

# Application for Community Housing Development Organization Improving Property for Low-Income and Moderate-Income Housing Property Tax Exemption Previously Exempt In 2003

Appraisal District's Name

Phone (area code and number)

Address, City, State, ZIP Code

**GENERAL INSTRUCTIONS:** This application is for use in claiming property tax exemptions pursuant to Tax Code Section 11.182. You must furnish all information and documentation required by the application.

**APPLICATION DEADLINES:** You must file the completed application with all required documentation between Jan. 1 and no later than April 30 of the year for which you are requesting an exemption.

If the chief appraiser grants the exemption, you do not need to reapply annually unless the chief appraiser requires it. You must notify the chief appraiser in writing if and when your qualification for this exemption ends. Return the completed form to the address above.

Please note that the Supplemental Application for Community Housing Development Organization Improving Property for Low-Income and Moderate-Income Housing covers improved and unimproved real property acquired at any time during the year and must be filed not later than the 30th day after you acquired the property. You also must file the supplemental application by March 31 of the following year, listing any properties that the organization has acquired or sold in this county that received the exemption in the preceding year.

### OTHER IMPORTANT INFORMATION

Pursuant to Tax Code Section 11.45, after considering this application and all relevant information, the chief appraiser may request additional information from you. You must provide the additional information within 30 days of the request or the application is denied. For good cause shown, the chief appraiser may extend the deadline for furnishing the additional information by written order for a single period not to exceed 15 days.

### STEP 1: State the Year for Which Exemption is Sought

State the year for which exemption is sought

### STEP 2: Provide Name and Mailing Address of Applicant Organization and Identity of Person Preparing Application

Name of Applicant Organization

Mailing Address

City, State, ZIP Code

Phone (area code and number)

Applicant Organization is a (check one):

partnership  corporation  other (specify): \_\_\_\_\_

Name of Person Preparing this Application

Title

Driver's License, Personal I.D. Certificate or Social Security Number\*

If this application is for property owned by a charitable organization with a federal tax identification number, that number may be provided in lieu of a driver's license number, personal identification certificate number or social security number: .....

\* Unless the applicant is a charitable organization with a federal tax identification number, the applicant's driver's license number, personal identification certificate number or social security account number is required. Pursuant to Tax Code Section 11.48(a), a driver's license number, personal identification certificate number or social security account number provided in an application for an exemption filed with a chief appraiser is confidential and not open to public inspection. The information may not be disclosed to anyone other than an employee of the appraisal office who appraises property, except as authorized by Tax Code Section 11.48(b). If the applicant is a charitable organization with a federal tax identification number, the applicant may provide the organization's federal tax identification number in lieu of a driver's license number, personal identification certificate number or social security account number.

If operated by a corporation, is the corporation non-profit as defined by the Texas Non-Profit Corporation Act (Art. 1396-1.01 VACS et seq.)? .....  Yes  No

STEP 3: Answer the Following Questions About the Applicant Organization

- 1. Is the organization organized as a community housing development organization (42 U.S.C. Section 12704)?
2. Is the organization engaged primarily in public charitable functions?
3. Is the organization organized exclusively to perform religious, charitable, scientific, literary or educational purposes?
4. Does the organization own the property for the purpose of building or repairing housing on it to sell or rent without profit to an individual or family satisfying the organization's low-income or moderate-income eligibility requirements?
5. Does the organization engage exclusively in the building, repair and sale or rental of housing as described above and related activities?
6. Does the organization perform, or does its charter permit it to perform, any functions other than those checked in question 3?
7. In the past year has the organization loaned funds to, borrowed funds from, sold property to or bought property from a shareholder, director or member of the organization, or had a shareholder or member sell an interest in the organization for a profit?
8. Does the organization operate in such a manner that does not result in the accrual of distributable profits, the distribution of profits or the realization of any other form of private gain?
9. Does the organization operate, or its charter permit to operate, in a manner which permits the accrual of profits or distribution of any form of private gain?
10. Does the organization have an annual audit, including a detailed report on the organization's sources and uses of funds, prepared by an independent auditor?

STEP 4: Answer these Questions About the Applicant Organization Bylaws or Charter

Attach a copy of the charter, bylaws or other documents adopted by the organization which govern its affairs and answer the following questions.

- 1. Do these documents pledge the organization's assets for use in performing the organization's charitable functions?
2. Do these documents direct that on the discontinuance of the organization, the organization's assets are to be transferred to the State of Texas or to an educational, religious, charitable or other similar organization that is qualified for exemption under Section 501(c)(3), Internal Revenue Code, as amended?
3. If no, do these documents direct that on discontinuance of the organization, the organization's assets are to be transferred to its members who have promised in their membership application to immediately transfer them to the State of Texas or to an educational, religious, charitable or other similar organization that is qualified for exemption under Section 501(c)(3), Internal Revenue Code, as amended?
If yes, was this two-step transfer required for the organization to qualify for exemption under Section 501(c)(12), Internal Revenue Code, as amended?

STEP 5: Describe the Property for Which Exemption is Sought

PROPERTY TO BE EXEMPT:

- Attach one Schedule A (REAL PROPERTY) form for EACH parcel of real improved and unimproved property to be exempt.
• Attach one Schedule B (BUILDINGS) form for EACH building to be exempt.
• Attach one Schedule C (PERSONAL PROPERTY) form listing ALL personal property to be exempt

STEP 6: Read, Sign and Date

By signing this application, you designate the property described in the attached Schedules A, B and C as the property against which the community housing development organization improving property for low-income and moderate-income housing exemption may be claimed in this appraisal district. By signing this application, you certify that the information provided in this application is true and correct to the best of your knowledge and belief.

\_\_\_\_\_  
On Behalf of (Name of Applicant or Organization)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

**If you make a false statement on this application, you could be found guilty of a Class A misdemeanor or a state jail felony under Penal Code Section 37.10.**

## Schedule A: Description of Real Property

Complete one Schedule A form for **EACH** parcel of improved and unimproved real property qualified for exemption. Attach all completed schedules to your application for exemption.

Name of Property Owner \_\_\_\_\_

Legal Description of Property (if known) \_\_\_\_\_

Appraisal District Account Number (if known) \_\_\_\_\_

Describe the Primary Use of This Property \_\_\_\_\_

Date of Acquisition of the Property \_\_\_\_\_

Is this property reasonably necessary for operation of the association/organization?  Yes  No

Answer the following questions if this real property is a multifamily rental property consisting of 36 or more dwelling units owned by the organization.

1. Was this property acquired by the organization using tax exempt bond financing after Jan. 1, 1997, and before Dec. 31, 2001?  Yes  No
2. Does the entity that provides the financing for acquiring or constructing the property require the organization to make payment in lieu of taxes to the school district in which the property is located?  Yes  No
3. Does the entity that provides the financing for acquiring or constructing the property restrict the amount of rent the organization may charge for the dwelling units?  Yes  No
4. Has the organization entered into an agreement with each taxing unit for which the property receives exemption to spend in each tax year an amount equal to the total amount of taxes imposed on the property in the tax year preceding the year in which the organization acquired the property for the purposes of social, educational or economic development services, capital improvement projects or rent reduction for eligible persons in the county?  Yes  No

If the answers to all four questions is no, answer the following questions:

5. In the preceding tax year, what is the amount of total taxes that would have been imposed on the property without the exemption? \$ \_\_\_\_\_
6. In the preceding tax year, how much did the organization spend for eligible persons in the county on the following areas:
 

Social, educational or economic development services	\$ _____
Capital improvement projects	\$ _____
Rent reduction	\$ _____
<b>Total spent in preceding year</b>	<b>\$ _____</b>

Answer the following questions if this real property is a housing project constructed after Dec. 31, 2001, and financed with qualified 501(c)(3) bonds issued under Section 145 of the Internal Revenue Code of 1986, tax exempt private activity bonds subject to volume cap or low-income housing tax credits.

1. Is the project owned by a limited partnership?  Yes  No
2. If yes, does the organization control 100 percent of the interest in the general partner?  Yes  No
3. Does the organization comply with all rules of and laws administered by the Texas Department of Housing and Community Affairs for community housing development organization?  Yes  No
4. Did the organization submit annually to the Texas Department of Housing and Community Affairs evidence demonstrating that the organization spent an amount equal to at least 90 percent of the project's cash flow in the preceding fiscal year (as determined by the annual audit) for the purposes of social, educational or economic development services, capital improvement projects or rent reduction for eligible persons in the county?  Yes  No
5. Did the organization submit annually to the governing body of each taxing unit exempting the project evidence demonstrating that the organization spent an amount equal to at least 90 percent of the project's cash flow in the preceding fiscal year (as determined by the annual audit) for the purposes of social, educational or economic development services, capital improvement projects or rent reduction for eligible persons in the county?  Yes  No





