

## 2023 ANNUAL OWNER'S CERTIFICATION

**Note: The year 2023 is in the title of this form to match the year in AHFA DMS. If you cannot or have not completed the tenant data in AHFA DMS through December 31, 2023, complete and mail this form along with a rent roll for December 31, 2023 to: Multifamily Compliance Department, Alabama Housing Finance Authority, 7460 Halcyon Pointe Drive, Suite 200, Montgomery, Alabama 36117.**

**Due Date: March 1, 2024**

Project Name: \_\_\_\_\_ Project Number: \_\_\_\_\_

**If the project has just been completed or has just completed rehabilitation check one of the blanks below.**

\_\_\_\_\_ No buildings have been placed in service.

\_\_\_\_\_ At least one building has been placed in service, but the owner is electing to begin the credit period in the following year.

*If either of the above applies, check the appropriate blank, then sign and date the last page of this form.*

**Check one of the blanks below if the project received housing credits from AHFA for a second time.**

\_\_\_\_\_ No buildings have been placed in service under the most recent allocation.

\_\_\_\_\_ At least one building has been placed in service under the most recent allocation, but the owner elects to begin the credit period the following year.

*If either of the above applies, check the appropriate blank, then complete this certification for the original allocation.*

**Initial each blank for certification, indicating your acceptance and verification of each statement. For the 12-month period from January 1, 2023 to December 31, 2023, I/We hereby certify that:**

\_\_\_\_\_ 1. The project met the requirements of the 20/50 test under Section 42(g)(1)(A) or the 40/60 test under Section 42(g)(1)(B), whichever minimum set-aside test was applicable to the project;

\_\_\_\_\_ 2. There was no change in the applicable fraction (as defined in Section 42(c)(1)(B)) of any building in the project, or that there was a change, and a description of the change \_\_\_\_\_

- \_\_\_\_\_ 3. The owner or his/her representative has received an annual income certification from each low-income tenant, and documentation to support that certification; or, in the case of a tenant receiving Section 8 housing assistance payments, an acceptable alternative, is a statement from a public housing authority declaring that the tenant's income does not exceed the applicable income limit under Section 42(g), and the owner has not refused to lease a unit in the project to an applicant because the applicant holds a Section 8 voucher or certificate of eligibility under section 42(h)(6)(B)(iv);
- \_\_\_\_\_ 4. A Housing Credit Student Self-Certification form, and if appropriate, a HOME Student Self-Certification form was completed by any household member eighteen years of age or older;
- \_\_\_\_\_ 5. Each low-income unit in the project was rent-restricted under Section 42(g)(2);
- \_\_\_\_\_ 6. All units in the project were 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), and no finding of discrimination under the Fair Housing Act, 42 U.S.C. 3601-3619, occurred for the project;
- \_\_\_\_\_ 7. Each building in the project was suitable for occupancy, taking into account local health, safety, and building codes, and the state or local government unit responsible for making the inspections did not issue a violation report for any building or low-income unit in the project;
- \_\_\_\_\_ 8. There was no change in the eligible basis as defined in Section 42(d) of any building in the project, or that there was a change, and the nature of the change \_\_\_\_\_  
\_\_\_\_\_;
- \_\_\_\_\_ 9. All tenant facilities included in the eligible basis under Section 42(d) of any building in the project were provided on a comparable basis without charge to all tenants in the building;
- \_\_\_\_\_ 10. If a low-income unit in the project became vacant during the year, that reasonable attempts were or are being made to rent the unit or the next available unit of comparable or smaller size to tenants having a qualifying income before any units in the project were or will be rented to tenants not having a qualifying income;
- \_\_\_\_\_ 11. If the income of tenants of a low-income unit in the project increased above the limit allowed in Section 42(g)(2)(D)(ii), the next available unit of comparable or smaller size in the project was or will be rented to tenants having a qualifying income;
- \_\_\_\_\_ 12. For the preceding 12-month period no tenants in low-income units were evicted or had their tenancies terminated other than for good cause and that no tenants had an increase in the gross rent with respect to a low-income unit not otherwise permitted

under Section 42;

- \_\_\_\_\_ 13. There has been no change in the ownership or management of the project since the completion of the last Annual Owner's Certification, if there has been a change, attach documentation of the change with this certification;
- \_\_\_\_\_ 14. The project is in compliance with the Violence Against Women Act requirements and all related implementing regulations providing protections for residents and applicants who are victims of domestic violence, dating violence, sexual assault, and/or stalking, if not, attach documentation of the incident with this certification;
- \_\_\_\_\_ 15. The project complies with all terms it agreed to in its application for AHFA funding, including all federal and state-level program requirements and any commitments for which it received points or other preferential treatment in its application, if not, attach an explanation with this certification;
- \_\_\_\_\_ 16. The project has not suffered a casualty loss resulting in the current displacement of residents, if the project suffered a casualty loss, attach documentation with this certification;
- \_\_\_\_\_ 17. An extended low-income housing commitment as described in Section 42(h)(6) was in effect (for buildings receiving low-income housing tax credits after January 1, 1990);
- \_\_\_\_\_ 18. The required tenant event data has been entered into the AHFA Online Data Management System (AHFA DMS) and tenant event data will be placed into the AHFA DMS at least monthly;
- \_\_\_\_\_ 19. The ownership and management of the project have read the current compliance addendums of AHFA's Housing Credit Qualified Allocation Plan and HOME Action Plan;
- \_\_\_\_\_ 20. If applicable, the project has a USDA Rural Development commitment for at least 25% of the total units;
- \_\_\_\_\_ 21. If applicable, the project has a Department of Housing and Urban Development commitment for at least 75% of the total units;
- \_\_\_\_\_ 22. If applicable, the project met the MR/MI set-aside during the year;
- \_\_\_\_\_ 23. If the MR/MI set-aside was not met, the service provider and the State Board of Mental Health were notified of any vacancies;
- \_\_\_\_\_ 24. If the MR/MI set-aside was not met, notification was sent to AHFA;
- \_\_\_\_\_ 25. A confidential tenant eligibility certificate was completed for every MR/MI Household;

\_\_\_\_\_ 26. If applicable, the project met its five percent disability/homeless set-aside; and

\_\_\_\_\_ 27. If the project did not meet the disability/homeless set-aside, the local and/or regional service provider(s) and AHFA were notified of any vacancies.

**Nonprofit participation (please put NA where applicable)**

\_\_\_\_\_ a. Is the owner a qualified nonprofit organization within the meaning of Section 42(h)(5) of the Internal Revenue Code \_\_\_\_\_ Yes \_\_\_\_\_ No

\_\_\_\_\_ b. If yes, is the nonprofit materially participating (within the meaning of Section 469(h) in the operation of this project \_\_\_\_\_ Yes \_\_\_\_\_ No

The undersigned certifies under penalty of perjury that the information contained on this form and the certifications herein have been verified as required. The undersigned certifies that the documentation to support the information herein has been received and such documentation shall be kept for the minimum amount of time required under law by the Internal Revenue Service. The undersigned understands that any noncompliance with Section 42 of the Internal Revenue Code will be reported to the Internal Revenue Service in accordance with their published regulations on compliance monitoring.

Report submitted by:

\_\_\_\_\_  
**Owner Name (print name)**

\_\_\_\_\_  
**Owner Signature**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_, who signed this Owner's Certification, and who is known to me, acknowledged before me on this date, being fully informed of the contents of this Certification, executed the same voluntarily on the day the same bears date.

Given under my official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

[SEAL]

\_\_\_\_\_  
My Commission Expires