

LIHTC OWNER'S CERTIFICATE OF CONTINUING PROGRAM COMPLIANCE

Mail To: Oregon Housing & Community Services 725 Summer Street NE, Suite B Salem, OR 97301-1266

Certification Dates:	From: January 1,	To: December 31,	
Project Name:	Project No:		
Project Address:	City:	Zip:	
Tax ID # of Ownership Entity:	Project is 100% LIHTC (no market-rate units): <input type="checkbox"/> YES <input type="checkbox"/> NO		

The undersigned _____ as, or 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

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**

If "**Change**", list the applicable fraction to be reported to the IRS for each building in the project for the certification year on page 3. **Do not include** units with households that do not qualify for the LIHTC Program in the building's applicable fraction.

3. For **100% LIHTC projects**, the owner has obtained a Tenant Income Certification from each low-income household at initial occupancy **and at the first-year anniversary**, along with third-party documentation to support each certification:
 - YES** **No**

For projects that are **not considered to be** 100% LIHTC, the owner has obtained a Tenant Income Certification from each low-income household at initial occupancy **and annually**, along with third-party documentation to support each certification:

 - YES** **No**

4. Each low-income unit in the project has been rent-restricted under Section 42(g)(2) of the Code:
 - YES** **NO**

Is there a unit designated for staff? **YES** **NO** If yes, does the household LIHTC income-qualify? **YES** **NO**
 Is rent being collected for this unit: **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. Additionally, all low income units have been continually occupied, vacant but rent-ready, or vacant for redecorating and/or minor repairs for a period of **less than 30 days**, throughout the reporting period:
 - YES** **NO**

If "**No**", state nature of violation of habitability standards or provide a detailed explanation of the vacancy (include unit #) on page 3 and attach a copy of the violation report as required by 26 CFR 1.42-5 and any documentation of corrections made.

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: **CHANGE** **NO CHANGE**

If "**Change**", state nature of change (e.g., a common area has become commercial space, a fee is now charged for a tenant facility formerly provided without charge, or the project owner has received federal subsidies with respect to the project which had not been disclosed to the allocating authority in writing) 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 140% of the applicable income limit as 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. Any evictions of tenants of a low-income unit in any building were executed only for good cause, as required in Section 42(h)(6)(B)(i) of the Code, as described in Q&A of Rev. Rul. 2004-82.
 YES NO
13. 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:
 YES NO
14. 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
15. There has been no change in the ownership or management of the project in the past 12 months:
 NO CHANGE CHANGE

There is a possibility that a change in ownership or management may occur in the next 12 months:
 NO CHANGE CHANGE

If "**Change**", complete page 3 detailing the changes in ownership or management of the project.
 If possibility of change list details.

Attached hereto is:

- ♦ The Annual Reporting Spreadsheet ("Required" form, [OHCS.10](#))
- ♦ The most recent utility allowance information
- ♦ Copy of IRS Form 8609, where Part II "First-Year Certification" has been completed, signed and dated by owner (not applicable if previously submitted)

Please note that 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 documentation to support signature authority is attached.

Under penalty of perjury, the undersigned certifies that the information presented within this document, as well as all attachments provided, is true and accurate and that the project is in compliance with the Code, including any Treasury Regulations, the applicable State Allocation Plan, and all other applicable laws, rules, and regulations. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud.

By: _____

 Ownership Entity

Title: _____

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.

