

OKLAHOMA HOUSING FINANCE AGENCY

Affordable Housing Tax Credits Program (AHTC)

2023 Application Form for Allocation

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Oklahoma City, OK 73126-0720

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# AHTC Program Application Summary

Development Name

Address

City/Town

Zip Code

County

Ownership Entity

General Partner/Managing Member

Management Co

Funding sources, check all that apply

OHFA HOME [ ]  Other/City HOME [ ]  CHDO Proceeds [ ]  OHTF [ ]

Multi-Family Bonds [ ]  AHP [ ]  RHS Loan [ ]  Conventional Loan [ ]

State Tax Credits [ ]  Historic Credits [ ]

Other

Project Based Subsidy Yes [ ]  No [ ]  identify source and # of units)

Development Type Family [ ]  Elderly [ ]  Other [ ]  (identify)

Construction Type, check all that apply New [ ]  Rehabilitation [ ]  Acquisition [ ]

Unit Type, check all that apply One Story [ ]  Multi-Story [ ]  Townhouse [ ]  2, 3, 4 Plexes [ ]

Housing Type, check all that apply Multifamily [ ]  Single Family [ ]

Minimum Set-Aside

 [ ]  20% of the units at 50% of the Area Median Gross Income

 [ ]  40% of the units at 60% of the Area Median Gross Income

 [ ]  Average Income Limit of 60% or less of the Area Median Gross Income

Targeted Set-Asides, number of units

      Units at 20% of AMGI       Units at 50% of AMGI       Units at 80% of AMGI

      Units at 30% of AMGI       Units at 60% of AMGI

      Units at 40% of AMGI       Units at 70% of AMGI

      total proposed units       other restricted

      total proposed Buildings       unrestricted units

**Provide copy of Unit Distribution and Rents for unit mix.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date

# DOCUMENTS FORMAT

In order to facilitate your Application's review, organize your Application and its required supporting documentation according to Attachment F – Electronic Application Information in the Application Instructions and this generic checklist. Verify that all necessary documentation is in each TAB.

**THRESHOLD CRITERIA**

**TAB #1**

* AHTC Program Application Summary and Application
* All Excel worksheets - print all tabs

TAB #2

* Source, Calculation, and if applicable, Documentation of Utility Allowance
* Construction Cost Breakdown – Signed by a representative of the General Contractor listed in Tab 1
* Project-Based Rent Approval, if applicable
* National Non-Metro, if applicable
* QCT map, if applicable

TAB #3

* Letters of Credit/Funding Commitments for All Funding Sources, including Construction & Permanent
* Syndication Commitment - Federal and if applicable, State Credits

TAB #4

* Market Study

TAB #5, if applicable

* Nonprofit Information
* Attachments #1, #4

TAB #6

* Capacity and Prior Performance Information
* Attachments #2, #3, #4

TAB #7, if applicable - Acquisition Credits

TAB #8

* Site Control
* Preliminary Plans
* Zoning

TAB #9 – Certifications - Attachments #5, #6, #7, #8

TAB #10 – Fair Housing Training

TAB #11, if applicable

* Capital Needs Assessment
* Attachment #9

**EVALUATION CRITERIA – As applicable**

**TAB #12** **–** Application Self Score Sheet & Certification - Attachment #10

**TAB #13 –** Development Location Information

**TAB #14 –** Tenant Ownership Plan

**TAB #15** **–** Preservation of Affordable Housing

**TAB #16 –** Home Energy Efficiency Rating System (HERS) Certification - Attachment #11

**TAB #17 –** Development Amenities Certification - Attachment #12

**TAB #18 –** Historic Nature

#### OKLAHOMA HOUSING FINANCE AGENCY

# 2023 AFFORDABLE HOUSING TAX CREDIT APPLICATION FOR ALLOCATION

The Applicant must fill out ***ALL*** applicable parts of the Application form ***FULLY*** and include ***ALL***documents and supplementary materials required. ***ALL blanks must be typed and filled out completely.***  If a section is not applicable, then mark it as such.

## I. GENERAL DEVELOPMENT INFORMATION

1. Development Name

Address

City County

Zip Code

1. Part of a multi-phase Development Yes [ ]  No [ ]
2. Amount of Annual Credit Requested $

Amount of Annual State Tax Credit Requested $

1. Check **all** applicable Set-asides Nonprofit [ ]  New Construction [ ]  Rehabilitation [ ]  Choice Neighborhoods Implementation (CNI) [ ]
2. Type of Development Proposed, check **all** that apply

 New Construction – Urban [ ]  New Construction – Rural [ ]

 Rehabilitation [ ]

 Acquisition [ ]

1. Rehabilitation Development that is a past/current Tax Credit property

N/A [ ]  Yes [ ]  No [ ]

If yes, provide previous file number and end date of compliance period.

1. Historic Credits Yes [ ]  No [ ]

Name of the property, as identified with SHPO.

1. USDA Rural Development (515, 538, or other) Development  Yes [ ]  No [ ]
2. **HOME** funding Yes [ ]  No [ ]

 OHFA HOME Yes [ ]  No [ ]

 Other/City HOME Yes [ ]  No [ ]

1. **Tax Exempt Bond** financing Yes [ ]  No [ ]

If yes, amount of Bonds Requested $

1. Minimum Low-Income Set-Aside, check **one**

20% of the units serving households at 50% of the Area Median Income [ ]

40% of the units serving households at 60% of the Area Median Income [ ]

 Average Income Limit of 60% of the Area Median Gross Income [ ]

1. Extended Use Period - years.
2. Total Low-income Targeting

 (#) of the Low-Income Units for households at % of the Area Median Income

 (#) of the Low-Income Units for households at % of the Area Median Income

 (#) of the Low-Income Units for households at % of the Area Median Income

 (#) of the Low-Income Units for households at % of the Area Median Income

 (#) of the Low-Income Units for households at % of the Area Median Income

 (#) of the Low-Income Units for households at % of the Area Median Income

1. Total number of Buildings with residential units Total number of Buildings
2. Type of Housing Multifamily [ ]  Single Family [ ]
3. Development Type Family [ ]  Elderly [ ]  Other [ ]  (identify)
4. Type of Units

Apartments [ ]  Townhomes [ ]  Semi-Detached [ ]  Detached [ ]  2, 3, 4 Plexes [ ]  Other

1. Number of Floors in the Tallest Building ; Elevator Construction Yes [ ]  No [ ]
2. Development located in a Metropolitan Statistical Area Yes [ ]  No [ ]
3. Census Tract Number
4. Development qualifies for 130% increase in Basis by being in a QCT, DDA,

or Opportunity Zone Yes [ ]  No [ ]  **Submit a map or other documentation in Tab #2.**

Development qualifies for 120% increase in Basis by having a general financial need and meets the Underwriting criteria in Attachment C.

Yes [ ]  No [ ]

**The Development can only qualify for one basis increase (boost).**

1. State Senate District State House District Congressional District
2. Utilities available to and of the appropriate size for the Development Yes [ ]  No [ ]

If no, provide explanation, including dates, when all utilities will be available.

1. For Rehabilitation Developments, the last Building, Placed in Service date.

## II. APPLICANT/OWNER INFORMATION

1. **Applicant-must be a formed entity.**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Owner**

To Be Formed [ ]

Name

Contact Person

Address

City State Zip Code

Phone E-mail

 Type of Ownership

 [ ]  General Partnership[ ]  Nonprofit Corporation

 [ ]  Limited Partnership[ ]  Local Government

 [ ]  Limited Liability Co [ ]  Housing Agency

 [ ]  Corporation [ ]  Other (specify)

1. **Contact Person during Application Process\***

Name

Contact Person

Address

City State Zip Code

Phone E-mail

Role of Contact Person

**\*** This person(s) will be designated as the contact respecting all issues concerning this Application. It is the responsibility of the Applicant to notify OHFA of any changes in the contact person. This notification should be sent in writing to the Housing Development Team as soon as the change occurs.

List names and email addresses of all people who should be contacted during the Review process.

## III. DEVELOPMENT TEAM CONTACT INFORMATION

**Please do not list any personal Social Security Numbers.** Add additional pages as necessary.

1. **Developer**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Co-Developer**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **General Partner or Managing Member**

To Be Formed [ ]

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Contractor**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Management Company**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Co-Management Company**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Management Consultant**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Nonprofit Participant**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Consultant/Packager**

Name

Contact Person

Address

City State Zip Code

Phone E-mail

1. **Attorney**

Name

Contact Person

Phone E-mail

1. **Architect**

Name

Contact Person

Phone E-mail

1. **Accountant/Tax Professional**

Name

Contact Person

Phone E-mail

**Current Site Manager for Rehabilitation Developments with Tenants**

Name

Contact Person

Phone E-mail

## IV. SUBSIDIES

Project Based Subsidy Yes [ ]  No [ ]  Percentage of Number of

 Units Units

RD      %

HUD Development-Based Section 8 Certificates      %

State      %

Local      %

RAD-Public Housing Units      %

 Type

Other (specify)      %

## V. APPLICABLE FRACTION DETERMINATION

**Total Site / Acreage**

|  |  |  |  |
| --- | --- | --- | --- |
|  |   | **Number of Units** | **Amount of Square Footage** |
| **A** | **Commercial Use** -not common | XXXXXXXXXXXXXXX  |   |
| **B** | **Employee or Owner-Occupied Residential Units** |   |   |
| **C** | **Common Use -** not including B | XXXXXXXXXXXXXXX  |   |
| **D** | **Low Income Residential Units**  |   |   |
| **E** | **Non Low Income** (like Market)  **Residential Units** |   |   |
| **F** | **Total Residential Units** - B+D+E |   |   |
| **G** | **Total of all Buildings –** A + B + C + D + E |   |   |

Divide line D by the sum of lines D and E. Enter the percentages in the spaces provided. Calculate a percentage for each column, units and square footage.

           %           %

The lower of the two percentages must be used when calculating Credits using the basis method.

 AHTC Units

 HOME Units

 Project Based Assisted Units

 Other Restricted Units (Specify)

## VI. TENANT UTILITY INFORMATION

1. Indicate which of the following costs, if any, are paid by the tenant.

All Bills Paid Yes [ ]  No [ ]  If no, Please mark which utilities are paid by the tenant below:

Heating [ ]  Cooking [ ]  Electricity [ ]  Air Conditioning [ ]  Hot Water [ ]  Water [ ]  Sewer [ ]  Trash [ ]

Utility is gas [ ]  or electric [ ]  Individually metered Yes [ ]  No [ ]

B. Utility Allowance by bedroom size

**Indicate by square footage or type of unit if more than one allowance per bedroom size.**

0 BDRM $           1 BDRM $           2 BDRM $           2 BDRM $

3 BDRM $           3 BDRM $           4 BDRM $           5 BDRM $

## VII. DEVELOPMENT SOURCES OF FUNDS

### A. CONSTRUCTION FINANCING

List all financing Commitments, including grants and Tax Credit equity. **If the Applicant plans to finance part or all of the Development out of its own resources, the Applicant must prove to OHFA's satisfaction that such resources are available and Committed solely for this purpose.** Any Owner equity contributions or deferred fees must also be listed below if the funds will provide a source of financing. Do not include “other” tangible (but not cash) contributions (i.e. discounted materials, fee waivers, etc.).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| SourceNo. | Name of Lender or Other Source | Principal | Interest Rate | Term |
| 1. |                                |             |       % |        |
| 2. |                                |             |       % |        |
| 3. |                                |             |       % |        |
| 4. |                                |             |       % |        |
| 5. |                                |             |       % |        |
|  | Total Residential Construction Funds |             |  |  |

**Complete the following for each Construction Lender or source of funds.**

#1. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#2. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#3. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

#4. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#5. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

**Make additional copies of these Sources pages if necessary.**

### B. PERMANENT FINANCING

List all financing Commitments, including grants and Tax Credit equity. **If the Applicant plans to finance part or all of the Development out of its own resources, the Applicant must prove to OHFA's satisfaction that such resources are available and Committed solely for this purpose.** Any Owner equity contributions or deferred fees must also be listed below if the funds will provide a source of financing. Do not include “other” tangible (but not cash) contributions (i.e. discounted materials, fee waivers, etc.).

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Source No. | Name of Lender or Other Source | Principal | Interest Rate | Term/Amort | Annual Debt Service |
| 1. |                                | $           |       % |       | $      |
| 2. |                                | $           |       % |       | $      |
| 3. |                                | $           |       % |       | $      |
| 4. |                                | $           |       % |       | $      |
| 5. |                                | $           |       % |       | $      |
| 6. |                                | $           |       % |       | $      |
|  | Subtotal Permanent Financing | $  |  |  | $  |
|  | Gross Proceeds Federal Historic Tax Credit | $  |  |  |  |
|  | Gross Proceeds State Historic Tax Credit |  |  |  |  |
|  | Gross Proceeds State Tax Credit | $ |  |  |  |
|  | Gross Proceeds Low-Income Tax Credits | $  |  |  |  |
|  | Total Permanent Financing Sources | $  |  |  |  |

**Complete the following for each Permanent Lender or source of funds.**

#1. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#2. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#3. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#4. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#5. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

#6. Name

Contact Person

Phone E-mail

**Type**: Conventional [ ]  CDBG [ ]  Federal [ ]  HOME [ ]  Local Gov’t [ ]  Owner Equity [ ]

Private [ ]  State Gov’t [ ]  Taxable Bond [ ]  Tax Exempt Bond [ ]

Other [ ]  (Specify)

**Finance:** Amortizing Loan[ ]  Balloon [ ]  Below Market Loan [ ]  Credit Enhancement [ ]

Deferred Loan [ ]  Forgivable Loan [ ]  Grant [ ]  Owner Equity [ ]

Other [ ]  (Specify)

**Make additional copies of these Sources pages if necessary.**

## VIII. TAX CREDIT SYNDICATION

A. Development qualifies for Historic Rehabilitation Credits Yes [ ]  No [ ]

If yes, the Credit amount (do not double) Federal $ State $

Syndicator for Historic Credits

Name

Contact Person

Phone E-mail

B. Syndicators or Equity Sources

1. Name

Contact Person

Phone E-mail

2. Name

Contact Person

Phone E-mail

C. Syndicators or Equity Sources for State Tax Credits

1. Name

Contact Person

Phone E-mail

2. Name

Contact Person

Phone E-mail

## IX. DEVELOPMENT BUDGET

## X. CREDIT CALCULATION BY BASIS METHOD

## XI. CREDIT CALCULATION BY GAP METHOD

## XII. TAX CREDIT FEES

## XIII. COST PER SQUARE FOOT

## XIV. MAXIMUM COSTS PER UNIT

## XV. UNIT DISTRIBUTION & RENTS

## XVI. INCOME

## XVII. DEVELOPMENT EXPENSES

## XVIII. PRO FORMA

**XIX. PROJECT SUMMARY**

**Access the EXCEL Worksheets to complete IX through XX requirements. This is now a separate Document.**

**Instructions are on the first tab.**

## XXI. DEVELOPMENT TIMETABLE

**Indicate the actual or expected date by which the following activities will have been completed.**

Actual or Scheduled

**Month/Day/Year** Activity

 Site

                               Option/Contract

                               Acquisition

 Plan

                               Site Plan Review

                               Building Permit

                               Final Plans/Specs

 Closing

                               Property Transfer

 Construction Financing

                               Closing and Disbursement

 Construction

                               Construction Start

                               Construction Completion

 Permanent Financing

                               Closing and Disbursement

 Other Loans and Grants

                               Closing or Award

 Equity Syndication

                               Partnership Closing

 Other

                               Placed-In-Service

                               Occupancy of All Low-Income Units

## XXII. APPLICATION FEE

**$2,000 - Make payable to OHFA.**

## XXIII. APPLICANT AFFIDAVIT

STATE OF                          )

 ) SS:

COUNTY OF                          )

 The undersigned,                                    of lawful age, being first duly sworn, on oath says that:

1. The undersigned is the duly authorized agent of                                    , the Applicant submitting the Affordable Housing Tax Credit (AHTC) Program Application for Allocation which is attached to this statement, for the purpose of Certifying the facts pertaining to the Application, facts pertaining to the nonexistence of collusion among Applicants and between Applicants and State officials or employees, as well as facts pertaining to not giving or offering of things of value to government personnel in return for special consideration in the Allocation of AHTCs pursuant to the Application to which this statement is attached. All statements in the Application, documentation, Certifications, and this Affidavit also apply to Oklahoma Affordable Housing Tax Credits (OAHTC). Tax Credits refers to both AHTCs and OAHTCs, and both are covered under Tax Credit Program.
2. The undersigned, being duly authorized, hereby represents and Certifies that the foregoing information, to the best of his/her knowledge, is true, complete and accurately describes the proposed Development. The undersigned is fully aware of the facts and circumstances surrounding the making of the Application to which this statement is attached and has been personally and directly involved in the proceedings leading to the submission of such Application. Misrepresentations of any kind will be grounds for denial or loss of the Tax Credits and may affect future participation in the Tax Credit Program in Oklahoma.
3. Neither the Applicant nor anyone subject to the Applicant’s direction or Control has been a party (i) to any collusion among Applicants by agreement to refrain from making Application, (ii) to any discussions between Applicants and any State official concerning exchange of money or other things of value for special consideration in granting an Allocation of Tax Credits, (iii) to paying, giving or donating or agreeing to pay, give or donate to any officer or employee of the State of Oklahoma or to any officer or employee of Oklahoma Housing Finance Agency, any money or other thing of value, either directly or indirectly, in procuring an Allocation of Tax Credits pursuant to the Application to which this statement is attached.
4. The undersigned is responsible (i) for ensuring that the Development consists or will consist of a Qualified Building(s) as defined in the Code, and will satisfy all applicable requirements of federal tax law in the acquisition, rehabilitation, or construction and operation of the Development to receive an Allocation of Tax Credits, and (ii) for all calculations and figures relating to the determination of the Eligible Basis for the Building(s) and understands and agrees that the amount of the Tax Credits is calculated by references to the figure submitted with this Application, as to the Eligible Basis and qualified basis of the Development and individual Buildings. The undersigned Applicant certifies that all builder fees, and Developer fees are properly disclosed and conform to Section 330:36-4-2.1 (b)(c) of OHFA’s Rules.
5. The undersigned agrees that Oklahoma Housing Finance Agency will at all times be indemnified and held harmless against all losses, costs, damages, expenses and liabilities whatsoever nature or kind (including, but not limited to attorney’s fees, litigation and/or court costs, amounts paid in settlement, and amounts paid to discharge judgment, any loss from judgment from the Internal Revenue Service) directly or indirectly resulting from, arising out of, or related to acceptance, consideration and approval or disapproval of such Application.
6. The undersigned acknowledges and agrees that the Application, upon filing, becomes subject to the Oklahoma Open Records Act and as such becomes public record and further that all or a portion of the Application may be provided to the Internal Revenue Service.
7. The undersigned warrants and represents that the Applicant has knowledge and experience in financial and business matters that enable it to evaluate the merits and risks of participation in the Tax Credit Program. The Applicant has not based its decision to participate in the Tax Credit Program upon any oral or written information provided by OHFA or OHFA’s Trustees, employees, agents, or representatives and acknowledges and understands that no Trustee, employee, agent or representative of OHFA has been authorized to make, and that the Applicant has not relied upon, any statements or representations other than those specifically contained in this Application. The Applicant understands, acknowledges, and agrees that participation in the Tax Credit Program involves a certain element of uncertainty and risk and represents and warrants that the Applicant has consulted with the Applicant’s tax advisors with respect to participation in the Tax Credit Program.
8. The written instructions and guidance for this Application are not intended or written to be used, and cannot be used as legal or tax advice and cannot be used by an Applicant or any other Person for the purpose of avoiding penalties imposed by the Internal Revenue Code or promoting, marketing or recommending to another party any transaction or matter addressed herein.

In witness whereof, the undersigned has caused this Affidavit to be duly executed in the name of the Applicant this            day of                          , 20     .

                                Applicant

 By:

Title:

Subscribed and sworn to before me this            day of                     , 20     .

My Commission Expires: Notary Public

Commission #