EXHIBIT “A”

(To Land Use Restriction Agreement)

CERTIFICATION OF TENANT ELIGIBILITY

RE: Sample Apartments

City, County, State

I/We, the undersigned, being first duly sworn, state that I/we have read and answered fully, and truthfully each of the following questions for all persons who are to occupy the Unit in the above apartment development for which application is made, all of whom are listed below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. | 2. | 3. | 4. | 5. |
| Name of Members of the Household | Relationship to Head of Household | Age | Social Security Number | Place of Employment |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

6. The anticipated income of all the above persons during the 12‑month period beginning this date,

a. including all wages and salaries, over‑time pay, commissions, fees, tips and bonuses before payroll deductions; net income from the operation of a business or profession or from the rental of real or personal property (without deducting expenditures for business expansion or amortization of capital indebtedness or the allowance for depreciation of capital assets); interest and dividends; the full amount of periodic payments received from social security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts; payments in lieu of earnings, such as unemployment and disability compensation, workers’ compensation and severance pay; the maximum amount of public assistance available to the above persons; periodic and determinable allowances, such as alimony and child support payments and regular contributions and gifts received from persons not residing in the dwelling; all regular pay, special pay and allowances of a member of the Armed Forces (whether or not living in the dwelling) who is the head of the household or spouse or other person whose dependents are residing in the Unit; and any earned income tax credit to the extent that it exceeds income tax liability, but

b. excluding casual, sporadic or irregular gifts; amounts which are specifically for or in reimbursement of medical expense; lump sum additions to family assets, such as inheritances, insurance payments (including payments under health and accident insurance and worker’s compensation), capital gains and settlement for personal or property losses; amounts of educational scholarships paid directly to the student or the educational institution, and amounts paid by the government to a veteran for use in meeting the costs of tuition, fees, books and equipment, but in either case only to the extent used for such purposes; special pay to a serviceman head of a family who is away from home and exposed to hostile fire; relocation payments under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; foster child care payments; the value of coupon allotments for the purchase of food pursuant to the Food Stamp Act of 1964 which is in excess of the amount actually charged for the allotments; and payments received pursuant to participation in ACTION volunteer programs.

And the total for each member is as follows:

|  |  |
| --- | --- |
| Name | Amount |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

7. If any of the persons described above (or whose income or contributions was included in item 6) has any savings, stocks, bonds, equity in real property or other form of capital investment, provide:

 a. the total value of all such assets owned by all such persons: $\_\_\_\_\_\_\_\_\_\_,

 b. the amount of income expected to be derived from such assets in the 12‑month period commencing this date: $\_\_\_\_\_\_\_\_\_\_ and

 c. the amount of such income which is included in item 6: $\_\_\_\_\_\_\_\_\_\_.

8. a. Will all of the persons listed in column 1 above be or have they been full‑time students during five calendar months of this calendar year at an educational institution (other than a correspondence school) with regular faculty and students?

Yes No

b. Is any such person (other than nonresident aliens) married and eligible to file a joint Federal income tax return?

Yes No

We acknowledge that all of the above information is relevant to the status under Federal income tax law of the interest on notes issued to finance construction of the Project for which application is being made. We consent to the disclosure of such information to the issuer of such notes, the holders of such notes, any trustee or lender acting on their behalf and any authorized agent of the Treasury Department or the Internal Revenue Service.

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

Head of Household

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

 Other Spouse

SUBSCRIBED AND SWORN to before me this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, \_\_\_\_.

(NOTARY SEAL)

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

Notary Public in and for the State of Georgia.

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

FOR COMPLETION BY PROJECT BORROWER ONLY:

1. Calculation of eligible income:

a. Enter amount entered for entire

household in 6 above $\_\_\_\_\_\_\_\_\_\_\_\_

b. If the amount entered in 7.a above

 is greater than $5,000, enter the

 [greater] of (i) the amount entered

 in 7.b less the amount entered

 in 7.c and (ii) the current passbook

 savings rate percentage entered

 in 7.a: $\_\_\_\_\_\_\_\_\_\_\_\_

c. TOTAL ELIGIBLE INCOME

(Line 1.a plus line 1.b): $\_\_\_\_\_\_\_\_\_\_\_\_

2. The amount entered in 1.c is:

a) for one tenant:

\_\_\_ less than 42% of Median Gross Income for the Area.[[1]](#footnote-1)\*

\_\_\_ more than 42% of Median Gross Income for the Area.

b) for two tenants:

\_\_\_ less than 48% of Median Gross Income for the Area.

\_\_\_ more than 48% of Median Gross Income for the Area.

c) for three tenants:

\_\_\_ less than 54% of Median Gross Income for the Area.

\_\_\_ more than 54% of Median Gross Income for the Area.

d) for four tenants:

\_\_\_ less than 60% of Median Gross Income for the Area.

\_\_\_ more than 60% of Median Gross Income for the Area.

3. Number of apartment unit assigned:

4. This apartment unit was last occupied for a period of at least 31 consecutive days by persons whose aggregate anticipated annual income as certified in the above manner qualified the tenant as a Low-Income Tenant.

\_\_\_\_\_ yes \_\_\_\_\_ no.

Applicant qualifies as:

\_\_\_\_ Low Income Tenant

\_\_\_\_ Other

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

Borrower/Manager

1. \* “Median Gross Income for the Area” means the median income for the area where the Project is located as determined by the Secretary of the United States Housing Act of 1937, as amended, or if programs under Section 8(f) are terminated, median income determined under the method used by the Secretary prior to the termination, with adjustments for family size. [↑](#footnote-ref-1)