

OREGON HOUSING AND COMMUNITY SERVICES
Allocation of 2015 Low-Income Housing Tax Credit (LIHTC) Authority
Carryover Allocation No. OR (15 – NNN)

Owner Name: (enter the partnership name)
Owner Address: (enter the partnership address)

Comment [SB1]: Enter BIN number

Comment [#2]: Carryover Allocation #

Comment [#3]: Owner name

Comment [#4]: Owner Address

Project Name: (enter the project name)
Project Address: (enter the project address)

Comment [#5]: Project Name

Comment [#6]: Project address

Number of buildings to be placed in service: (enter the total number of buildings, including community buildings, to be placed in service)

Comment [#7]: total number of buildings

Number of residential buildings to be placed in service: (enter the number of residential buildings only)

Comment [#8]: Total # Residential Bldg

Taxpayer Identification Number: (enter the tax payer id number for the PARTNERSHIP)

Comment [#9]: tax payer ID #

Applicable Fraction: (enter the percentage of units/floor area ratio to be LIHTC)

Comment [#10]: Percentage of units to be LIHTC

Total Number of Units: (enter the total number of units)

Comment [#11]: Total Number of Units

Number of LIHTC Qualified Units: (enter the number of LIHTC units) should

Comment [#12]: # of LIHTC Qualified Units

Number of Manager Units: (enter the number of manager units) add to

Comment [#13]: Number of Mgr Units

Number of Other Units: (enter the number of other units, market, etc.) total units

Comment [#14]: Number of Other Units

Set Aside Status: (select one) Non profit Set Aside

Comment [#15]: check as applicable

None Elected

(select one)

Minimum Set Aside Election: 20/50 40/60

As of this Carryover Allocation, dated _____, the project total reasonably expected basis is estimated to be \$(enter the expected basis from the certification if available, otherwise use expected basis from Sponsor's Tax Credit Calculation page) and the project Qualified Basis is estimated to be \$(enter the qualified basis from the Sponsor's Tax Credit Calculation page)

Comment [#16]: Date

Comment [#17]: Eligible basis from carryover app.

Comment [#18]: Qualified basis from carryover app.

Oregon Housing and Community Services ("OHCS") has reviewed the Owner's application for LIHTC and concurs with the request for a Carryover Allocation of 2015 Tax Credits. Consistent with the approved Application, the Owner agrees to provide low-income housing as described under Internal Revenue Code ("IRC") Section 42.

OHCS hereby issues to the Owner a 2015 Carryover Allocation, in the amount not to exceed \$(enter the annual credit amount awarded) of annual tax credits, as set forth in Table A (Project Basis Carryover) attached hereto, subject to the terms and conditions stated herein and in accordance with the Reservation and Extended Use Agreement dated (enter the date of the Reservation and Extended Use Agreement is executed by OHCS), representations made in Owner's application for a Carryover Allocation dated (enter the date of the carryover APPLICATION) and the owners initial application dated (enter the date of the ORIGINAL APPLICATION) which are hereby incorporated by reference.

Comment [#19]: Allocation Year

Comment [#20]: Annual Credit Amount awarded

Comment [#21]: Date of Reservation Agreement

Comment [#22]: Date of Carryover Application

Comment [#23]: Date of NOFA Application

Comment [#24]: Allocation Year

Tax Credit authority for this Carryover Allocation is granted pursuant and subject to IRC Section 42(h)(1)(E) and (F). All regulations promulgated under IRC Section 42 and all applicable revenue rulings and procedures apply.

Comment [SB25]: In Footer, enter Project number, not BIN number

The Owner has certified that each building within the project for which this allocation is being made represents a qualified building as defined in IRC Section 42(h)(1)(E)(ii) (i.e., it is part of a project in which the Owner's basis as of December 31, 2015 will be more than ten percent (10%) of said Owner's reasonable expected basis in the project as of December 31, 2016 and that each building will be placed in service by December 31, 2017.

Comment [#26]: Enter next year

Pursuant to IRC Section 42(h)(1)(F), an allocation of credit may be made on a project basis if the allocation is made to the project for a calendar year during the project period, the allocation only applies to buildings placed in service during or after the calendar year for which the allocation is made, and the portion of any such allocation which is made to any building in the project is specified not later than the close of the calendar year in which that building is placed in service. OHCS shall determine the portion of the allocation which is allocated to the buildings listed in Table A. The Owner shall timely provide to OHCS all information necessary for the assignment of basis in such buildings to enable OHCS to allocate the applicable portion of Tax Credits.

The expected dates on which the project building(s) will be placed in service are shown in Table A must be on or before December 31, 2016.

The building identification number(s) ("B.I.N.") for the project building(s) to which an allocation is being made are shown in Table A.

Check and complete the paragraph below that applies:

_____ The Owner has represented and certified that as of December 31, 2015, the Owner will have an accumulated basis of at least \$(enter a number that is 10% of the most recent reasonably expected basis figures that are available from project sponsor), representing at least 10 percent (10%) of the reasonably expected basis of \$(enter expected basis from most recent reasonably expected basis figures available which would be normally the accountant's cost certification).

Comment [SB27]: Complete this if they have met the 10% test by December 31st. Omit if they have not met this test.

Comment [#28]: From CPA Cost Cert.

Comment [#29]: From CPA Cost Cert.

_____ The Owner's actual basis as of the date of this Carryover Allocation is \$(enter actual basis from cost cert), representing (enter percentage from cost cert) percent of the reasonably expected basis above.

Comment [SB30]: Complete this if they have met the 10% test by December 31st. Omit if they have not met this test.

Comment [#31]: From CPA Cost Cert.

_____ The Owner will represent and certify that as of December 31, 2015 the Owner will have an accumulated basis of at least \$(enter a number that is 10% of the most recent reasonably expected basis figures that are available from project sponsor), representing at least 10 percent (10%) of the reasonably expected basis of \$(enter expected basis from most recent reasonably expected basis figures available).

Comment [#32]: From CPA Cost Cert.

Comment [SB33]: Omit if they have met the 10% test and submitted a Accountant's Cost Certification with the Carryover Application

Comment [#34]: Allocation Year

Comment [#35]: From CPA Cost Cert.

_____ The Owner's actual basis as of December 31, 2015 is expected to be \$(enter expected basis from most recent reasonably expected basis figures available), representing (enter percentage from cost cert) percent of the reasonably expected basis above.

Comment [#36]: From CPA Cost Cert.

Comment [SB37]: Omit if they have met the 10% test and submitted a Accountant's Cost Certification with the Carryover Application

_____ If the percentage representing the Owner's actual basis in the project as of this date is ten percent (10%) or less, then the Owner shall certify and demonstrate to OHCS by December 1, 2015 in a professional accounting or other documented certification acceptable to OHCS that more than ten percent (10%) of the reasonably expected basis in the project has been achieved prior to December 31, 2016.

Comment [#38]: From CPA Cost Cert.

Comment [#39]: From CPA Cost Cert.

Comment [SB40]: Omit if they have met the 10% test and submitted a Accountant's Cost Certification with the Carryover Application

The Owner acknowledges that OHCS' determination as to satisfaction of the ten percent (10%) requirement is not binding upon the Internal Revenue Service (the "IRS") and does not constitute a representation by OHCS to the Owner or any other party to that effect.

Comment [#41]: year of credit allocation plus one

In issuing this Carryover Allocation, OHCS has relied upon the information submitted by the Owner. OHCS makes no representations or guarantees that Owner is legally eligible to receive and use the credit stated herein, such determination resting with the IRS.

OHCS disclaims, and Owner does hereby release OHCS from, responsibility for any adverse consequences to Owner under IRC Section 42 or otherwise because of Owner's receipt of, use of, or reliance upon this Allocation.

The Owner acknowledges, understands, and accepts that the requirements for the LIHTC Program (IRC Section 42) may change due to subsequent federal legislation or regulation.

This Carryover Allocation is non-transferable for use on another property or at a different location.

This Carryover Allocation is binding upon OHCS, the Owner, and all successors in interest to the Owner as Owners of the project, as to the allocation year (2016 or 2017) of tax credit authority to the Project, subject to compliance by the Owner with the requirements of IRC Section 42 and the requirements of OHCS.

Comment [SB42]: Allocation Year in Reservation Letter.

To receive a Form 8609 used in claiming the credit, the Owner must construct, or substantially rehabilitate the building or buildings in the project in accordance with local building, health and safety codes and all applicable federal or state regulations, and certify to OHCS that the building(s) were Placed in Service by 8:00 A.M. of the weekday prior to December 31, 2017. [The Owner must submit a separate Application Form reflecting actual Project costs and certification of those costs documented to the satisfaction of OHCS for each building placed in service. Timely submission of said certification to OHCS is essential, so that OHCS may issue the Form 8609 to the Owner in the calendar year that each building is placed in service. The owner will also be required to fill out and sign Part II of the Form 8609 required to be completed by the building owner for the first year of the credit period and return a copy (without Schedules and other supporting documents) to OHCS for the purposes of compliance monitoring. OHCS may complete Forms 8609 and hold said forms until such time that a Declaration of Land Use Restrictive Covenants is completed and recorded on the property as specified in the Reservation and Extended Use Agreement dated (Insert date of Res & EUA).

Comment [#43]: two years from year of allocation

CHECK ONE OF THE BOXES BELOW

- If this box is checked, the Owner previously elected to fix the applicable credit percentage(s) pursuant to IRC § 42(b)(1)(A)(ii) in the Reservation and Extended Use Agreement dated (enter the date of the Reservation). The applicable credit percentage(s) were (enter the rate from the Reservation for the 4% credit, if applicable)% and (enter the rate from the Reservation for the 9% credit)%, as outlined in the Reservation and Extended Use Agreement for this Project. [The 9 percent applicable percentage floor for non-Federally subsidized new building(s) that are allocated on or before December 31, 2013 is no less than 9% according to IRS Notice 2008-106 pursuant to Section 3002 of the Housing Assistance Tax Act of 2008 (Pub. L. 110-289).
- If this box is checked, the Owner has made NO ELECTION pursuant to IRC Section 42(b)(1)(A)(ii), and accordingly, the applicable percentage for a building shall be that for the month in which the particular building is placed in service.

Comment [#44]: Date of Reservation Agreement

Comment [#45]: rate as per the reservation and extended use agreement,

Comment [#46]: rate as per the reservation and extended use agreement,

Comment [#47]: date of Reservation and Extended Use Agreement

IRS Revenue Procedure 94-57 clarified gross rent floor for projects receiving credit allocations after September 23, 1994. The gross rent floor is the maximum allowable rent based on the income limit in effect when a building is first included in the determination of whether a project is a qualified low-income housing project. An owner may elect to establish the rent floor on the placed in service date if the owner

informs OHCS of this decision before that date occurs. Otherwise, the IRS will treat the gross rent floor as having been established on the date of allocation/carryover.

If this box is checked, the owner elects to establish the gross rent floor on the placed in service date.

Reminder: If the owner **DOES NOT** elect to establish the gross rent floor on the placed in service date, then the gross rent floor will be determined based on the allocation date at the date the carryover agreement is executed.

Owner acknowledges that all the terms, conditions, obligations, and deadlines set forth herein and the Reservation and Extended Use Agreement constitute conditions precedent to this allocation, and that the project's failure to comply with all such terms and conditions will entitle OHCS, in its discretion, to deem this allocation to be canceled by mutual consent. After any such cancellation, owner acknowledges that neither it nor the project will have any right to claim Tax Credits pursuant to this allocation. OHCS reserves the right, in its discretion, to modify and/or waive any such failed condition precedent.

If this box is checked, the project is being funded with Federal HOME dollars. The HOME funds WILL WILL NOT be considered Federal funds.

Comment [#48]: check one box as applicable

In issuing this Tax Credit Allocation, OHCS has relied upon information provided and representations made by the Owner or the Owner's designee in connection with this allocation. The allocation does not in any way constitute a representation, warranty, guarantee, advice, or suggestion by OHCS as to the qualification of the project for Tax Credits, or the feasibility or viability of the project, and may not be relied on as such by any Owner, developer, investor, tenant, lender, or other person, for any reason.

The Owner hereby agrees and acknowledges that whether the ten percent (10%) requirement has been met and whether the Owner has been provided sufficient evidence thereof may be subject to future determination by OHCS or the IRS.

The Owner shall be responsible to sign and have notarized this allocation by the end of December 2015, and return the original to OHCS **no later than** December 30, 2015 for OHCS execution.

The (PROJECT OWNER) hereby certifies that all information pertinent to Section 42 of the Internal Revenue Code, as amended, has been considered by the (PROJECT OWNER) in the determination of eligible basis for the (PROJECT NAME). This consideration includes but is not limited to any rule changes, Private Letter Rulings, Technical Assistance Memoranda, considerations, IRS guidance, etc.

The (PROJECT OWNER) further certifies that its project accounting and legal professionals/representatives have also considered the above in their advice to and review of the (PROJECT NAME).

SIGNATURE PAGE FOLLOWS

[The balance of this page intentionally left blank]

ALLOCATING AGENCY:

By: _____ Date: _____
Carol S. Kowash, Tax Credit Programs Manager
Multifamily Finance & Resources Section
Oregon Housing and Community Services
725 Summer St NE Ste B, Salem, Oregon 97301-1266 Taxpayer ID Number 93-0952117-260100

STATE OF OREGON)
County of Marion)

This instrument was acknowledged before me this ____ day of _____, 20____,
by Carol S. Kowash, Tax Credit Programs Manager of Oregon Housing and Community
Services.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

Acknowledged, agreed and accepted:

By: _____
Title: _____
Owner: _____
Date: _____

STATE OF _____)
County of _____)

This instrument was acknowledged before me this ____ day of _____, 20____,
by _____, who is the _____
of _____.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

ALLOCATION MADE TO PROJECT NUMBER **OR(YY-NNN)**
 TABLE A - Project Basis Carryover Allocation

Building: Total by type	Enter total number of buildings, you can cite Residential: # Community: #
Type of Building	Enter either new construction or acquisition/rehabilitation
Building Identification Number	Enter the BIN #'s (i.e.: OR15-LastThreeDigitsOfProjectNumber01. Use old BIN# if prior LIHTC award)
Building Address or site Description	Enter the address of the project
Expected Placed In Service Date	Enter the expected placed in service date, no later than two years from the end of current year
Estimated Qualified Basis**	Enter the estimated qualified basis from the Sponsor's tax credit calculation page
Maximum Credit Percentage***	Enter the credit percentage elected, if known Note if the percentage is being locked at placed in service that the rate here is an estimate.
Maximum Credit Allowed	Enter the credit amount awarded

Comment [SB49]: Enter BIN number: YY=year of allocation, NNN=last 3 digits of project #

Comment [#50]: Carryover Allocation #

Comment [#51]: Total # of Bldgs

Comment [#52]: Acquisition/Rehab or New Construction, or Both

Comment [#53]: Bin #'s or Allocation year – project # Bldg. # through (ie OR-22501)

Comment [#54]: Bldg. Address or site description

Comment [#55]: Construction completion date on Project Schedule

Comment [#56]: From carryover App.

Comment [#57]: % locked in Reservation

Comment [#58]: Amount awarded via the CFC

** The Estimated Qualified Basis is the product of the reasonably anticipated Eligible Basis and the estimated Applicable Fraction. For purposes of the Carryover Allocation, "reasonable expected basis" pursuant to Section 42(h)(1)(E)(ii) need not be the same as eligible basis and is computed for an entire project, rather than building-by-building.

*** Under IRC § 42(b)(1)(A)(ii) as enacted by the Section 3002 of the Housing Assistance Tax Act of 2008 (Pub. L. 110-289), is the floating applicable percentage in the month of rate lock for the project. If no such election has been made, this credit percentage is an estimate for the purposes of making the Carryover Allocation.