

RE: Carryover Certification

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Dear :

The Taxpayer must provide, along with the Carryover Certification, written certification from an attorney or certified public accountant (CPA) that all eligible costs incurred with respect to the project have been examined and that, based upon this examination, it is the belief of the attorney or CPA that the Taxpayer as of December 17, 2019 has incurred or will have incurred by not later than June 29, 2020 more than 10% of the reasonable expected basis in the project.

The attorney or CPA certification must specifically include the following in the opinion:

- (i) *that the attorney or CPA has reviewed the supporting documentation for eligible costs in connection with this carryforward certification and has further examined all eligible costs incurred with respect to the project establishing the tax basis of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) claimed by the taxpayer through the end of calendar year 2019;*
- (ii) *the reasonably expected basis of the project as of the end of calendar year 2021 is \_\_\_\_\_ dollars (\$ \_\_\_\_\_), a dollar amount which either has not changed since the Application for Tax Credits was processed or, if such dollar amount has changed since the application was processed, is \$ (less than \_\_\_\_\_% of the amount specified in the application) as of this certification date; and*
- (iii) *the taxpayer has incurred adequate basis in accordance with all applicable regulations under the Code to qualify for a carryforward allocation because the eligible costs creating the eligible basis specified in (i) exceeds ten percent of the reasonable expected basis in the project specified in (ii).*

Also attached is a questionnaire to be completed and return by 4:30 p.m. December 17, 2019. Failure to submit the required information may result in the Agency not releasing the 2019 Carryover Allocation Certificates/Agreements and/or the Agency rescinding all prior reservations of Tax Credits. Please be advised that the Agency staff has determined not to permit accrued Developer Fees in excess of 20% of the Developer Fee stated in the Application for Tax Credits.

If your project has been or will be placed in service by December 31, 2019, please notify the Agency in writing by October 1, 2019. A Financing Certification, Syndication Information Certification and Certificate of Costs will be forwarded to you for completion in order that your project may be reevaluated at the placed in service date and IRS Form 8609 forwarded to you before December 31, 2019.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Louis Russell.  
Executive Management Officer

Enclosures