

## STATEMENT OF APPLICATION AND CERTIFICATION FOR OWNERSHIP ENTITY

Development Name: \_\_\_\_\_ (the "Development")

Development Owner: \_\_\_\_\_ (the "Development Owner")

I, the undersigned, being duly sworn, hereby certify as follows:

1. I am \_\_\_\_\_ of the Development Owner identified above and identified in the THOMAS Organizational Breakdown of the Final Application for Low-Income Housing Tax Credits dated \_\_\_\_\_ (the Application") being submitted to the Tennessee Housing Development Agency ("THDA") with this Statement.
2. I have personal knowledge regarding the Development and the Application and am familiar with requirements related to Low-Income Housing Tax Credits ("Tax Credits") contained in the Internal Revenue Code of 1986, as amended (the "Code"), the U.S. Treasury Regulations promulgated in connection therewith (the "Regulations") and the Low-Income Housing Tax Credit 2018 Qualified Allocation Plan (the "2018 QAP").
3. To the best of my knowledge and belief, the Development Owner has complied, or will comply with all of the requirements contained in the Code, the Regulations and the 2018 QAP.
4. I acknowledge and affirm each of the following:
  - a. This Application will not be eligible for Tax Credits or an award of Tax Credits and will be withdrawn if satisfactory information and/or materials are not supplied to THDA in accordance with the 2018 QAP.
  - b. Any preliminary award or allocation of Tax Credits, or the amount thereof, if any, is subject, in all respects, to (i) all requirements of the QAP; and (ii) all requirements of Section 42 of the Code and all Regulations.
  - c. As required by Section 42(m) of the Code, THDA will evaluate the amount of Tax Credits appropriate for the Development, if any, at the time the Development is placed in service for purposes of issuance of IRS Form 8609. The amount of Tax Credits reflected in the IRS Form 8609, if any, may be different from the amount reflected in the carryover documentation based on reasonable information submitted by or on behalf of the Development Owner, in the Application, as determined by THDA in its sole discretion.
  - d. Issuance of IRS Forms 8609 by THDA is not a warranty or representation that the referenced Development meets Code requirements applicable to Tax Credits.
  - e. THDA has made no representations about the effects of Tax Credits upon the taxes of any person or entity connected with this Development.
  - f. Neither THDA nor any of its directors, officers, employees and agents are responsible or liable for any representations made in connection with the Tax Credit program.
  - g. I assume the risk of all damages, losses, costs, and expenses related to participation in the Tax Credit program and agree to indemnify and save harmless THDA and all of its directors, officers, employees and agents harmless against any and all claims, suits, losses, damages, costs and expenses (including all court costs and attorney's fees) of any kind and of any nature that THDA may hereinafter suffer, incur, or pay arising out of its decisions concerning Tax Credits or the use of information related to the Tax Credit program.
  - h. Any misrepresentations in any materials or documentation submitted to THDA to induce THDA to a preliminary award or allocate Tax Credits to the Development Owner for the Development may result in a reduction or withdrawal of Tax Credits by THDA, a bar on future program participation, and/or notification of the Internal Revenue Service.
5. I acknowledge and agree that by omitting Attachments that are not otherwise required, I am certifying to THDA that, with respect to the information covered by an omitted Attachment, there have been no changes in information

required by the Attachment from information previously submitted to THDA on behalf of this Development either in the Initial Application or the Carryover Application. I further acknowledge and agree that THDA will use information previously submitted and will have no obligation to allow further updates of information in connection with evaluations of this placed in service application and in connection with the amount of low income housing tax credits reflected in the IRS Forms 8609 for this Development.

6. To the best of my knowledge and belief, the information contained in the Application, in any Attachments in support thereof, or documentation otherwise submitted to THDA in connection with the Tax Credit program is true, correct, and complete and is truly descriptive of the Development.
7. I acknowledge that Tennessee Code Annotated, Section 13-23-133, makes it a Class E felony for any person to knowingly make, utter or publish a false statement of substance for the purpose of influencing THDA to allow participation in any of its programs, including the Low-Income Housing Tax Credit Program. I further acknowledge that the statements contained in the Application, all relevant Attachments and this Statement are statements of substance made for the purpose of influencing THDA to award Low-Income Housing Tax Credits to the Application of which this Statement is a part.

DEVELOPMENT OWNER: \_\_\_\_\_  
Ownership Entity Name

By: \_\_\_\_\_  
(signature)  
\_\_\_\_\_  
(print or type name)  
\_\_\_\_\_  
(title)  
\_\_\_\_\_  
(date)

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

Before me, \_\_\_\_\_, a Notary Public of the state and county mentioned, personally appeared \_\_\_\_\_, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself/himself to be a/the \_\_\_\_\_ of \_\_\_\_\_, the within named bargainor, and that she/he, as such \_\_\_\_\_, executed the foregoing instrument for the purpose therein contained, by signing the name of the \_\_\_\_\_ by herself/himself as \_\_\_\_\_.

Witness my hand and seal, at office, this \_\_\_\_\_ day of \_\_\_\_\_, 2021

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

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

[SEAL]