

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE CHIEF FINANCIAL OFFICER
OFFICE OF TAX AND REVENUE



CERTIFICATION

TO: The District of Columbia Office of Tax and Revenue

The District of Columbia Department of Housing and Community Development

_____, TIN _____ (“**Owner**”), is a nonprofit owner as defined by D.C. Official Code § 47-1005.03(a)(2). Owner provides rental housing in land and buildings that it owns, and is either exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, is a limited liability company, the sole member of which is an entity that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or is a limited equity cooperative defined in D.C. Official Code § 42-2061(2).

RE: _____ (address), Square _____ Suffix _____
Lot _____ comprising _____ units (the “**Property**”)

The undersigned independent compliance monitor hereby certifies, based on its review of the documentation relevant and necessary to support the conclusions reached herein, with respect to a claim of real property tax exemption asserted by Owner under D.C. Code Section 47-1005.03 (the “**Act**”), that:

1. Owner acquired legal title to the Property in an arm’s length transaction on _____, 20__ ; (This date must be on or after October 1, 2020 for owners other than limited equity cooperatives and on or after October 1, 2021 in the case of a limited equity cooperative).
2. the identity of Owner is as set out above;
3. the identity of the Property is as set out above;
4. based on income certifications or similar information provided by tenants of the Property with respect to each of their respective household’s combined income for the year preceding the later of the date legal title to the Property was acquired by Owner or the date of initial occupancy by such tenant (“**Applicable Income**”), but in no event no later than 12 months following the date the Property was acquired, not fewer than fifty percent (50%) of the occupied units (___ of ___) in the Property are occupied by tenants with Applicable Incomes not in excess of eighty percent (80%) of Household Adjusted Median Income (“HAMI”) for a household of the size of each of such

tenants' households, as shown on the following table:

Unit Nos.	Household Size	HAMI ≤ 80%	If HAMI > 80% but ≤ 140%, state move-in date & unit no. ¹	Total No. of Units
	1			
	2			
	3			
	4			
	5			
	6 or more			
		Percentage of All Units: _____		

The phrase "Household Adjusted Median Income" ("HAMI") means the applicable, adjusted household AMI ceilings described in DC Code § 47-1005.03(a)(1);

5. based on income certifications or similar information provided by tenants of the Property with respect to each of their respective household's combined income for the year preceding the later of the date legal title to the Property was acquired by Owner or the date of initial occupancy by such tenant, ____ units in the Property not identified in Section 4 above are occupied by tenants with Applicable Income not in excess of 120% of the Household Adjusted Median Income ("HAMI") for a household of the size of each of such tenants' households, as shown on the following table:

Unit Nos.	Household Size	HAMI ≤ 120%	If HAMI > 120% but ≤ 140%, state move-in date & unit no. ²	Total No. of Units
	1			
	2			
	3			
	4			
	5			

¹ Tenant's household income has risen after initial occupancy and previously was no greater than 80% of HAMI.

² Tenant's household income has risen after initial occupancy and previously was no greater than 120% of HAMI.

	6 or more			
		Percentage of All Units: _____		

The phrase “Household Adjusted Median Income” (“HAMI”) means the applicable, adjusted household AMI ceilings described in DC Code § 47-1005.03(a)(1);

6. the following units are taxable and do not qualify for exemption under DC Code § 47-1005.03:

Unit Nos.	Household Size	Household Adjusted Median Income	Total No. of Units
	1		
	2		
	3		
	4		
	5		
	6 or more		
		Percentage of All Units: _____	

7. Owner diligently and in good faith has sought to lease all habitable units in the Property and to maintain all units in habitable condition;

8. unit monthly rents charged to the tenants described in paragraph 4 are the lesser of: 1) no more than one-twelfth of 30% of 80% of the Household Adjusted Median Income for a household consisting of the number of persons in the occupancy standard for the unit occupied by such tenant, or 2) no more than the monthly Housing Choice Voucher Program Rent (as applicable based on whether utilities are included or not) established by the District of Columbia Housing Authority for the ____ year and for the submarket being [the submarket in which the Property is located (or a submarket immediately adjacent to the submarket in which the Property is located if the Property is not located in a submarket)] (\$ _____);³

9. unit monthly rents charged to the tenants described in paragraph 5 are the lesser of: 1) no more than one-twelfth of 30% of 120% of the Household Adjusted Median Income for a household consisting of the number of persons in the occupancy

³ As used herein, “occupancy standard” means – for a studio/efficiency, 1 person; for a one-bedroom unit, 1.5 persons; for a two-bedroom unit, 3.0 persons; for a three-bedroom unit, 4.5 persons; and for a four-bedroom unit, 6 persons.

standard for the unit occupied by such tenant, or 2) no more than the monthly Housing Choice Voucher Program Rent (as applicable based on whether utilities are included or not) established by the District of Columbia Housing Authority for the _____ year and for the submarket being [the submarket in which the Property is located (or a submarket immediately adjacent to the submarket in which the Property is located if the Property is not located in a submarket)] (\$_____);⁴

10. rent increases for tenants in the Property do not exceed the increases allowable under the District of Columbia rent control program;

11. no tenant still in occupancy has added individuals to his or her household with income that would cause the household to exceed the limits under Sections 4 or 5, respectively, except as reflected in the charts in Sections 5 or 6, and a tenant who has added a member to the household whose income causes the household to exceed the 80% or less HAMI threshold of Section 4 shall be counted under Section 5 (provided that the total household income is 120% or less of HAMI);

12. no tenant's household described in Sections 4 or 5 above has, based on income certification or similar information provided by such tenant for the year preceding the date of this Certification, has an income in excess of 140% of the HAMI for a household of the size of such tenant's household;

13. Owner maintains a policy to retain tenants as residents who become unable to pay their rent because of financial hardship, which policy is supported by an indigency reserve set at an amount the Owner has reasonably determined adequate to provide short-term assistance to tenant in the Property;

14. after the initial Certification, subsequent certifications will be filed with the Office of Tax and Revenue by every succeeding April 15th;

⁴ As used herein, "occupancy standard" means – for a studio/efficiency, 1 person; for a one-bedroom unit, 1.5 persons; for a two-bedroom unit, 3.0 persons; for a three-bedroom unit, 4.5 persons; and for a four-bedroom unit, 6 persons.

15. the following units are taxable and do not qualify for exemption under DC Code § 47-1005.03:

Unit Nos.	Household Size	Household Adjusted Median Income	Total No. of Units
	1		
	2		
	3		
	4		
	5		
	6 or more		
Percentage of All Units: _____			

16. _____% portion of the property leased or otherwise made available for non-residential dwelling purposes, where that tenant would not be exempt under Ch. 10 of Title 47 of the DC Official Code if such leasehold were owned by such tenant. The forgoing percentage portion is based on the ratio of the net rentable area of the non-exempt portion of the improvement to the total net rentable area of the improvement;

17. the undersigned independent compliance monitor (“Compliance Monitor”) is not related to or affiliated with, directly or indirectly, the Owner or its single member, or any person having an equity interest in such Owner or its single member. The Compliance Monitor has no ownership interest in the Owner, its single member or the Property and is not otherwise compensated (except for purposes of providing this Certification), either directly or indirectly, by the Owner or its single member. The Compliance Monitor is regularly engaged in the business of verifying compliance with federal, states and/or local governmental regulations and providing certifications on behalf of persons to governmental agencies for statutory compliance purposes. The Compliance Monitor has verified that its principal investigator performing the verification services supporting this Certification complies with the same requirements of the Compliance Monitor as stated in this Section.

Capitalized terms used but not otherwise defined in this Certification shall have the meanings given such terms in the Act.

Provide a current rent roll with unit numbers, tenants’ names, move in dates, and whether exempt under Section 4, Section 5 or taxable.

IN WITNESS WHEREOF, the undersigned has executed this Certification as of _____, 20__ . I, the undersigned, hereby swear or affirm under penalty

of perjury that this certification, including any accompanying schedules/documents/and statements, has been examined by me and to the best of my knowledge and belief, the statements and representations are correct and true, and such certification complies fully with D.C. Code § 47-1005.03 and the terms within this Certification. I hereby acknowledge that any false statement or misrepresentation I made on this certification is punishable by criminal penalties under the laws of the District of Columbia.

COMPLIANCE MONITOR

By: _____

Its: _____