's qualified basis entered on line 3. Enter the result on line 7. If the result is zero or less, skip lines 8 through 12 and enter the credit from line 6 on line 13.

Line 8. The determinations and calculations you make on line 8 follow the instructions for line 4. Therefore, if you owned the building (or an interest therein) for the entire year, enter zero on line 8 and go to line 9.

Disposal of building or interest therein. If you disposed of a building or your entire interest therein during the tax year, see *Disposal of building or interest therein* in the line 4 instructions; and, wherever line 3 and line 4 are referenced, substitute line 7 and line 8, respectively.

Pass-through entities. If the building is owned by a pass-through entity, see *Pass-through entities* in the line 4 instructions; and, wherever line 4 is referenced, substitute line 8 instead.

Line 9. The credit for additions to the building's qualified basis is determined using two-thirds of the credit percentage allowable for the building's original qualified basis. Therefore, one-third of the credit percentage (expressed as a decimal carried out to at least four places) on line 5 is not allowed. Enter on line 9 one-third of the amount shown on line 5. This amount must be reported on line 9 as a decimal carried out to at least four places (for example, if the credit percentage entered on line 5 is .0813, one-third of that percentage would be expressed as .0271). See section 42(f)(3).

Line 10. If you owned the building, or had an interest therein, for the entire tax year, multiply line 7 by line 9. If you had no ownership interest in the building for a portion of the tax year, multiply line 8 by line 9.

Line 11. Additions to qualified basis must be adjusted to reflect the average portion of the year that the low-income units relating to the increase were occupied. This adjustment is required if the increase in qualified basis of the building exceeds the qualified basis (including additions to qualified basis) of the building in any prior taxable year. To determine this adjustment amount, complete the worksheet on page 4.

Line 14. The eligible basis on line 1 must be reduced by the amount of any federal grant for the building, or the operation thereof, during the 15-year compliance period. If this reduction does not apply because this is the first year of the credit period (line 1 already reflects the reduction) or no federal grant is received, enter zero on line 14. Otherwise, figure the reduction as follows.

Step 1. Divide the total amount of all federal grants received for the building during the compliance period that did not already reduce the amount of the eligible basis (reported on line 1) by the eligible basis on line 1 of this Form 8609-A. Express the result as a decimal carried out to at least four places.

Note. If the eligible basis on line 1 of this Form 8609-A was increased by a percentage allowable under section 42(d)(5)(C) (and reflected on line 3b of Form 8609), then increase the total amount of all federal grants in Step 1 by this percentage increase and divide this amount by the eligible basis on line 1 of this Form 8609-A. For example, if the percentage increase is 130% and all federal grants total \$11,000, multiply \$11,000 by 1.3000 and divide the result (\$14,300) by the eligible basis on line 1.

Step 2. Multiply the decimal amount determined in Step 1 by the credit on line 13. Enter this result on line 14.

Line 16. To determine the amount to enter on line 16, see the information that follows in 1, 2, 3, and *Special rules*.

1. If the building is owned completely by one taxpayer, enter the line 15 credit (after adjustment for any applicable special rule below) on line 16.

2. If the building is owned by more than one taxpayer, and those taxpayers are not members of a pass-through entity, then the line 15 credit (after adjustment for any applicable special rule below) must be distributed according to each taxpayer's respective ownership interest in the building. For example, if a building is owned by individuals A and B (60% by A and 40% by B), each would complete a separate Part II as follows. Lines 1 through 15 would be the same for each, assuming no part-year adjustments are necessary. However, A would enter 60% of line 15 on line 16, and B would enter 40% of line 15 on line 16. Therefore, enter on line 16 your share of the line 15 credit for the building that relates to your interest in the building. If your interest increases or decreases during the tax year, the change must be taken into account in determining your share of the line 15 credit.

Note. The aggregate credit claimed by the owners of the building cannot exceed the line 15 credit amount for the building.

3. If a pass-through entity is completing Form 8609-A as the sole owner of the building, enter the line 15 credit (after adjustment for any applicable special rule below) on line 16.

Special rules. If a taxpayer is subject to recapture because of failure to post a bond or pledge securities upon the disposition of a building or interest therein (see *De minimis recapture rule*, later), no credit is allowed to the taxpayer for that percentage of the interest disposed of by the taxpayer. The credit allowed to the taxpayer for the tax year is determined by reference to the taxpayer's remaining interest in the building at the close of the tax year. For example, assume that a taxpayer owns 100% of a building for 273 days in a 365-day calendar tax year, and 40% of the building for the remaining 92 days in the tax year (the taxpayer disposed of a 60% interest on the last day of September). If the taxpayer does not post a bond or pledge securities, the taxpayer's credit on line 16 would be based on 40% of the line 15 credit for the building. Similarly, although a taxpayer might not be subject to recapture upon a disposition of a *de minimis* portion (explained later) of the taxpayer's interest in the building, no credit is allowed to the taxpayer for the percentage of the interest disposed of by the taxpayer. The credit allowed to the taxpayer for the tax year is determined by reference to the taxpayer's remaining interest in the building at the close of the tax year.

If the taxpayer posts a bond or pledges securities upon the disposition of the building or an interest therein, the taxpayer is allowed credit for the year both with respect to the ownership interest disposed of by the taxpayer and the interest retained by the taxpayer. For example, again assume that a taxpayer owns 100% of a building for the first 273 days in a 365-day calendar tax year and 40% of the building for the last 92 days of the year. After posting a bond or pledging securities, the taxpayer's credit on line 16 would be based upon 273/365 of 100% (or 74.79%) of the line 15 credit for the building plus 92/365 of 40% (or 10.08%) of the line 15 credit amount.

If a taxpayer posts a bond or pledges securities upon the disposition of the building or upon a disposition of the

taxpayer's entire interest in the building, the taxpayer's line 16 credit amount is determined by multiplying the line 15 credit amount by the percentage interest in the building disposed of by the taxpayer. For example, if a building is owned by individuals A and B (60% by A and 40% by B) and on the last day of the fifth month of the tax year, C buys A's 60% interest in the building and A posts a bond or pledges securities, then A would enter 60% of line 15 on line 16. (Lines 4 and 8 have already taken into account the 5 months of the tax year that A held an interest in the building.)

De minimis recapture rule. For administrative purposes, the Service has adopted a *de minimis* rule that applies to partners in partnerships (other than partnerships to which section 42(j)(5)(B) applies) owning interests in qualified low-income buildings. The rule allows a partner to elect to avoid or defer recapture resulting from a disposition of interest in a partnership without posting bond until the partner has disposed of more than 33⅓% of the partner's greatest total interest in the qualified low-income building through the partnership. See Rev. Rul. 90-60, 1990-2 C.B. 3, for more information on the *de minimis* rule.

Upon application by the building owner, the IRS may waive any recapture of the low-income housing credit for any *de minimis* error in complying with the minimum set-aside requirements.

Line 17. The first-year credit may have been reduced based on the number of full months the building was in service. The deferred balance of the credit for the first year is allowed in the 11th year. Include it on line 17 as a **positive** amount.

For example, see the example under *First-year modified percentage* on page 2. If this is the 11th year, enter .8750 times the eligible basis of the building (line 1) times the low-income portion (line 2) times

the credit percentage (line 5). The factor .8750 is 1.0000 minus .1250, the modified percentage figured for year one in the example.

Paperwork Reduction Act Notice. We ask for the information on these forms to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for individual taxpayers filing this form is approved under OMB control number 1545-0074 and is included in the estimates shown in the instructions for their individual income tax return. The estimated burden for all other taxpayers who file this form is:

Recordkeeping: 7 hr., 38 min., **Learning about the law or the form:** 1 hr., 47 min., **Preparing and sending the form to the IRS:** 1 hr., 59 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Internal Revenue Service at the address listed in the instructions for the tax return with which this form is filed.

Line 11 Worksheet (Keep for Your Records)

1	Enter the qualified basis of the building from line 3 of this tax year's Form 8609-A	1	
2	Multiply the amount on line 1 of the previous year's Form 8609-A by the amount on line 2 of that Form 8609-A	2	
3	Increased qualified basis. Subtract line 2 above from line 1 above. But if line 2 above is more than zero but less than the original qualified basis of the building entered on Form 8609, line 8a (Part II, line 2a on the 1988 and 1991 revisions), then enter the amount from line 7 of this Form 8609-A instead	3	
Note. If line 3 above is zero or less, do not complete the rest of this worksheet. Instead, enter -0- on line 11 of Form 8609-A and go to line 12.			
4	Modified percentage. For each month during the tax year, figure the increase, if any, in the low-income portion of the building for that month over the low-income portion of the building at the close of the previous tax year (the amount on line 2 of the previous tax year's Form 8609-A). For example, if the previous tax year's low-income portion of .5000 remained at .5000 for the first 9 months of this tax year and then increased to .7500 for October, November, and December, then subtract .5000 from .7500 to get an increase of .2500 for each month. Add these amounts together, divide by 12, and enter the result. (This amount must be shown as a decimal carried out to at least four places (for example, .2500 + .2500 + .2500 = .7500, divided by 12 = .0625.))	4	
5	Increased qualified basis entitled to reduced credit. Multiply line 4 above by Form 8609-A, line 1	5	
6	Increased qualified basis not entitled to reduced credit. Subtract line 5 above from line 3 above	6	
7	Line 11 modification. Multiply line 6 above by two-thirds of the amount on line 5 of Form 8609-A. Enter the result here and on line 11 of Form 8609-A	7	

Low-Income Housing Credit Agencies
Report of Noncompliance or Building Disposition

Note: File a separate Form 8823 for each building that is disposed of or goes out of compliance.

OMB No. 1545-1204

Check here if this is an amended return ☐

1 Building name (if any). Check if item 1 differs from Form 8609 <input type="checkbox"/>		IRS Use Only	
Street address			
City or town, state, and ZIP code			
2 Building identification number (BIN)			
3 Owner's name. Check if item 3 differs from Form 8609 <input type="checkbox"/>			
Street address			
City or town, state, and ZIP code			
4 Owner's taxpayer identification number			
<input type="checkbox"/> EIN <input type="checkbox"/> SSN			
5 Total credit allocated to this BIN		▶ \$	
6 If this building is part of a multiple building project, enter the number of buildings in the project		▶	
7 a Total number of residential units in this building		▶	
b Total number of low-income units in this building		▶	
c Total number of residential units in this building determined to have noncompliance issues		▶	
d Total number of units reviewed by agency (see instructions)		▶	
8 Date building ceased to comply with the low-income housing credit provisions (see instructions) (MMDDYYYY)			
9 Date noncompliance corrected (if applicable) (see instructions) (MMDDYYYY)			
10 Check this box if you are filing only to show correction of a previously reported noncompliance problem		<input type="checkbox"/>	
11 Check the box(es) that apply:			
		Out of compliance	Noncompliance corrected
a Household income above income limit upon initial occupancy		<input type="checkbox"/>	<input type="checkbox"/>
b Owner failed to correctly complete or document tenant's annual income recertification		<input type="checkbox"/>	<input type="checkbox"/>
c Violation(s) of the UPCS or local inspection standards (see instructions) (attach explanation)		<input type="checkbox"/>	<input type="checkbox"/>
d Owner failed to provide annual certifications or provided incomplete or inaccurate certifications		<input type="checkbox"/>	<input type="checkbox"/>
e Changes in Eligible Basis or the Applicable Percentage (see instructions)		<input type="checkbox"/>	<input type="checkbox"/>
f Project failed to meet minimum set-aside requirement (20/50, 40/60 test) (see instructions)		<input type="checkbox"/>	<input type="checkbox"/>
g Gross rent(s) exceed tax credit limits		<input type="checkbox"/>	<input type="checkbox"/>
h Project not available to the general public (see instructions) (attach explanation).		<input type="checkbox"/>	<input type="checkbox"/>
i Violation(s) of the Available Unit Rule under section 42(g)(2)(D)(ii)		<input type="checkbox"/>	<input type="checkbox"/>
j Violation(s) of the Vacant Unit Rule under Reg. 1.42-5(c)(1)(ix)		<input type="checkbox"/>	<input type="checkbox"/>
k Owner failed to execute and record extended-use agreement within time prescribed by section 42(h)(6)(J)		<input type="checkbox"/>	<input type="checkbox"/>
l Low-income units occupied by nonqualified full-time students		<input type="checkbox"/>	<input type="checkbox"/>
m Owner did not properly calculate utility allowance		<input type="checkbox"/>	<input type="checkbox"/>
n Owner has failed to respond to agency requests for monitoring reviews		<input type="checkbox"/>	<input type="checkbox"/>
o Low-income units used on a transient basis (attach explanation)		<input type="checkbox"/>	<input type="checkbox"/>
p Project is no longer in compliance nor participating in the section 42 program (attach explanation)		<input type="checkbox"/>	<input type="checkbox"/>
q Other noncompliance issues (attach explanation)		<input type="checkbox"/>	<input type="checkbox"/>
12 Additional information for any item above. Attach explanation and check box		<input type="checkbox"/>	
13 a Building disposition by <input type="checkbox"/> Sale <input type="checkbox"/> Foreclosure <input type="checkbox"/> Destruction <input type="checkbox"/> Other (attach explanation)			
b Date of disposition (MMDDYYYY)			
c New Owner's Name		d New owner's taxpayer identification number	
Street address		<input type="checkbox"/> EIN <input type="checkbox"/> SSN	
City or town, state, and ZIP code		14 Name of contact person	
		15 Telephone number of contact person	
		() Ext.	

Under penalties of perjury, I declare that I have examined this report, including accompanying statements and schedules, and to the best of my knowledge and belief, it is true, correct, and complete.

Signature of authorizing official _____ Print name and title _____ Date (MMDDYYYY) _____

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

Housing credit agencies use Form 8823 to fulfill their responsibility under section 42(m)(1)(B)(iii) to notify the IRS of noncompliance with the low-income housing tax credit provisions **or** any building disposition.

The housing credit agency should also give a copy of Form 8823 to the owner(s).

Who Must File

Any authorized housing credit agency that becomes aware that a low-income housing building was disposed of or is not in compliance with the provisions of section 42 must file Form 8823.

When To File

File Form 8823 no later than 45 days after **(a)** the building was disposed of or **(b)** the end of the time allowed the building owner to correct the condition(s) that caused noncompliance. For details, see Regulations section 1.42-5(e).

Where To File

File Form 8823 with the:
Internal Revenue Service
P.O. Box 331
Attn: LIHC Unit, DP 607 South
Philadelphia Campus
Bensalem, PA 19020

Specific Instructions

Amended return. If you are filing an amended return to correct previously reported information, check the box at the top of page 1.

Item 2. Enter the building identification number (BIN) assigned to the building by the housing credit agency as shown on Form 8609.

Items 3, 4, 13b, and 13d. If there is more than one owner (other than as a member of a pass-through entity), attach a schedule listing the owners, their addresses, and their taxpayer identification numbers. Indicate whether each owner's taxpayer identification number is an employer identification number (EIN) or a social security number (SSN).

Both the EIN and the SSN have nine digits. An EIN has two digits, a hyphen, and seven digits. An SSN has three digits, a hyphen, two digits, a hyphen, and four digits and is issued only to individuals.

Item 7d. "Reviewed by agency" includes physical inspection of the property, tenant file inspection, or review of documentation submitted by the owner.

Item 8. Enter the date that the building ceased to comply with the low-income housing credit provisions. If there are multiple noncompliance issues, enter the

date for the earliest discovered issue. **Do not** complete item 8 for a building disposition. Instead, skip items 9 through 12, and complete item 13.

Item 9. Enter the date that the noncompliance issue was corrected. If there are multiple issues, enter the date the last correction was made.

Item 10. Do not check this box unless the sole reason for filing the form is to indicate that previously reported noncompliance problems have been corrected.

Item 11c. Housing credit agencies must use either **(a)** the local health, safety, and building codes (or other habitability standards) or **(b)** the Uniform Physical Conditions Standards (UPCS) (24 C.F.R. section 5.703) to inspect the project, but not in combination. The UPCS does not supersede or preempt local codes. Thus, if a housing credit agency using the UPCS becomes aware of any violation of local codes, the agency must report the violation. Attach a statement describing either **(a)** the deficiency and its severity under the UPCS, i.e., minor (level 1), major (level 2), and severe (level 3) or **(b)** the health, safety, or building violation under the local codes. The Department of Housing and Urban Development's Real Estate Assessment Center has developed a comprehensive description of the types and severities of deficiencies entitled "Dictionary of Deficiency Definitions" found at www.hud.gov/reac under Library Section, Physical Inspections, Training Materials. Under Regulations section 1.42-5(e)(3), report all deficiencies to the IRS whether or not the noncompliance or failure to certify is corrected at the time of inspection. In using the UPCS inspection standards, report all deficiencies in the five major inspectable areas (defined below) of the project: (1) Site; (2) Building exterior; (3) Building systems; (4) Dwelling units; and (5) Common areas.

1. Site. The site components, such as fencing and retaining walls, grounds, lighting, mailboxes, signs (such as those identifying the project or areas of the project), parking lots/driveways, play areas and equipment, refuse disposal equipment, roads, storm drainage, and walkways, must be free of health and safety hazards and be in good repair. The site must not be subject to material adverse conditions, such as abandoned vehicles, dangerous walkways or steps, poor drainage, septic tank back-ups, sewer hazards, excess accumulation of garbage and debris, vermin or rodent infestation, or fire hazards.

2. Building exterior. Each building on the site must be structurally sound, secure, habitable, and in good repair. Each building's doors, fire escapes, foundations, lighting, roofs, walls, and windows, where applicable, must be free of health and safety hazards, operable, and in good repair.

3. Building systems. Each building's domestic water, electrical system, elevators, emergency power, fire protection, HVAC, and sanitary system must be free of health and safety hazards, functionally adequate, operable, and in good repair.

4. Dwelling units. Each dwelling unit within a building must be structurally sound, habitable, and in good repair. All areas and aspects of the dwelling unit (for example, the unit's bathroom, call-for-aid (if applicable), ceilings, doors, electrical systems, floors, hot water heater, HVAC (where individual units are provided), kitchen, lighting, outlets/switches, patio/porch/balcony, smoke detectors, stairs, walls, and windows) must be free of health and safety hazards, functionally adequate, operable, and in good repair. Where applicable, the dwelling unit must have hot and cold running water, including an adequate source of potable water (note: single room occupancy units need not contain water facilities). If the dwelling unit includes its own bathroom, it must be in proper operating condition, usable in privacy, and adequate for personal hygiene and the disposal of human waste. The dwelling unit must include at least one battery-operated or hard-wired smoke detector, in proper working condition, on each level of the unit.

5. Common areas. The common areas must be structurally sound, secure, and functionally adequate for the purposes intended. The basement, garage/carport, restrooms, closets, utility rooms, mechanical rooms, community rooms, day care rooms, halls/corridors, stairs, kitchens, laundry rooms, office, porch, patio, balcony, and trash collection areas, if applicable, must be free of health and safety hazards, operable, and in good repair. All common area ceilings, doors, floors, HVAC, lighting, outlets/switches, smoke detectors, stairs, walls, and windows, to the extent applicable, must be free of health and safety hazards, operable, and in good repair.

Health and Safety Hazards. All areas and components of the housing must be free of health and safety hazards. These include, but are not limited to: air quality, electrical hazards, elevators, emergency/fire exits, flammable materials, garbage and debris, handrail hazards, infestation, and lead-based paint. For example, the buildings must have fire exits that are not blocked and have hand rails that are not damaged, loose, missing portions, or otherwise unusable. The housing must have no evidence of infestation by rats, mice, or other vermin. The housing must have no evidence of electrical hazards, natural hazards, or fire hazards. The dwelling units and common areas must have proper ventilation and be free of mold as well as odor (e.g., propane, natural, sewer, or methane gas). The housing must comply with all requirements related to the evaluation and reduction of lead-based paint hazards and have available proper certifications of such (see 24 C.F.R. part 35).

Project owners must promptly correct exigent and fire safety hazards. Before leaving the project, the inspector should provide the project owner with a list of all observed exigent and fire safety hazards. Exigent health and safety hazards include: air quality problems such as propane, natural gas, or methane gas detected; electrical hazards such as exposed wires or

open panels and water leaks on or near electrical equipment; emergency equipment, fire exits, and fire escapes that are blocked or not usable; and carbon monoxide hazards such as gas or hot water heaters with missing or misaligned chimneys. Fire safety hazards include missing or inoperative smoke detectors (including missing batteries), expired fire extinguishers, and window security bars preventing egress from a unit.

Item 11d. Report the failure to provide annual certifications or the provision of certifications that are known to be incomplete or inaccurate as required by Regulations section 1.42-5(c). As examples, report a failure by the owner to include a statement summarizing violations (or copies of the violation reports) of local health, safety, or building codes; report an owner who provided inaccurate or incomplete statements concerning corrections of these violations.

Item 11e. Report any federal grant made with respect to any building or the operation thereof during any taxable year in the compliance period. Report changes in common areas which become commercial, when fees are charged for facilities, etc. In addition, report any below market federal loan or any obligation the interest on which is exempt from tax under section 103 that is or was used (directly or indirectly) with respect to the building or its operation during the compliance period and that was not taken into account when determining eligible basis at the close of the first year of the credit period.

Item 11f. Failure to satisfy the minimum set-aside requirement for the first year of the credit period results in the permanent loss of the entire credit.

Failure to maintain the minimum set-aside requirement for any year after the first year of the credit period results in recapture of previously claimed credit and no allowable credit for that tax year. No low-income housing credit is allowable until the minimum set-aside is restored for a subsequent tax year.

Item 11h. All units in the building must be for use by the general public (as defined in Regulations section 1.42-9), including the requirement that no finding of discrimination under the Fair Housing Act occurred for the building. Low-income housing credit properties are subject to Title VIII of the Civil Rights Act of 1968, also known as the Fair Housing Act. It prohibits discrimination in the sale, rental, and financing of dwellings based on race, color, religion, sex, national origin, familial status, and disability. See 42 U.S.C. sections 3601 through 3619.

It also mandates specific design and construction requirements for multifamily housing built for first occupancy after March 13, 1991, in order to provide accessible housing for individuals with disabilities. The failure of low-income housing credit properties to comply with the requirements of the Fair Housing Act

will result in the denial of the low-income housing tax credit on a per-unit basis.

Individuals with questions about the accessibility requirements can obtain the Fair Housing Act Design Manual from HUD by calling 1-800-245-2691 and requesting item number HUD 11112, or they can order the manual through www.huduser.org under Publications.

Item 11i. The owner must rent to low-income tenants all comparable units that are available or that subsequently become available in the same building in order to continue treating the over-income unit(s) as a low-income unit. All units affected by a violation of the available unit rule may not be included in qualified basis. When the percentage of low-income units in a building again equals the percentage of low-income units on which the credit is based, the full availability of the credit is restored. Thus, only check the "Noncompliance corrected" box when the percentage of low-income units in the building equals the percentage on which the credit is based.

Item 11q. Check this box for noncompliance events other than those listed in 11a through 11p. Attach an explanation. For projects with allocations from the nonprofit set-aside under section 42(h)(5), report the lack of material participation by a non-profit organization (i.e., regular, continuous, and substantial involvement) that the housing credit agency learns of during the compliance period.

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The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 7 hr., 39 min.

Learning about the law or the form 3 hr., 16 min.

Preparing and sending the form to the IRS 3 hr., 32 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave., NW, IR-6406, Washington, DC 20224. Do not send Form 8823 to this address. Instead, see Where To File on page 2.



Low-Income Housing Credit

► See instructions on back.
► Attach to your tax return.

OMB No. 1545-0984

2005
Attachment
Sequence No. **36a**

Identifying number

Part I Current Year Credit

1	Number of Forms 8609-A attached	►		
2	Has there been a decrease in the qualified basis of any buildings since the close of the preceding tax year? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," enter the building identification numbers (BINs) of the buildings that had a decreased basis. If you need more space, attach a schedule. (i) (ii) (iii) (iv)			
3	Current year credit from attached Form(s) 8609-A (see instructions)			3
4	Low-income housing credits from pass-through entities (if more than one entity, see instructions):			
	If you are a—	Then enter the total of the current year credits from—		
	a Shareholder	Schedule K-1 (Form 1120S), box 13, codes A and B	} — EIN of pass-through entity	4
	b Partner	Schedule K-1 (Form 1065), box 15, codes A and B; or Schedule K-1 (Form 1065-B), box 8		
	c Beneficiary	Schedule K-1 (Form 1041), box 13, code C		
5	Add lines 3 and 4. See instructions to find out if you complete lines 6 through 17 or file Form 3800			5
6	Current year credit or passive activity credit (see instructions)			6

Part II Allowable Credit

7	Regular tax before credits:			
	• Individuals. Enter the amount from Form 1040, line 44	}	7	
	• Corporations. Enter the amount from Form 1120, Schedule J, line 3; Form 1120-A, Part I, line 1; or the applicable line of your return			
	• Estates and trusts. Enter the sum of the amounts from Form 1041, Schedule G, lines 1a and 1b, or the amount from the applicable line of your return			
8	Alternative minimum tax:			
	• Individuals. Enter the amount from Form 6251, line 35	}	8	
	• Corporations. Enter the amount from Form 4626, line 14.			
	• Estates and trusts. Enter the amount from Form 1041, Schedule I, line 56.			
9	Add lines 7 and 8			9
10a	Foreign tax credit	10a		
b	Credits from Form 1040, lines 48 through 54	10b		
c	Possessions tax credit (Form 5735, line 17 or 27)	10c		
d	Nonconventional source fuel credit (Form 8907, line 23)	10d		
e	Other specified credits (see instructions)	10e		
f	Add lines 10a through 10e			10f
11	Net income tax. Subtract line 10f from line 9. If zero, skip lines 12 through 15 and enter -0- on line 16			11
12	Net regular tax. Subtract line 10f from line 7. If zero or less, enter -0-			12
13	Enter 25% (.25) of the excess, if any, of line 12 over \$25,000 (see instructions)			13
14	Tentative minimum tax (see instructions):			
	• Individuals. Enter the amount from Form 6251, line 33.	}	14	
	• Corporations. Enter the amount from Form 4626, line 12.			
	• Estates and trusts. Enter the amount from Form 1041, Schedule I, line 54			
15	Enter the greater of line 13 or line 14			15
16	Subtract line 15 from line 11. If zero or less, enter -0-.			16
17	Credit allowed for the current year. Enter the smaller of line 6 or line 16 here and on Form 1040, line 55; Form 1120, Schedule J, line 6d; Form 1120-A, Part I, line 2; Form 1041, Schedule G, line 2c; or the applicable line of your return. If line 16 is smaller than line 6, see instructions			17

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

Use Form 8586 to claim the low-income housing credit. This general business credit is allowed for each new qualified low-income building placed in service after 1986; it is taken over a 10-year credit period. The present value of the 10 annual credit amounts equals 70% of the building's qualified basis (30% for certain federally subsidized new buildings or existing buildings).

S Corporations, Partnerships, Estates, and Trusts

Complete Part I to figure the credit to pass through to the shareholders, partners, or beneficiaries. Attach Form 8586 to the pass-through income tax return along with Form 8609-A, Annual Statement for Low-Income Housing Credit, for each building. An electing large partnership treats the part of the credit attributable to property placed in service before 1990 as a "rehabilitation credit" when reporting the credit to its partners.

Qualified Low-Income Housing Project

The low-income housing credit can only be claimed for residential rental buildings in low-income housing projects that meet one of the minimum set-aside tests. For details, see the instructions for Form 8609, Part II, line 10c.

Except for buildings financed with certain tax-exempt bonds, you may not take a low-income housing credit on a building if it has not received an allocation from the housing credit agency. Also, the credit cannot exceed the amount allocated to the building. See section 42(h)(1) for details. No allocation is needed when (a) 50% or more of the aggregate basis of the building and the land on which the building is located is financed with certain tax-exempt bonds issued after 1989 for buildings placed in service after 1989 or (b) 70% or more of the aggregate basis of the building and land is financed with certain tax-exempt bonds issued before 1990. "Land on which the building is located" includes only land that is functionally related and subordinate to the qualified low-income building (see Regulations sections 1.103-8(a)(3) and 1.103-8(b)(4)(iii)).

Recapture of Credit

There is a 15-year compliance period during which the residential rental building must continue to meet certain requirements. If, as of the close of any tax year in this period, there is a reduction in the qualified basis of the building from the previous year, you may have to recapture a part of the credit you have taken. Similarly, you may have to recapture part of the credits taken in previous years upon certain dispositions of the building or interests therein. If you must recapture credits, use Form 8611, Recapture of Low-Income Housing Credit. See section 42(j) for details.

Caution. If you are subject to recapture, go to Form 8611 before computing the amount of any carryforward of the low-income housing credit. The recapture may reduce the amount of any carryforward of the credit to Form 3800, General Business Credit. See the instructions for line 5.

Recordkeeping

Keep a copy of this Form 8586 together with all Forms 8609, Schedules A (Form 8609) (and successor Forms 8609-A), and Forms 8611 for 3 years after the 15-year compliance period ends.

Specific Instructions

Unless you are claiming the credit from a pass-through entity (such as an S Corporation, partnership, estate, or trust), you must have a properly signed and completed Form 8609, and you must also complete Form 8609-A, in order to claim the credit. If all your credits are from pass-through entities, skip lines 1 through 3.

Line 1. If any of the attached Forms 8609-A are for buildings that are part of a multiple building project (defined in instructions for Part II of Form 8609), attach a schedule listing for each project (a) the name and address of the project and each building in the project, (b) the building identification number (BIN) of each building, (c) the aggregate credit dollar amount for the project, and (d) the credit allocated to each building.

Line 2. A decrease in qualified basis will result in recapture if the qualified basis at the close of the tax year is less than the qualified basis at the close of the first year of the credit period.

If the reduction in qualified basis at the close of the tax year also results in a violation of the minimum set-aside requirement, then no credit is allowable for the year.

Line 3. The credit for the year is figured on Form 8609-A for each building. Attach a copy of each Form 8609-A you completed for the tax year to Form 8586. Enter on line 3 the total credit from attached Form(s) 8609-A.

For a pass-through entity with a line 3 credit attributable to more than one building, attach a schedule to Form 8586 that shows each shareholder's, partner's, or beneficiary's name, identifying number, and share of the line 3 credit and the BIN for each building.

Line 4. If you have a credit from a pass-through entity, enter the entity's employer identification number (EIN) and the credit amount on line 4. If you have credits from more than one pass-through entity, attach a statement that shows the EIN and credit amount for each entity. Enter the total credit on line 4.

Line 5. The credit allowed for the current year may be limited based on your tax liability. Complete line 6 and Part II to figure the allowable credit unless you must file Form 3800. You must file Form 3800 if you have (a) more than one credit included in the general business credit (other than a credit from Form 8844, Form 6478, or Section B of Form 8835) or (b) a carryback or carryforward of any of those credits. See the instructions for Form 3800 to find out which credits are included in the general business credit.

Line 6. The line 5 credit may be subject to the passive activity credit limitation. Individuals, estates, and trusts figure the limit on Form 8582-CR, Passive Activity Credit Limitations. Personal service and closely held corporations figure the limit on Form 8810, Corporate Passive Activity Loss and Credit Limitations. If this limitation applies, enter the allowable credit from Form 8582-CR or 8810 on line 6. If line 6 is zero, skip Part II. If you are not subject to the passive activity limitation, enter the line 5 amount on line 6.

Line 10e. Include on line 10e any amounts claimed on:

- Form 8834, Qualified Electric Vehicle Credit, line 20,
- Form 8910, Alternative Motor Vehicle Credit, line 18, and
- Form 8911, Alternative Fuel Vehicle Refueling Property Credit, line 19.

Line 13. See section 38(c)(5) for special rules that apply to married couples filing separate returns, controlled corporate groups, regulated investment companies, real estate investment trusts, and estates and trusts.

Line 14. Although you may not owe alternative minimum tax (AMT), you generally must still compute the tentative minimum tax (TMT) to figure your credit. For a small corporation exempt from the AMT under section 55(e), enter zero. Otherwise, complete and attach the applicable AMT form or schedule.

Line 17. If you cannot use all of the credit because of the tax liability limit (line 16 is smaller than line 6), carry the unused credit back 1 year and then forward up to 20 years. See the instructions for Form 3800 for details.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for individual taxpayers filing this form is approved under OMB control number 1545-0074 and is included in the estimates shown in the instructions for their individual income tax return. The estimated burden for all other taxpayers who file this form is: **Recordkeeping**, 5 hr., 44 min.; **Learning about the law or the form**, 1 hr., 37 min.; **Preparing the form**, 3 hr., 39 min.; **Copying, assembling, and sending the form to the IRS**, 32 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the instructions for the tax return with which this form is filed.

Low-Income Housing Credit Disposition Bond

(For use by taxpayers posting bond under section 42(j)(6))

Attach to your return after receiving IRS approval.

OMB No. 1545-1029

Attachment
Sequence No. **91**

Name of taxpayer making disposition

Identifying number

Part I Bonding

1 Address of building as shown on Form 8609 (do **not** use P.O. box)

2 Building identification number

3 Date the 15-year compliance period ends

4 Check the box that applies:

This is an ☐ original bond, ☐ strengthening bond, or ☐ superseding bond.

5 Date property
interest disposed of

6 Date bond issued

7a Bond is given by _____ ()
Principal Telephone number (optional)

Address

as principal and _____
Surety

Address

as surety or sureties.

7b As principal and surety, we are obligated to the United States in the amount of \$ _____. We also jointly and severally obligate our heirs, executors, administrators, successors, and assigns for the payment of this amount.

Part II Signatures

Under penalties of perjury, I declare that I have examined this form and any accompanying statements, and to the best of my knowledge and belief, they are true, correct, and complete.

Signature of principal	Name (please print)	Date
Signature of principal	Name (please print)	Date
Signature of surety	Name and identifying number (please print)	Date
Signature of surety	Name and identifying number (please print)	Date

Part III Certificate of Corporate Principal (corporations only)

I certify that the person above, who signed on behalf of the principal, was an authorized representative of the corporation.

Signature of secretary of the corporation	Name (please print)	Date
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Part IV Approval by IRS (See instructions.)

Bond approved _____	Internal Revenue Service official _____
Date	

General Instructions

Section references are to the Internal Revenue Code.

Paperwork Reduction Act Notice

We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control

number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 13 min.
Learning about the law or the form 14 min.
Preparing, copying, assembling, and sending the form to the IRS. 40 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send Form 8693 to this address. Instead, see **When and Where To File** on page 2.

Purpose of Form

Use Form 8693 to post a bond under section 42(j)(6) to avoid recapture of the low-income housing credit.

The bond ensures payment of the recapture tax imposed under section 42(j). The conditions of the bond are that the principal (i.e., taxpayer):

- Does not attempt to defraud the United States of any tax under section 42(j);
- Files all returns and statements as required by law or regulations;
- Pays all taxes including any penalties and interest charges; and
- Complies with all other requirements of the law and regulations under section 42.

Qualifying Sureties

The company acting as surety must hold a Certificate of Authority from the Department of the Treasury, Financial Management Service. These companies are listed in Treasury Circular 570. You may get a copy of this circular by writing to the Department of the Treasury, Financial Management Service, Surety Bond Branch, 3700 East West Hwy., Hyattsville, MD 20782, or by calling (202) 874-6850 (not a toll-free number).

A taxpayer may not be a surety for itself, nor may a member of a firm or a partner in a partnership be a surety for the firm or partnership of which he or she is a member or a partner.

Surety Termination

If a surety's certificate of authority is terminated, the surety may be relieved of liability under the bond provided it notifies the principal and the IRS by the date the termination announcement is published in the Federal Register. The notice must be sent by certified mail and must state that the principal has 60 days from the date the termination announcement is published in the Federal Register to get an adequate strengthening or superseding bond with another surety listed in Treasury Circular 570. If notice is given, the principal's rights under the bond will end 60 days after the date the termination announcement is published in the Federal Register.

A qualified surety (or coinsuring surety) may terminate its liability on a bond only if the surety notifies the principal and the IRS at least 60 days before the date the surety wants to terminate its liability. The notice must state that the principal has 60 days from the termination date to obtain an adequate superseding or strengthening bond from another qualified surety (or coinsuring surety).

If the surety does not provide this notice, it remains liable for the amount posted on the bond. If the surety gives notice but does not meet the 60-day notification requirement or fails to include a termination date in the notice, the surety's liability will terminate 60 days after the postmark date on the notice.

Send the IRS copy of the notice to the Internal Revenue Service Center, Philadelphia, PA 19255.

If the principal fails to post a strengthening or superseding bond within 60 days from the date (a) the termination announcement is published in the Federal Register or (b) on which a surety's liability on a bond terminates, recapture under section 42(j) is required.

Period of Bond

The liability stated on the bond must be for the period of years remaining in the 15-year compliance period of the building plus an additional 58 months. The compliance period begins with the tax year the building was placed in service or the succeeding tax year if the election under section 42(f)(1) is made.

Recordkeeping

Keep a copy of this Form 8693 together with all Forms 8586, 8609, Schedule(s) A (Form 8609), and 8611 for 58 months after the 15-year compliance period ends.

Who Must File

Taxpayers who claimed a low-income housing credit on a residential rental building and later (in a tax year during the 15-year compliance period) disposed of the building or an ownership interest in it must file this form to avoid recapture of the credit claimed. A de minimis rule may apply to certain dispositions of interests in partnerships that own buildings in which a credit was claimed. See Rev. Rul. 90-60, 1990-2 C.B. 3, for additional information.

Partnerships

Section 42(j)(5) partnerships.—Any person holding a power of attorney in a section 42(j)(5) partnership (a partnership with 35 or more partners that has not elected out of the section 42(j)(5) provisions) may post bond as principal on behalf of the partnership. A bond posted on behalf of a partnership must be posted in the partnership's name, with the name of the authorized representative of the partnership posting the bond appearing immediately below the partnership's name.

Partnerships that elected out of the section 42(j)(5) provisions or have fewer than 35 partners.—If partners in partnerships to which section 42(j)(5) does not apply want to post bond, the partners must post bond in their individual capacity as principals.

When and Where To File

Submit the original and one copy of Form 8693 to the Internal Revenue Service Center, Philadelphia, PA 19255, within 60 days after the date of disposition of the building or interest therein. The completed form may be submitted by either the taxpayer or the surety.

When the IRS returns a copy of the approved form, attach a copy of it to your income tax return for the year in which the disposition occurred. Write "FORM 8693 ATTACHED" to the left of the entry space on your income tax return for reporting the recapture of the low-income housing credit.

Specific Instructions

Line 2. Building Identification Number (BIN).—This is the number assigned to the building by the housing credit agency on Part I, item E, of **Form 8609**, Low-Income Housing Credit Allocation Certification.

Line 7b. Amount of Bond.—Use the worksheet below to calculate the bond amount. See Rev. Rul. 90-60 for additional information on the methodology for determining the bond amount.

If the amount is not an even multiple of \$100, increase the bond amount to the next higher multiple of \$100.

Part III. Certificate of Corporate Principal.

—If the principal is a corporation, the authority of the person posting the bond must be certified by the secretary of the corporation by completing Part III. Or the corporation may attach copies of records that will show the authority of the officer signing if the copies are certified by the secretary to be true copies.

Part IV. Approval by the IRS.—The IRS will notify you of the approval or rejection of the bond. If approved, the IRS will send a copy of the approved Form 8693 to the principal shown in Part I. If rejected, the owner must recapture the allowed low-income housing credit. Use **Form 8611**, Recapture of Low-Income Housing Credit.

Worksheet for Computing Bond Amount

1 Total credits taken by you in previous years and any additional credits you anticipate claiming for any year or portion thereof preceding the date of disposition	\$
2 Bond factor amount	%
3 Percentage of taxpayer's total interest in the qualified low-income building disposed of	%
4 Bond amount required to be posted (line 1 × line 2 × line 3). Enter here and on line 7b	\$

Instructions for Worksheet

Line 1.—Enter the total amount of the credits claimed on the building. See Part I of Forms 8586 you have filed. Include any additional credits you anticipate claiming for any period preceding the date of disposition. Do not include credit amounts previously recaptured, credit amounts for which a bond was previously posted, or credits claimed on additions to qualified basis as determined under section 42(f)(3).

Line 2. Bond Factor Amount.—Enter the bond factor amount corresponding to the month in the compliance period in which the disposition occurred and the first year of the building's credit period. The IRS announces the monthly bond factor amounts quarterly in a revenue ruling published in the Internal Revenue Bulletin.

Line 3.—Enter the ownership interest in the qualified low-income building that you have disposed of. Include ownership interests held both directly and indirectly (e.g., through a partnership).



Form **8611**

(Rev. December 2004)

Department of the Treasury
Internal Revenue Service**Recapture of Low-Income Housing Credit**► **Attach to your return.****Note: Complete a separate Form 8611 for each building to which recapture applies.**

OMB No. 1545-1035

Attachment
Sequence No. **90**

A Name(s) shown on return		B Identifying number
C Address of building (as shown on Form 8609)	D Building identification number (BIN)	E Date placed in service (from Form 8609)
F If building is financed in whole or part with tax-exempt bonds, see instructions and furnish: (1) Issuer's name		(2) Date of issue
(3) Name of issue		(4) CUSIP number

Note: Skip lines 1–7 and go to line 8 if recapture is passed through from a flow-through entity (partnership, S corporation, estate, or trust).

1 Enter total credits reported on Form 8586 in prior years for this building	1	
2 Credits included on line 1 attributable to additions to qualified basis (see instructions). . .	2	
3 Credits subject to recapture. Subtract line 2 from line 1	3	
4 Credit recapture percentage (see instructions)	4	.
5 Accelerated portion of credit. Multiply line 3 by line 4	5	
6 Percentage decrease in qualified basis. Express as a decimal amount carried out to at least 3 places (see instructions)	6	.
7 Amount of accelerated portion recaptured (see instructions if prior recapture on building). Multiply line 5 by line 6. Section 42(j)(5) partnerships, go to line 16. All other flow-through entities (except electing large partnerships), enter the result here and enter each recipient's share in the appropriate box of Schedule K-1. Generally, flow-through entities other than electing large partnerships will stop here. (Note: An estate or trust enters on line 8 only its share of recapture amount attributable to the credit amount reported on its Form 8586.)	7	
8 Enter recapture amount from flow-through entity (see Note above)	8	
9 Enter the unused portion of the accelerated amount from line 7 (see instructions)	9	
10 Net recapture. Subtract line 9 from line 7 or line 8. If less than zero, enter -0-	10	
11 Enter interest on the line 10 recapture amount (see instructions)	11	
12 Total amount subject to recapture. Add lines 10 and 11	12	
13 Unused credits attributable to this building reduced by the accelerated portion included on line 9 (see instructions)	13	
14 Recapture tax. Subtract line 13 from line 12. If zero or less, enter -0-. Enter the result here and on the appropriate line of your tax return (see instructions). If more than one Form 8611 is filed, add the line 14 amounts from all forms and enter the total on the appropriate line of your return. Electing large partnerships, see instructions	14	
15 Carryforward of the low-income housing credit attributable to this building. Subtract line 12 from line 13. If zero or less, enter -0- (see instructions)	15	

Only Section 42(j)(5) partnerships need to complete lines 16 and 17.

16 Enter interest on the line 7 recapture amount (see instructions)	16	
17 Total recapture. Add lines 7 and 16 (see instructions)	17	

General Instructions

Section references are to the Internal Revenue Code.

Purpose of Form

Use this form if you must recapture part of the low-income housing credit you claimed in previous years because:

- The qualified basis of a building decreased from one year to the next. The decrease may result from a change in the eligible basis, or the building no longer meets the minimum set-aside requirements of section 42(g)(1), the gross rent requirement of section 42(g)(2), or the other requirements for the units which are set aside.
- You disposed of the building or an ownership interest in it, and you did not post a satisfactory bond or pledge eligible U.S. Treasury securities as collateral. For details on how to avoid recapture on a building disposition, see section 42(j)(6); Form 8693, Low-Income Housing Credit Disposition Bond; and Rev. Proc. 99-11, 1999-2 I.R.B. 14.

Note. If the decrease in qualified basis is because of a change in the amount for which you are financially at risk on the building, then you must first recalculate the amount of credit taken in prior years under section 42(k) before you calculate the recapture amount on this form.

To complete this form you will need copies of the following forms that you have filed: Form 8586, Low-Income Housing Credit (and Form 3800, General Business Credit, if applicable);

Form 8609, Low-Income Housing Credit Allocation Certification; Schedule A (Form 8609), Annual Statement; and Form 8611.

Note. Flow-through entities must give partners, shareholders, and beneficiaries the information that is reported in items C, D, E, and F of Form 8611.

Recapture does not apply if:

- You disposed of the building or an ownership interest in it and you posted a satisfactory bond or pledged eligible U.S. Treasury securities as collateral (for details, see section 42(j)(6); Form 8693; and Rev. Proc. 99-11);
- You disposed of not more than 33⅓% in the aggregate of your ownership interest in a building that you held through a partnership, or you disposed of an ownership interest in a building that you held through a partnership to which section 42(j)(5) applies or through an electing large partnership;
- The decrease in qualified basis does not exceed the additions to qualified basis for which credits were allowable in years after the year the building was placed in service;
- You correct a noncompliance event within a reasonable period after it is discovered or should have been discovered;
- The qualified basis is reduced because of a casualty loss, provided the property is restored or replaced within a reasonable period.

Recordkeeping

In order to verify changes in qualified basis from year to year, keep a copy of all Forms 8586, 8609, Schedule A (Form 8609), 8611, and 8693 for 3 years after the 15-year compliance period ends.

Specific Instructions

Note. If recapture is passed through from a flow-through entity (partnership, S corporation, estate or trust), skip lines 1–7 and go to line 8.

Item F. If the building is financed with tax-exempt bonds, furnish the following information: (1) name of the entity that issued the bond (not the name of the entity receiving the benefit of the financing); (2) date of issue, generally the first date there is a physical exchange of the bonds for the purchase price; (3) name of the issue, or if not named, other identification of the issue; and (4) CUSIP number of the bond with the latest maturity date. If the issue does not have a CUSIP number, enter "None."

Line 1. Enter the total credits claimed on the building for all prior years from Part I of all Forms 8586 (before reduction due to the tax liability limit) you have filed. Do not include credits taken by a previous owner.

Line 2. Determine the amount to enter on this line by completing a separate Line 2 Worksheet (below) for each prior year for which line 7 of Schedule A (Form 8609) was completed.

Line 2 Worksheet

a Enter the amount from line 10, Schedule A (Form 8609).	a	
b Multiply a by 2	b	
c Enter the amount from line 11, Schedule A (Form 8609).	c	
d Subtract c from b	d	
e Enter decimal amount figured in step 1 of the instructions for line 14, Schedule A (Form 8609). If line 14 does not apply to you, enter -0-	e	
f Multiply d by e	f	
g Subtract f from d	g	
h Divide line 16, Schedule A (Form 8609) by line 15, Schedule A (Form 8609). Enter the result here.	h	
i Multiply g by h . Enter this amount on line 2. (If more than one worksheet is completed, add the amounts on i from all worksheets and enter the total on line 2.)	i	

Line 4. Enter the credit recapture percentage, expressed as a decimal carried to at least 3 places, from the table below:

IF the recapture event occurs in . . .	THEN enter on line 4 . . .
Years 2 through 11333
Year 12267
Year 13200
Year 14133
Year 15067

Line 6. Enter the percentage decrease in qualified basis during the current year.

For this purpose, figure qualified basis without regard to any additions to qualified basis after the first year of the credit period. Compare any decrease in qualified basis first to additions to qualified basis. Recapture applies only if the decrease in qualified basis exceeds additions to qualified basis after the first year of the credit period.

If you disposed of the building or an ownership interest in it and did not post a bond, you must recapture all of the accelerated portion shown on line 5. Enter 1.000 on line 6.

Note. If the decrease causes the qualified basis to fall below the minimum set-aside requirements of section 42(g)(1) (the 20-50 test or the 40-60 test), then 100% of the amount shown on line 5 must be recaptured. Enter 1.000 on line 6. If you elected the 40-60 test for this building and the decrease causes you to fall below 40%, you cannot switch to the 20-50 test to meet the set-aside requirements. You must recapture the entire amount shown on line 5.

Line 7. If there was a prior recapture of accelerated credits on the building, do not recapture that amount again as the result of the current reduction in qualified basis. The following example demonstrates how to incorporate into the current (Year 4) recapture the first year (Year 1) accelerated portion as a result of a prior year (Year 2) recapture event.

Line 9. Compute the unused portion of the accelerated amount on line 7 by:

Step 1. Totaling the credits attributable to the building that you could not use in prior years.*

Step 2. Reducing the result of step 1 by any unused credits attributable to additions to qualified basis.

Step 3. Multiplying the result of step 2 by the decimal amount on line 4.

Step 4. Multiplying the result of step 3 by the decimal amount on line 6.

Step 5. Enter the result of step 4 on line 9.

*Generally, this is the amount of credit reported on line 1 of this Form 8611 reduced by the total low-income housing credits allowed on Form 8586 or Form 3800 for each year.

Special rule for electing large partnerships. Enter zero on line 9. An electing large partnership is treated as having fully used all prior year credits.

Line 11. Compute the interest separately for each prior tax year for which a credit is being recaptured. Interest must be computed at the overpayment rate determined under section 6621(a)(1) and compounded on a daily basis from the due date (not including extensions) of the return for the prior year until the earlier of (a) the due date (not including extensions) of the return for the recapture year, or (b) the date the return for the recapture year is filed and any income tax due for that year has been fully paid.

Tables of interest factors to compute daily compound interest were published in Rev. Proc. 95-17, 1995-1 C.B. 556. The annual interest rate in effect for periods through December 31, 2004, is shown in Rev. Rul. 2004-92, 2004-37 I.R.B. 466. For periods after December 31, 2004, use the overpayment rate under section 6621(a)(1) in the revenue rulings published quarterly in the Internal Revenue Bulletin.

Note. If the line 8 recapture amount is from a section 42(j)(5) partnership, the partnership will figure the interest and include it in the recapture amount

reported to you. Enter “-0-” on line 11 and write “Section 42(j)(5)” to the left of the entry space for line 11.

Line 13. Subtract the amount on line 9 from the total of all prior year unused credits attributable to the building (Step 1 of the line 9 instruction above). Enter the result on line 13.

Line 14.

For information on how to report the recapture tax on...

See the instructions for the...

Form 1040	“Total tax” line in the Instructions for Form 1040
Form 1120 or 1120-A	“Other taxes” line in the Instructions for Forms 1120 and 1120-A

Special rule for electing large partnerships. Subtract the current year credit, if any, shown on Form 8586, line 7, from the total of the line 14 amounts from all Forms 8611. Enter the result (but not less than zero) on Form 1065-B, Part I, line 26.

Note. You must also reduce the current year low-income housing credit, before entering it on Schedules K and K-1, by the amount of the reduction to the total of the recapture amounts.

Line 15. Carry forward the low-income housing credit attributable to this building to the next tax year. Report any carryforward on the carryforward line of the Form 3800 for the next tax year. See the instructions for Form 3800 for details on how to report the carryforward of unused credits.

Lines 16 and 17. Only section 42(j)(5) partnerships complete these lines. This is a partnership (other than an electing large partnership) that has at least 35 partners, unless the partnership elects (or has previously elected) not to be treated as a section 42(j)(5) partnership. For purposes of this definition, a husband and wife are treated as one partner.

Line 7—Example. \$2,700 of accelerated portion of low-income housing credit spread over a 10-year period and not falling below the minimum set-asides for the building. Also, there was a 20% reduction in qualified basis in Year 2 and 30% in Year 4.

	Year 1	Year 2	Year 3	Year 4*
Low-income housing credit	\$270	\$216 (\$270 × .8 (20% reduction in qualified basis))	\$270	\$189 (\$270 × .7 (30% reduction in qualified basis))
Recapture of Year 1 low-income housing credit		\$18 (\$270 × .333 × .2 (20% reduction in qualified basis))		\$9 (\$27 (\$270 × .333 × .3 (30% reduction in qualified basis) minus \$18 Year 2 recapture))

* You will have to complete the rest of the form to figure the recapture as the result of the current year reduction in basis as it affects the Year 2 and Year 3 credit.

For purposes of determining the credit recapture amount, a section 42(j)(5) partnership is treated as the taxpayer to which the low-income housing credit was allowed and as if the amount of credit allowed was the entire amount allowable under section 42(a).

See the instructions for line 11 to figure the interest on line 16. The partnership must attach Form 8611 to its Form 1065 and allocate this amount to each partner on Schedule K-1 (Form 1065) in the same manner as the partnership's taxable income is allocated to each partner.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of

the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping 8 hr., 21 min.

Learning about the law or the form 1 hr.

Preparing and sending the form to the IRS . . . 1 hr., 10 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the IRS at the address listed in the instructions for the tax return with which this form is filed.

DEVELOPMENT STATUS FORMS

Mississippi Home Corporation Housing Tax Credit (HTC) Program

Building/Unit Set-up Form

(NOTE: Complete ONE form PER BUILDING)

Development Number/Name: _____

BIN Number: _____

Building Address/Description (Ex. Bldg. A): _____

Mailing Address: _____

City: _____

County: _____

Total Units in this bldg.: _____

Total **HTC** Units in this bldg.: _____

Total Market Rate Units: _____

Total Staff Units (this bldg.): _____

Placed in Service Date:

(Select building type & enter PIS date)

☐ New Construction
____/____/____ (mm/dd/yyyy)

☐ Acquisition
____/____/____ (mm/dd/yyyy)

☐ Rehabilitation
____/____/____ (mm/dd/yyyy)

UNIT IDENTIFICATION

Unit No.	Bedroom Size (circle one)	Square Feet (per unit)	Staff Unit Y/N
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
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	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
	1 2 3 4 5 6		
Total Sq. Footage			

*Duplicate form as needed

Mississippi Home Corporation
Certification of 100% Lease Up

Development Number: _____

Development Name: _____

Development Address: _____
(street address, city, state, and zip)

Date development achieved 100% lease-up: _____

Building Identification Number	Certificate of Occupancy Date	Placed-In-Service Date	Anticipated Initial Credit Year

Owner Name

Owner Signature

Date

Mississippi Home Corporation

Authorization to Release

Owner Information

Owner's Name: _____ TIN: _____

Contact Person: _____

Owner's Address: _____

City, State and Zip: _____

Telephone #: _____ Fax #: _____ Email: _____

Management Company/ Owner's Representative

Management Co. Name: _____ TIN: _____

Contact Person: _____

Address: _____

(address in which ALL copies should be forwarded)

City, State and Zip: _____

Telephone #: _____ Fax #: _____ Email: _____

Development Information *(To list additional developments, please attach a separate sheet.)*

Development Name	Development Number	City

Effective _____ (mm/dd/yy), I, _____, the owner of the development(s) noted herein, hereby authorize the aforementioned management company/owner's representative to receive copies of all correspondence regarding the compliance status of Housing Tax Credit developments listed herein*. This authorization shall remain in effect until written cancellation is received/submitted by either Mississippi Home Corporation or myself.

Owner's Name (Signature)

Date

*Disclaimer: Please be advised that although MHC agrees to forward copies of all correspondence associated with the developments noted herein, the owner is responsible for ensuring that all forms and documents related to Housing Tax Credit compliance are submitted as required. MHC's acceptance of this authorization shall in no way be viewed as a waiver of an owner's responsibility under Section 42 of the Internal Revenue Code or MHC's applicable Qualified Allocation Plan (QAP).



MISSISSIPPI HOME CORPORATION

Notice of Property Transfer

Part I: DEVELOPMENT INFORMATION

Project Identification Number : _____

Property Name: _____

Address: _____

_____, Mississippi _____

Part II: SELLER INFORMATION

Taxpayer ID Number: _____ Telephone Number: _____

Ownership Entity: _____

Contact Person: _____

Address: _____

Part III: BUYER INFORMATION

Taxpayer ID Number: _____ Telephone Number: _____

Ownership Entity: _____

Contact Person: _____

Address: _____

Part IV: PROGRAM INTENT

- ☐ Desires to participate in the Housing Tax Credit (HTC) Program
- ☐ Desires NOT to participate in the Housing Tax Credit (HTC) Program *(Please be advised, the IRS will be notified of the development's termination of the HTC program.)*

Anticipated Date of Transfer: _____

Upon official closing, please submit a copy of the Warranty Deed to the Mississippi Home Corporation, Compliance Division, P.O. Box 23369, Jackson, MS 39225-9953.

(Signature)

(Date)

(Printed Name)

(Title)



MISSISSIPPI HOME CORPORATION

Notice of General Partner/ Management Change

Please indicate type of change.

☐ Partnership

☐ Management

Effective date of Change: _____

Project Number: _____

Project Name: _____

Project Address: _____

Old Information

Organization Name: _____

Address: _____

Contact Person: _____

Telephone Number: _____

Fax Number: _____

New Information

Organization Name: _____

Address: _____

Contact Person: _____

Telephone Number: _____

Fax Number: _____

Printed Name

Date

Signature

Title



MISSISSIPPI HOME CORPORATION

Notice of Physical Damage

Project Identification Number : _____

Property Name: _____

Address: _____

_____, Mississippi _____

1. Date of physical damage occurred: _____

2. Please describe the cause of damages: _____

3. Please describe the extent of the damages: _____

4. Estimated cost of repairs: _____

5. Estimated date of completion of repairs: _____

Please submit a copy of the insurance estimates to the Mississippi Home Corporation, Compliance Division, P.O. Box 23369, Jackson, MS 39225-9953.

(Signature)

(Date)

(Printed Name)

(Title)

Mississippi Home Corporation

Request Guidelines for the Approval of On-site Staff Units

(Applicable *ONLY* if a request was *NOT* submitted in the development's HTC Application!)

In accordance with Revenue Ruling 92-61, and Revenue Ruling 2004-82, the adjusted basis of a unit occupied by a full-time resident manager is included in the eligible basis of a qualified low-income building under Section 42(d)(1), but the unit is excluded from the applicable fraction under Section 42©(1)(B) for purposes of determining the building's qualified basis.

Instructions: Prepare a brief statement (and any support documentation) detailing/explaining why an on-site staff unit is needed. Statement **MUST** include the answers to the following:

1. Why an on-site staff unit is needed.
2. An explanation as to how residents would benefit from the inclusion of this staff unit. (Attach applicable support documentation)
3. A complete listing of the unit/building number(s) in which the staff unit(s) is being requested, as well as the unit type.
4. Name of employee(s) to currently occupy staff unit upon approval, if applicable, the staff unit designation (resident manager, security officer, courtesy officer, etc.) and the percentage of time employee(s) will dedicate to THIS DEVELOPMENT. **NOTE: Full-time is considered whatever is reasonably required to make operations run efficiently at the development.**
5. A declaration regarding the prior tax status of this unit(s) (i.e., previously claimed credits, never claimed credits, etc.).
6. A declaration as to whether or not this unit(s) has been treated as a revenue generating unit(s) *prior* to this request and the future intent regarding the same.

NOTE: Additional information may be requested upon MHC's review of the above noted information.

Request for Staff Unit(s) must be submitted to:

Mississippi Home Corporation
Compliance Monitoring Division
Attn.: Robert D. Collier
P O Box 23369
Jackson, MS 39225-3369
601.718.4630; 601.718.4643



MISSISSIPPI HOME CORPORATION

Technical Assistance Request

1. Please indicate three dates for technical assistance in order of preference:

a. _____

b. _____

c. _____

2. Time: _____

3. Location: _____

4. Desired subject coverage: _____

5. Estimated number of participants: _____

6. Please indicate audience. Mark all that apply.

☐ Site Manager

☐ Regional Managers

☐ Leasing Agents

☐ Other: _____

7. Please indicate the overall experience level with Housing Tax Credit of audience.

☐ Beginners

☐ Intermediate

☐ Advanced

Printed Name

Date

Signature

Title

**Mississippi Home Corporation
Housing Tax Credit (HTC)**

**Monitoring Guidelines for HTC
Developments Sold Via Foreclosure**

Effective June 11, 2007

Mississippi Home Corporation
Housing Tax Credit (HTC)
Monitoring Guidelines for HTC Developments Sold Via Foreclosure
Effective June 11, 2007

Foreclosure: Generally, the term of the Land Use Restriction Agreement (LURA) expires when there is a loss of development due to foreclosure or a deed-in-lieu foreclosure. According to Section 42(E)(i)(I), “the extended use period for any building shall terminate on the date the building is acquired by foreclosure (or instrument in lieu of foreclosure) unless the Secretary determines that such acquisition is part of an arrangement with the taxpayer for a purpose of which is to terminate such period.” If the Mississippi Home Corporation (MHC) has cause to believe that an owner or a related entity attempted to avoid the LURA’s lower-income requirements through foreclosure and again holds an interest in the development, MHC may take the appropriate steps to activate the LURA’s requirements.

The revival provision is intended to prevent an owner from escaping the LURA’s occupancy requirements while retaining the effective control and use of the development. This provision should not be applied when a bona fide foreclosure has occurred and an owner later reacquires an interest on a reasonable commercial basis.

Notification of Foreclosure:

When a building or Housing Tax Credit (HTC) development is no longer in compliance or participating in the HTC program as a result of foreclosure, the new ownership entity must IMMEDIATELY provide to MHC a copy of the following documents:

- Evidence of Foreclosure Sale and/or anticipated date of sale;
- Occupancy Report as of the date of sale listing all residents and the current rental rate*; *and*
- Development Transfer Form identifying the name, address, and telephone number of owner and/or owner contact

**This report may be generated by agency rent roll records or compiled using the Occupancy Report included in this package.*

Forward Notification of Foreclosure Sale To:

Mississippi Home Corporation
Compliance Monitoring Division
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39212

Mississippi Home Corporation
Housing Tax Credit (HTC)
Monitoring Guidelines for HTC Developments Sold Via Foreclosure
Effective June 11, 2007

Compliance Requirements Post-Foreclosure Sale:

When a building or HTC development is no longer in compliance or participating in the HTC program, state agencies are required (before terminating a LURA) to address two key issues of compliance: Extended Low-Income Housing Commitment and Protecting Tenant Rights. As a result of such, the NEW entity acquiring ownership interest in the foreclosed development must adhere to the requirements as follows:

1. ***Extended Low-Income Housing Commitment:*** Internal Revenue Code (IRC) Section 42(h)(6)(D) requires a development owner to commit to the low-income housing program for a minimum of 30 years. The commitment is documented as a restrictive covenant against the development and is recorded against the development as a deed restriction governed by state law. When a building or project is removed from the HTC program before the end of the extended use period, state agencies have discretionary authority to release the extended use agreement and remove the deed restriction.
2. ***Protection of Tenants Rights:*** Internal Revenue Code (IRC) Section 42(h)(6)(E)(ii) requires a development owner to adhere to the following requirements in the event of a termination of a development's extended use agreement. These requirements are:
 - a. No eviction or termination of tenancy (other than for good cause) of an existing tenant of any low-income unit before the close of the three (3) year period following the termination of the extended use agreement, *and*
 - b. No increase in the gross rent of any unit occupied by an existing tenant before the close of the three (3)-year period following the termination of the extended use agreement, not otherwise permitted under Section 42.

Upon the fulfillment of the above noted requirements and written request from the development owner, MHC will consider releasing the development from the extended use requirements. In such event, the release will set forth the particular condition giving rise to the end of the term.

Future Use of Available Tax Credits:

Upon the foreclosure of a tax credit development, the rights to the annual low-income housing tax credit ceases.

Tax Credit Recapture: Any tax consequences (i.e., recapture of previously claimed credits) as a result of the foreclosure or program noncompliance prior to the foreclosure sale is strictly determined by the IRS.

Mississippi Home Corporation
Housing Tax Credit (HTC)
Monitoring Guidelines for HTC Developments Sold Via Foreclosure
Effective June 11, 2007

Reporting Requirement(s) Post-Foreclosure Sale:

An owner of a HTC development that has undergone foreclosure is required to submit, for the three (3)-year period immediately following the date of the foreclosure sale, information pertaining to the occupants and the applicable rental rate charged. This information, which must be reported to MHC via an Annual Owner Certification (AOC) Report is due to MHC on or before January 31st of each calendar year (or on another date prescribed by MHC) for the preceding calendar year. ***Please note: The first Occupancy Report identifying occupants as of the date of the foreclosure sale and the rental rate charged is due to MHC within 30 days of the sale.***

The AOC Report must include the following*:

- Part A: Post-Foreclosure Certification
- Part B: Rent-Vacancy Report

****THIS REPORT MUST BE PREPARED AND REMITTED IN THE FORMAT PRESCRIBED BY MHC.***

Mississippi Home Corporation Housing Tax Credit Program Part B: Rent-Vacancy Report

Report Period: January 1, 20__ through December 31, 20__

Development Name: _____

Development Address: _____

Development Number: MS - - - -

Prepared by: _____

Title: _____

Telephone No.: _____

NOTE: Please list only units that were qualified under the IRS § 42 and residing at the time of foreclosure.

[illegible]

**Mississippi Home Corporation
Housing Tax Credit
Part A: Post-Foreclosure Certification**

Report Period: January 1, 20__ through December 31, 20__

Development No: MS- _____

Development Name: _____

City, Zip: _____

Date of Foreclosure: _____

Owner: _____

Phone: _____

Owner TIN: _____

Manager/Contact: _____

Phone: _____

I, the Owner, hereby certifies that in the preceding twelve-month period:

1. No tenants in low-income units were evicted or had their tenancies terminated other than for good cause, and
2. No tenants had an increase in the gross rents with respect to a low-income unit not otherwise permitted under IRS § 42.
3. There have been _____ vacancies. Of that number, _____ were low-income households residing in the units at the time of foreclosure.
4. Currently, _____ of the units are occupied. Of that number, _____ are low-income household residing in the units at the time of foreclosure.

I/We certify that data presented in this report is accurate to the best of our knowledge.

Signature (Preparer)

Signature (Managing Owner)

Date

**Low-income units were income qualified under Section 42.*



EXTENDED USE PERIOD WAIVER REQUEST PROCEDURES

Mississippi Home Corporation

Extended Use Period Release of Certain Compliance Monitoring Guidelines & Procedures

An owner of a tax credit development operating in its extended use period (EUP) or approaching its EUP, may request from the Corporation a relief or waiver from certain compliance requirements. Said request may be submitted any time *after* the expiration of the development's initial compliance period, but *no earlier than* the fourth quarter of the year immediately proceeding the first year of the extended use period (i.e., typically year 15).

In order to receive consideration of relief of certain compliance monitoring requirements during the development's EUP, the development in which the request is made on the behalf of must adhere to each of the following eligibility guidelines:

1. Be in good standing with the Corporation for a three-year qualifying period (i.e., the three year period immediately proceeding the date of the request) and continue in good standing;
2. Free of material noncompliance for the three-year period immediately preceding the effective date of the extended use period, including AOC Reports, monitoring visits, etc.;
3. Completed its initial 15-year compliance period as outlined in Section 42 of the IRC.

An owner wishing to have his/her development participate in the EUP Monitoring Relief program must submit a written request to the Corporation. The Corporation will notify the owner or the owner's authorized agent in writing regarding the status of said request.

Request for Relief of Certain Compliance Monitoring requirements must be submitted to:

Mississippi Home Corporation
Compliance Monitoring Division
Attn.: Karen C. Georgetown
P O Box 23369
Jackson, MS 39225-3369
601.718.4630; 601.718.4643

Mississippi Home Corporation

Extended Use Period Release of Certain Compliance Monitoring Guidelines & Procedures

Record-Keeping/Annual Reporting:

Annual Owner Certification (AOC) Report will continue to be required and submitted in accordance with state-defined requirements as identified in the applicable Compliance Monitoring Plan.

The annual Occupancy (Rent Roll) Report will continue to be required and submitted electronically to the Corporation on an annual basis.

The requirement to annual “re-verify gross household income” during the recertification of a household is waived. Self-certification of household composition and gross household income is still required annually. *

The initial eligibility paperwork for all ‘new’ households will continue to be acquired and maintained in accordance with the record-keeping requirements identified in the latest Compliance Monitoring Plan.

The requirement to treat building-to-building relocations as a “move-out/move-in” situation will be revised to allow for the relocation/transfer without having to initially qualify the household in accordance with HTC requirements.

Inspections:

Continuation of three-year inspection cycle for non-RHS financed developments. Reduction in the total number of units to be inspected; inspections to be performed on at least 10% of the low-income units, not to exceed 12 units in any development.

Acceptance of RHS’ three year Supervisory Reports in lieu of agency performed physical inspection.**

Available Unit Rule (AUR):

Upon recertification, if a household’s income exceeds 140% of the applicable area median income, a vacant unit or the next unit in the same building must be rented to a qualifying household. The next available unit no longer has to be of equal or smaller size.

Applicable Fraction:

Only the number of tax credit units in relation to residential units will be examined to determine a building’s applicable fraction. Square footage fraction previously required removed.

**Mixed-income tax credit developments that participate in an additional rental subsidy program such as Section 8 or RHS not covered under this relief item.*

***The Corporation reserves the right to conduct physical inspection of a tax credit development independent of its Memorandum of Understanding (MOU) with RHS.*

**[Sample Format Owner Should Use to Request Participation in MHC's
Extended Use Period Monitoring Relief
Program]**

[Date]

Mississippi Home Corporation
Attn.: Compliance Monitoring Division
P O Box 23369
Jackson, MS 39225-3369

**RE: Relief of Certain Compliance Monitoring Procedures during Extended Use
Period**
[Development Name]
[Owner's Name]
[Owner's Tax I.D. #]

Dear Sir/Madam:

Pursuant to Chapter 7, Section 7.3 of the Mississippi Home Corporation's (MHC's) Compliance Monitoring Plan, an owner may request a relief of certain compliance monitoring requirements and/or procedures during a development's extended use period. Said relief, including but not limited to, a waiver of the income verification requirement during a household's annual recertification and the ability to apply the Available Unit Rule (AUR), a one-for-one replacement, to the next available unit in the building in which the 140% rise in household income occurred irrespective of the unit being comparable or smaller in size and a reduction in annual reporting requirements.

I, _____, as the owner of the above referenced development, understand that MHC may continue to require an annual income recertification under its monitoring procedure and that the Relief Waiver does not exempt me from the record keeping and certification requirements as outlined in the development's Land Use Restriction Agreement (LURA), particularly as it related to the verification of the annual income of a household upon initial occupancy.

I further understand that in order to participate in the Compliance Monitoring Relief Program during the extended use period, the referenced development must be:

- ☐ In good standing with all MHC administered programs, including the payment of applicable fees;
- ☐ Free of material noncompliance for the three year period immediately preceding the effective of the extended use period; and
- ☐ Approaching and/or currently participating in the development's extended use period.

As stated in the foregoing requirements (and those specifically stated in the latest Compliance Monitoring Plan), I hereby certify that the referenced development meets these requirements. As a result, I request the approval of the above referenced development's participation in the EUP Compliance Monitoring Relief program. This request is signed under penalty of perjury, noting to the best of my knowledge and belief that all statements pertaining to such is true and correct.

Sincerely,

[Signature and Title of Representative of
the Ownership Entity – not management]

GUIDE TO CORRECTING NONCOMPLIANCE

Guide to Correcting “Common” AOC Noncompliance Violations

Noncompliance (NC) Violation	Document(s) Needed to Correct NC Item	Documents Needed to Dispute NC Item
Move-out date unknown	Move-out deposition form or applicable move-out documentation and corrected rent roll	
Missing Tenant Certification	Applicable Tenant Income Certification (TIC) for the certification period and a corrected occupancy (rent roll) report	Applicable TIC for the certification period and corrected rent roll
Late Tenant Certification	Item is deemed corrected as of the date the recertification was completed; no further actions needed.	Applicable TIC for the certification period and a corrected rent roll
Over Rent Limit	Documentation of reimbursement to the source (i.e. refund to tenant, HUD, Rural Development, etc. . .)	Written response summarizing reason for dispute, support documentation and a corrected occupancy (rent roll) report
Initial Over Income	None. Nonqualified household.	Initial TIC and all applicable income verifications and a corrected occupancy (rent roll) report
Discrepancy with move-in (m/i) date	Initial TIC, initial lease and corrected rent roll	
Discrepancy with move-out (m/o) date	Move-out deposition form or applicable move-out documentation and a corrected occupancy (rent roll) report	
Incomplete rent roll information	Applicable TIC for the certification period and properly completed rent roll	
Discrepancy with unit/building set up	Diagram/map of development with building and unit set-up clearly identified	
Owner’s Designation	Applicable TIC for the certification period and a corrected occupancy (rent roll) report	

*** For clarification on the “common” AOC noncompliance violations listed here or other violations, please contact the Compliance division at 601.718.4642.

COMPLIANCE MONITORING DIVISION

Robert D. Collier, V.P. of Multifamily Program Operations
Karen C. Georgetown, Asst. V.P. of Compliance Monitoring
Ron Cannon, Building Inspection Administrator
Daffiney A. Johnson, Compliance Officer
Teri N. Mamaril, Compliance Officer
Valeska Robinson, Compliance Officer
Deborah L. Heard, Compliance Assistant
Angela McGee, Compliance Monitoring Clerk

Mississippi Home Corporation
P O Box 23369
Jackson, MS 39225
601.718.4642; fax 601.718.4643
or
735 Riverside Drive
Jackson, MS 39202

WWW.MSHOMECORP.COM

The Mission of the Mississippi Home Corporation is to offer the opportunity of a safe, decent, and affordable home **to every Mississippian.**