

Letter of Explanation

Include request letter behind this tab

Forms 8609 or Carryover Allocation Agreement

Provide copies of IRS Forms 8609 with part two of the forms completed to show the placed in service date and owner's signature. If the development has not received Forms 8609, a copy of the Carryover Allocation Agreement must be provided.

Recorded LURA and/or Regulatory Agreements

Provide a copy of the recorded Housing Tax Credit Land Use Restrictive Covenant (LURA) and any recorded amendments to the LURA, if applicable.

If this development was financed with 4% Housing Tax Credits in association with tax-exempt bonds issued by TDHCA, a copy of the recorded Regulatory Agreement is also required.

Agreements Among Parties to the Transfer

Provide copies of any agreements among parties to the transfer behind this tab.

Owner Certification

Development Name: _____

As an authorized member or officer of the proposed Development Owner, acting on behalf of the proposed Development Owner, the undersigned hereby requests approval from the Texas Department of Housing and Community Affairs for the sale, transfer or exchange of the Development or any portion of or Controlling interest in the Development. The undersigned affirms that they have read and understand the Uniform Multifamily Rules (Title 10, Texas Administrative Code, Chapter 10), and the provisions of the Qualified Allocation Plan (Title 10, Texas Administrative Code, Chapter 11) under which the application for tax credits and the allocation of tax credits were made. Specifically, the undersigned understands the requirements under 10 TAC §10.406 of the Uniform Multifamily Rules, Ownership Transfers, as well as Internal Revenue Code Section 42. The undersigned further certifies that they have read the Declaration of Land Use Restrictive Covenants/Agreements (LURA) that applies to the applicable Development or, if the applicable Development has not yet been placed in service, is aware that a LURA will be required and undersigned is aware of the representations of the Application that the LURA will contain. By signing this document, the undersigned is affirming that all statements and representations made in this certification and application for ownership transfer, including all supporting materials, are true and correct under penalty of law, including Chapter 37 of the Texas Penal Code titled Perjury and Other Falsification and subject to criminal penalties as defined by the State of Texas. The undersigned also certifies that upon approval of the proposed change in the Development Owner, he/she will comply with all applicable requirements that were placed upon the original Application as well as any requirements that became or may become effective at a later date. To the best of his/her knowledge and belief, the proposed Development Owner has complied, or will comply with all of the requirements which are identified herein.

The undersigned further certifies that he/she has the authority to execute this certification.

Proposed Development Owner Entity Name

By:

Signature of Authorized Representative

Printed Name

Title

Date

Sworn to and subscribed before me on the _____ day of _____, _____
by _____ 0 .

(Personalized Seal)

Notary Public Signature

Notary Public, State of

County of

My Commission Expires:

Date

Ownership Transfer Information

Date of Sale or Transfer: _____

1. Property Information

TDHCA Property ID#:

LIHTC (9%)

HOME

HTF

ax-Exempt (4%)

Other

Current Owner Name: _____

Property Name: _____

Mailing Address: _____

Street

City

State

Zip

2. Selling Owner, Departing General Partner or Other Departing Member of Owner

Name: _____

Taxpayer ID No: _____

Contact: _____

Address: _____

Phone: _____

Office

Extension

Mobile

Email: _____

3. Principal Contact for Buyer(s), Incoming Owner(s), Incoming General Partner(s)

Name: _____

Entity Represented: _____

Taxpayer ID No: _____

Contact: _____

Address: _____

Phone: _____

Office

Extension

Mobile

Email: _____



Property Manager Replacement Information

Date Property Manager Replaced: _____

1. Property Information

TDHCA Property ID#:

LIHTC

HOME

HTF

Tax-Exempt

Other

Current Owner Name: _____

Property Name: _____

Mailing Address: _____

Street

City

State

Zip

2. Name of Property Manager Replaced or To Be Replaced

Name: _____

Taxpayer ID No: _____

Contact: _____

Address: _____

Phone: _____

Office

Extension

Mobile

Email: _____

3. Name of New Property Management Company and Contact Information for Headquarters

Name: _____

Taxpayer ID No: _____

Contact: _____

Address: _____

Phone: _____

Office

Extension

Mobile

Email: _____

Property Manager Replacement Information

4. Contact Information for On-Site Manager

Name:

Taxpayer ID No:

Contact:

Address:

Phone:

Office

Extension

Mobile

Email:

Certification of Tenant Notification

Development Name:

Property ID Number:

Section 2306.6713, Texas Government Code, requires development owners to certify that tenants in the Development have been notified in writing of any proposed transfer of ownership. Tenants must be notified at least 30 days before the transfer request is submitted to the Department. A copy of the form letter used as the notification must be attached to this certification for review.

I, the undersigned, being duly sworn, hereby represent and certify under penalty of perjury that tenants in the Development were notified in writing of the proposed transfer on:

Date of Notification:

The information contained in this statement, including any attachments hereto, is true, correct and complete to the best of my knowledge.

Current or Proposed Development Owner Name

By:

Signature of Authorized Representative

Printed Name

Title

Date

Sworn to and subscribed before me on the day of ,
by 0 .

(Personalized Seal)

Notary Public Signature

Notary Public, State of

County of

My Commission Expires:

Date

Pre-Transfer and Post-Transfer Organization Charts

Two charts must be submitted, one to describe the ownership structure before the change in ownership and one to describe the structure after the change. All organizations and natural persons that did or will own and/or control the subject property must be included in the charts.

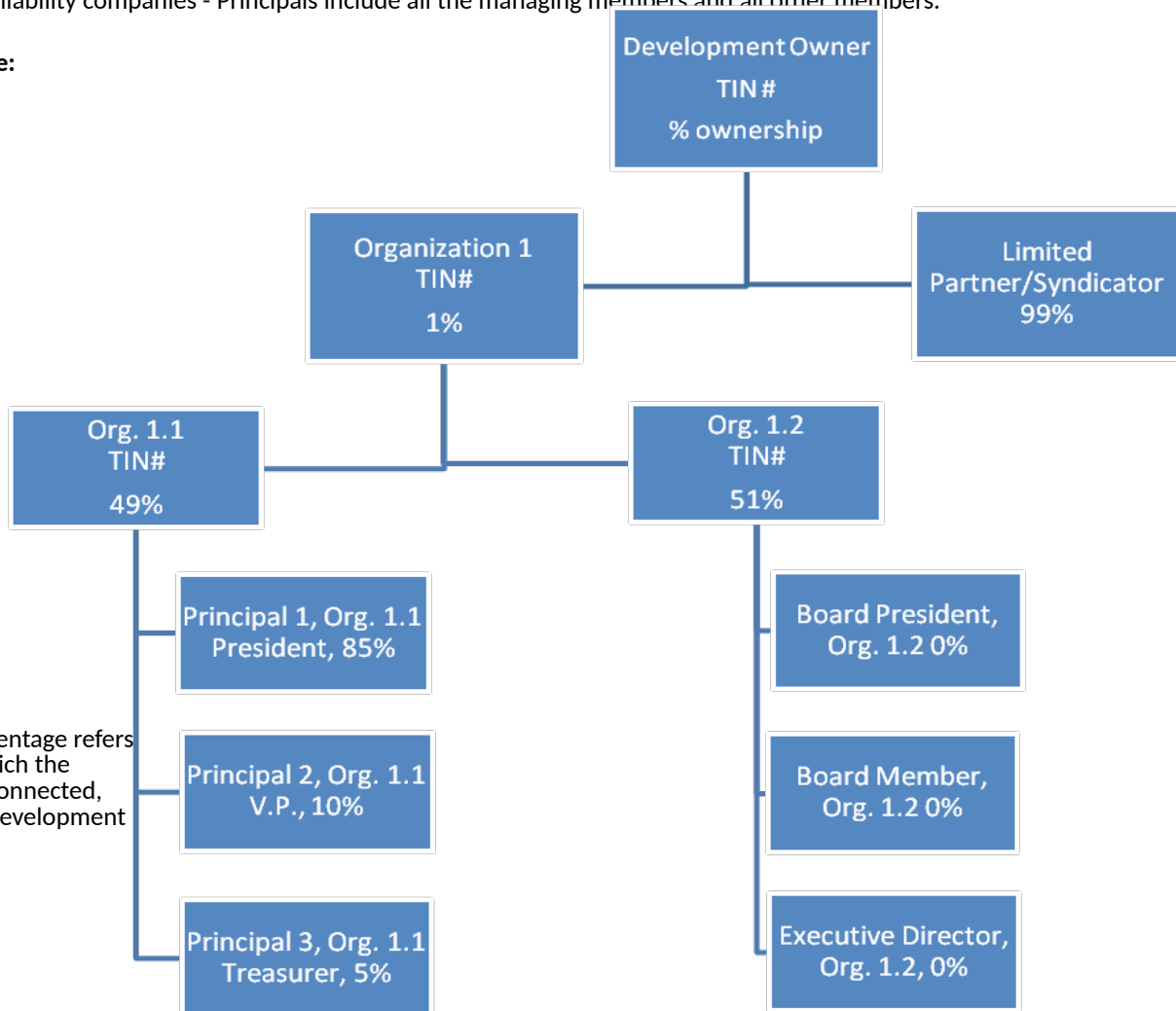
The organization charts must include:

- The names and ownership percentages of all Persons having an ownership interest in the Development Owner. If the property has not been placed in service, the Developer organization chart must also be included.
- The Tax Identification Numbers for all entities having an ownership interest in the Development owner.
- Nonprofit entities, public housing authorities, publicly traded corporations, individual board members and executive directors must be included in Organization charts.
- Any and all trusts must list all beneficiaries that have the legal ability to control or direct activities of the trust and are not just financial beneficiaries.

In the case of:

- (A) Partnerships - Principals include all general Partners and Special LPs (any LP that is not the Syndicator is a "Special LP");
- (B) Corporations - Principals include the executive director and all members of the board (with percentage of ownership reflected for each member as applicable).
- (C) Limited liability companies - Principals include all the managing members and all other members.

Org. Chart Example:



Note that the percentage refers to the entity to which the Person is directly connected, not to the whole Development Owner.

Organizational Documents

Place all applicable organizational documents behind this tab.

Financial Information

Place a copy of the financial statements for all proposed new individuals and/or entities behind this tab.

Authorization to Release Credit Information

I have applied to become a Principal of the Development Owner of a property that received funding from the Texas Department of Housing and Community Affairs ("TDHCA") which will be investigating my financial position. As a result of credit inquiries, I am aware that it may become necessary to complete a criminal background check. I am further aware that this investigation may include my employment status, information regarding bank deposits, information from other credit institutions and law enforcement agencies, and verification of rental property income, as is necessary to determine my eligibility for this credit assistance.

I hereby authorize the release of any and all information requested by TDHCA, and specifically authorize TDHCA to obtain information on my credit history. Furthermore, I hereby authorize the use of a photocopy of this authorization to be used for all legal purposes for which the original may be used, and request that it be honored as if it were the original. I understand that further authorizations for release of specific information may be required. I authorize the State to verify any of the information contained in the application or this financial statement from any source named therein or any source that would have a reasonable expectation to be able to verify any of the information provided or my ability to fulfill potential obligations under a future agreement with the State. I also agree to provide the State audited financial statements if it is deemed necessary to reconcile the statements made herein as part of its underwriting process.

I hereby certify that the figures and the statements contained herein, submitted by me for the purposes of becoming a participant in the ownership and/or control of property financed by the Texas Department of Housing and Community Affairs, are true and give a correct showing of my financial condition as of this date.

By:

Signature of Authorized Representative

Printed Name of Authorized Representative

Social Security Number for Authorized Representative

Date

List of Organizations and Principals

New Organizations & New Persons with a Direct Interest in the Proposed Development Owner

Provide the requested information for all partnerships, corporations, limited liability companies, trusts, or any other public or private entity and their Affiliates identified on the Owner Organization Charts. Organizations that own or control other organizations should also be identified until the only remaining sub-entity would be natural persons. For Developments that have not placed in service, organizations that are Developers and/or Guarantors must also be listed on this form as must any organization (and natural person whose ownership interest in an applicable entity is direct instead of via membership in an organization) that will receive more than 10% of the developer fee. (Note - Entity Names, Principals, and ownership percentage should coincide with the Owner and Developer Organization Charts)

Proposed Development Owner Name: _____			
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	

Org. 1

Organization Legal Name: _____		Role/Title _____	
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

Org.

Organization Legal Name: _____		Role/Title _____	
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

Org.

Organization Legal Name: _____		Role/Title _____	
Address: _____		City: _____	State: _____ Zip: _____
Name(s) of Entities the Organization Owns or Controls: _____			
Organization legally formed? _____	Date formed: _____	Legal Org is or will be: _____	
Previous TDHCA Experience? _____	Phone: _____	Email: _____	
Organization is identified on Org. Chart: _____			
List of Sub-Entities or Principals:			
1. _____	2. _____	3. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	
4. _____	5. _____	6. _____	
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____	

Org.

Organization Legal Name: _____ Role/Title _____

Address: _____ City: _____ State: _____ Zip: _____

Name(s) of Entities the Organization Owns or Controls: _____

Organization legally formed? _____ Date formed: _____ Legal Org is or will be: _____

Previous TDHCA Experience? _____ Phone: _____ Email: _____

Organization is identified on Org. Chart: _____

List of Sub-Entities or Principals:

1. _____	2. _____	3. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____
4. _____	5. _____	6. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____

Org.

Organization Legal Name: _____ Role/Title _____

Address: _____ City: _____ State: _____ Zip: _____

Name(s) of Entities the Organization Owns or Controls: _____

Organization legally formed? _____ Date formed: _____ Legal Org is or will be: _____

Previous TDHCA Experience? _____ Phone: _____ Email: _____

Organization is identified on Org. Chart: _____

List of Sub-Entities or Principals:

1. _____	2. _____	3. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____
4. _____	5. _____	6. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____

Org.

Organization Legal Name: _____ Role/Title _____

Address: _____ City: _____ State: _____ Zip: _____

Name(s) of Entities the Organization Owns or Controls: _____

Organization legally formed? _____ Date formed: _____ Legal Org is or will be: _____

Previous TDHCA Experience? _____ Phone: _____ Email: _____

Organization is identified on Org. Chart: _____

List of Sub-Entities or Principals:

1. _____	2. _____	3. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____
4. _____	5. _____	6. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____

Org.

Organization Legal Name: _____ Role/Title _____

Address: _____ City: _____ State: _____ Zip: _____

Name(s) of Entities the Organization Owns or Controls: _____

Organization legally formed? _____ Date formed: _____ Legal Org is or will be: _____

Previous TDHCA Experience? _____ Phone: _____ Email: _____

Organization is identified on Org. Chart: _____

List of Sub-Entities or Principals:

1. _____	2. _____	3. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____
4. _____	5. _____	6. _____
TDHCA Experience: _____	TDHCA Experience: _____	TDHCA Experience: _____

Nonprofit Participation

Only nonprofit organizations will complete this section. All nonprofit organizations must complete this form without regard to their level of ownership or the set-aside under which the Development was awarded.

Organization Name: _____

Legal Status of organization: _____

If "Other" please specify: _____

Date of legal formation of Nonprofit Organization: _____

1) Is Applicant comprised of a joint venture between a Nonprofit and for-profit entity? _____

If "Yes", will this nonprofit organization Control the Applicant? _____

What is the ownership percentage of this nonprofit organization? _____

2) Describe the nonprofit's participation: _____

3) Describe the nonprofit's participation in the operation of the Development throughout the Compliance and/or extended use period:

4) Will the nonprofit receive part of the development fees paid in connection with the development? _____

If "Yes," explain: _____

LIST OF THE NONPROFIT ORGANIZATION'S BOARD MEMBERS, DIRECTORS AND OFFICERS

Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	

LIST OF THE NONPROFIT ORGANIZATION'S BOARD MEMBERS, DIRECTORS AND OFFICERS

Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	
Name		Title		
Address		City	State	Zip
Phone	Ext.	Fax or Email	Occupation	

Credit Limit Certification (Competitive HTC Only)

This form must be completed for each person that will be a new member of the development owner after the ownership change and for any new developer, guarantor or related party.

Name of subject property: _____

Name and role of Person or Entity completing this form: _____

- Which is:
- a new member of the Development Owner after ownership change or transfer
 - a new related party with respect to a new member of the Development Owner
 - a new Developer
 - an Affiliate to the Development Owner
 - a new Guarantor

The Rules of the Texas Department of Housing and Community Affairs ("the Department") as stated in the QAP for each year after 1994, stipulates that, for the specified year, the Department shall not allocate more than the amount of tax credits stated in the applicable QAP to any Applicant (which includes Affiliates), Developer, or entity that provides, or is anticipated to provide, for a fee, a guarantee to secure equity or financing for development or mortgage of the subject property. The undersigned represents to the Department that the following is a list of all developments that would be affected by the rules just stated with respect to the subject property.

Development Name:	Region:	City:	% Ownership:	% of Dev. Fee:

I hereby certify that the foregoing is a complete list of Developments in Texas that are governed by the Qualified Allocation Plan and Rules of the same year as the subject property, the Developments named being all those in which I seek or currently possess an ownership, developer, guarantor or related party interest. I certify that the transfer under consideration does not violate the limitation stated in the applicable QAP.

I acknowledge that if the Department determines that a Development Owner, Developer, Related Party or Guarantor has interests that violate the credit limitation of any year, the Department may refuse to issue an approval for an ownership change or transfer and notify the Internal Revenue Service of any noncompliance with the terms of an allocation.

Under penalty of perjury, I certify that this information and these statements are true, complete, and accurate:

Proposed Development Owner Entity Name

By: _____
Signature of Authorized Representative

Printed Name

Title

Date

Right of First Refusal

If applicable, provide for Right of First Refusal behind this tab. Refer to the Post Carryover Procedures Manual for specific requirements.

Historically Underutilized Business (HUB) Participation

If applicable, provide a current HUB Certificate behind this tab. Refer to the Post Carryover Procedures Manual for specific requirements.

Nonprofit Joint Ventures

If applicable, provide required documentation for nonprofit joint ventures behind this tab. Refer to the Post Carryover Procedures Manual for specific requirements.

Nonprofit Set-Aside

If applicable, provide required documentation for developments awarded under the nonprofit set-aside behind this tab. Refer to the Post Carryover Procedures Manual for specific requirements.

Status of Compliance

Provide the status of compliance behind this tab. Please refer to the Post Carryover Procedures Manual for more information on what is required.

Experience

Provide a brief explanation of each proposed new owner(s) experience as it relates to the acquisition of the property behind this tab.

Closing Documentation

If applicable, provide copies of the unrecorded deed and title commitment. Refer to the Post Carryover Procedures Manual for more detailed information.