

EXHIBIT A – OWNER’S CERTIFICATE OF CONTINUING PROGRAM COMPLIANCE

TO:

Missouri Housing Dev. Commission; Tax Credit Compliance; 505 N. 7th St., 20th Floor, Ste. 2000, St. Louis, MO. 63101

Certification Dates:	Type:	From:	To:
Property Name:		Property No:	
Property Address:		City:	Zip:
Owner Tax ID #			

No buildings have been Placed-in-Service
 At least one building in a multi-building property has been Placed-in-Service but owner elects to begin credit period in the following year. Please enter the year the credit period began _____
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 to the following:

Title _____ Affiliation _____

1. The property 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" properties 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 property:

NO CHANGE **CHANGE**

If there is a **Change**, list the applicable fraction to be reported to the IRS for each building in the property for the certification year and explain and attach documentation on the last page of the Exhibit A.

3. The owner has received an annual Resident 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 Resident Income Certification from each low-income resident, and documentation to support the certification at their initial occupancy.

YES **NO**

If annual Resident Income Certifications **have not** been received from each low-income resident, explain and attach documentation on the last page of Exhibit A.

4. Each low-income unit in the property has been rent-restricted under Section 42(g)(2) of the Code:

YES **NO**

If any unit **has not** been rent restricted, explain and attach documentation on the last page of Exhibit A.

5. All low-income units in the property 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**

If any unit **has not** been rent restricted, explain and attach documentation on the last page of Exhibit A.

6. No finding of discrimination under the Fair Housing Act, 42 U.S.C 3601-3619, or formal complaint resulting in an investigation by HUD or the Missouri Commission on Human Rights has occurred for this property. 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

If there **has been** a finding of discrimination please explain the reason on the last page of Exhibit A and attach a copy of the final decision.

7. Each building in the property 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 property:

YES NO

If any unit **has not been** suitable for occupancy, please list the unit and state nature the of violation on the last page of Exhibit A and attach a copy of the violation report as required by 26 CFR 1.42-5 and 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 property since last certification submission:

NO CHANGE CHANGE

If there has been a **Change**, state the nature of change on the last page of the Exhibit A. Please note that any changes to eligible basis must have prior approval from MHDC.

9. All resident facilities included in the eligible basis under Section 42(d) of the Code of any building in the property, such as swimming pools, other recreational facilities, parking areas, washer/dryer hookups, and appliances were provided on a comparable basis without charge to all residents in the buildings:

YES NO

If there is a **charge for resident facilities included in eligible basis**, please explain and attach documentation and note the charge on the last page of the Exhibit A. Please note that any fees that are non-conditional, non-refundable and a condition of tenancy must be included in gross rent.

10. If a low-income unit in the property 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 residents having a qualifying income before any units were or will be rented to residents not having a qualifying income:

YES NO

If **YES**, and reasonable attempts were made, but vacancies still exist, explain, list the vacant units and attach documentation on the last page of the Exhibit A and attach proof of attempts to rent. If **NO**, no reasonable attempts were made, please explain, list the vacant units and attach documentation on the last page of the Exhibit A.

11. If the income of residents 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

If the next available unit **was not** rented to residents with qualifying income please explain and attach documentation on the last page of the Exhibit A.

12. Under section 42(h)(6)(B)(iv) an owner cannot refuse to lease a unit in the property 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 property 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

If the owner **refused to lease** a unit to an applicant based solely on their status as a holder of a Section 8 voucher **and/or** the property **does not otherwise meet the provisions**, please explain and attach documentation on the last page of the Exhibit A. If there are no residents that hold a Section 8 voucher check N/A.

13. The owner received its credit allocation from the portion of the state ceiling set-aside for a property 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 (i.e. the nonprofit was involved in the property on a "regular, continuous and substantial basis).

YES NO N/A

If there was **no material participation** of the non-profit entity in the operation of the development explain and attach documentation on the last page of the Exhibit A. If there is no qualified non-profit organization participation check 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 resident of any low-income unit other than for good cause:

YES NO

If the owner evicted or terminated the tenancy of an existing resident of any low-income unit **other than for good cause**, explain and attach documentation on the last page of the Exhibit A.

15. The owner has complied with Section 42(h)(6)(E)(ii)(II) and not increased the gross rent above the approved MHDC Schedule II rent, or the in the extended use period, the maximum allowed under Section 42 with respect to any low-income unit:

YES NO

If the owner **has** increased the gross rent above the maximum allowed under Section 42 with respect to any low-income unit, explain and attach documentation on the last page of the Exhibit A.

16. There has been no change in the ownership or management of the property:

NO CHANGE CHANGE

16a. If there was a "Change", was the change approved by MHDC prior to occurring?

NO YES

Any changes in ownership or management of the property must have prior approval of MHDC. For a change in ownership or management, contact the Director of Asset Management immediately. If there **has been** a change in the ownership or management of the property, explain and attach documentation on the last page of the Exhibit A.

16b. There has been no change in the ownership or management **contacts** of the property:

NO CHANGE CHANGE

If there has been a change in the ownership or management **contacts** of the property, explain and attach documentation on the last page of the Exhibit A, and complete and submit Exhibits L and J.

17. The owner has complied with the Violence Against Women Act (VAWA), which provides protections for residents and applicants who are victims of domestic violence, dating violence or stalking, and any other situation or incidence mandated by VAWA. Compliance requirements mandated include, but are not limited to, implementing and following an Emergency Transfer Plan; using all required VAWA forms; and honoring civil protection orders, eviction protection and bifurcation of lease when necessary.

YES NO

If the owner **has not** complied with the Violence Against Women Act (VAWA), explain and attach documentation on the last page of Exhibit A.

Electronic Submission Agreement and Disclosure: Once signed, a scanned version of this document may be submitted electronically to MHDC via email to compliance.exhibits@mhdc.com. If submitted as such, the undersigned agrees that the signature thereon is to be treated as an original signature; and the document (in the form of a photocopy, PDF, or other electronic form) is to be treated as an original document with the same legal effect and enforceability as the original signed document. Regardless, MHDC in its sole and absolute discretion reserves the right to request an original signed hard copy of the document as it deems necessary. The undersigned is responsible for retaining the original signed hard copy in his/her files.

If you or someone you know served in the U.S. Armed Forces, we encourage you to visit <http://veteranbenefits.mo.gov> or call (573) 751-3779 to learn about available resources.

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 property is not permitted to sign this form, unless permitted by the state agency.

The property is otherwise in compliance with the Code, including any Treasury Regulations, the applicable State Allocation Plan, and all other applicable laws, rules and regulations. This Certification and any attachments are made UNDER PENALTY OF PERJURY.

By: _____ Date: _____ (Ownership Entity)
Title: _____
STATE OF MISSOURI _____)
_____) ss.
County of _____) (SEAL)
The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by _____
My commission expires _____ Notary Public

PLEASE EXPLAIN ANY ITEMS THAT WERE ANSWERED "NO", "CHANGE" OR "FINDING" ON QUESTIONS 1-17.

CHANGES IN OWNERSHIP OR MANAGEMENT

(to be completed **ONLY** if "CHANGE" marked for question 16 above)

TRANSFER OF OWNERSHIP

**** Please submit Exhibit G or G-1****

Question Number	Explanation

Date of Change:	
Taxpayer ID Number:	
Legal Owner Name	
General Partnership	
Status of Partnership (LLC, etc):	

CHANGE IN OWNER CONTACT

Date of Change:	
Owner Contact:	
Owner Contact Phone:	
Owner Contact Fax:	
Owner Contact Email:	

*** Please submit Exhibit L and Exhibit J***

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:	

Please submit Exhibit L and Exhibit J