EF-267-L-R17-1217-21000352-1 BOE-267-L (P1) REV. 17 (12-17)

## WELFARE EXEMPTION SUPPLEMENTAL AFFIDAVIT,

**HOUSING — LOWER INCOME HOUSEHOLDS** This claim is filed for fiscal year 20 \_\_\_\_ - 20 \_

### **Shelly Scott Assessor-Recorder-County Clerk**

County of Marin CHANGE IN OWNERSHIP DIVISION P.O. Box C San Rafael, CA 94913 Phone: (415) 473-7231 Fax: (415) 473-6255

This is a Supplemental Affidavit filed with	www.marincounty.gov
BOE-267, Claim for Welfare Exemption (First Filing)	www.mamicounty.gov
☐ BOE-267-A, Claim for Welfare Exemption (Annual Filing)	
SECTION 1. IDENTIFICATION OF APPLICANT	
Name of Organization	Corporate ID or LLC Number
Mailing Address (number and street)	<u> </u>
City, State, Zip Code	
SECTION 2. IDENTIFICATION OF PROPERTY	
Address of property (number and street)	
City, County, Zip Code	Date Property Acquired
SECTION 3. GOVERNMENT FINANCING OR TAX CREDITS; USE RES	TRICTION
As to the low-income housing property for which this claim is made, the applica	ant certifies that (check all applicable boxes):
by lower income households at rents that do not exceed those presonant that the terms of federal, state, or local financing or financial assistance by the terms of the financing or financial assistance. For property ta household if the occupants were qualified when their occupancy began,	se by lower income households are continuously available to or occupied cribed by section 50053 of the Health and Safety Code, or, to the extent acconflicts with section 50053, rents that do not exceed those prescribed ax exemption purposes, a unit is considered occupied by a lower income, as long as the household income is not above 140% of area median income eccives federal low-income housing tax credits. See Revenue and Taxation
If you are filing this supplemental affidavit with BOE-267 (First Filing), other legal document.	submit a copy of the regulatory agreement, recorded deed restriction, or
☐ B. The funds which would have been necessary to pay property taxes are the units occupied by lower income households.	used to maintain the affordability of, reduce rents otherwise necessary for,
C. At least one of the following criteria is applicable (check one):	
of tax-exempt mortgage revenue bonds; general obligation bor guaranteed by the federal government; or project-based federal t	peration of the property is financed with government financing in the forminds; local, state, or federal loans or grants; or any loan insured, held, or funding under section 8 of the Housing Act of 1937. (The term "government leant rent-subsidy vouchers under section 8 of the Housing Act of 1937.)
	ax credits pursuant to Revenue and Taxation Code sections 12205, 12206, busing tax credits pursuant to section 42 of the Internal Revenue Code.
section 50053 of the Health and Safety Code. The total exemptio	lower income households whose rents do not exceed the rent prescribed by on amount allowed under Revenue and Taxation Code section 214(g)(1)(C) ries for any fiscal year on the sole basis of the application of this subdivision, alue.

### **SECTION 4. HOUSEHOLD INFORMATION**

forms, BOE-267-L2 is confidential.)

#### A1. Eligibility Based on Family Household Income - Lower Income Households

Section 214(g) of the California Revenue and Taxation Code provides that property owned by a nonprofit organization or eligible limited liability company providing housing for lower income households can qualify for the welfare exemption from property taxes to the extent that the income of the households residing therein do not exceed amounts listed below: (See Section 4.A2 for income limit exception)

If this is the basis for seeking exemption, you must also complete form BOE-267-L2, Welfare Exemption Supplemental Affidavit, Housing - Lower Income Household - Tenant Data. (Please note: unlike other welfare exemption claim forms and supplemental affidavit

NO. OF PERSONS IN HOUSEHOLD	MAXIMUM INCOME						
1	\$73,750	3	\$94,850	5	\$113,800	7	\$130,650
2	\$84,300	4	\$105,350	6	\$122,250	8	\$139,100

THIS DOCUMENT IS SUBJECT TO PUBLIC INSPECTION



A2. Eligibility Base	ed on Family Hou	ısehold Income - 1	40% of Area Med	ian Income (AMI)				
housing tax credits	(LIHTC) pursuant		Internal Revenue	der certain circumstar Code can qualify for listed below:				
federal LIHT	C and submit BO		Exemption Supple	of A1 upon which you mental Affidavit, Hou				
NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSOI IN HOUSEHOL	140% AIVII	
1	\$112,980	3	\$145,250	5	\$174,300	7	\$2	00,130
2	\$129,150	4	\$161,420	6	\$187,250	8	\$2	13,080
county and char household that of <b>B. List of Qualified</b> Attach a list showir	nge annually. In o qualifies (you shou d Households ng desired informa blease identify the	rder to qualify all or old keep the stateme ation for only those vacant units reserve	r a portion of the ent for future audits households that ded for low-income h	ntact the County Asset property for the exen s) and (2) you must co qualify. Identify which nouseholds. Provide t	mption, you must omplete parts 4B, h	have: (1) a sign, 4C, and Section der the 140% AI	ed statem 5 below. MI criteria	ent for each
C. Number of Unit								
Note: Under section	214(g), <mark>the</mark> exem	p <mark>tion</mark> percent <mark>ag</mark> e is	t <mark>he</mark> total number o	o <mark>f "</mark> units servin <mark>g l</mark> ower				
households" divided including "related fa	,	b <mark>er</mark> of residential un	its. This percentag	ge is applied t <mark>o t</mark> he er	ntire property	E	XAMPLE	ACTUAL
		ated for use by or se	erving lower incon	ne households - lowe	r income limits.		88	
		ed by households e ed on BOE-267-L3.	xceeding lower inc	come li <mark>mit</mark> s but do no	t exceed 140% A	MI	2	
3. Total number of	qualifi <mark>ed</mark> househo	lds (C1 + C2)					90	
4. Total number of	residential units in	property.		_			100	
5. Percentage which (C3 / C4 above)	ch the number of "	units serving lower i	ncome household	s" is of the total numb	ber of residential		90% (90/100)	
Property Use 5. Does this proper	rty include n <mark>on</mark> exe	mpt commercial spa	ace? Yes [	□ No If yes, provi	<mark>d</mark> e a brief des <mark>cri</mark> p	tion of <mark>th</mark> e nonex	empt comi	mercial spac
This limitation on the companies that <b>are</b> in section 214(g)(1)(Use additional sheet	e amount of the ex not financed by g B). Claimants with ts if necessary.	kemption applies sol povernment loans, a properties qualifying	ely to low-income as specified in sect g for exemption un	value [Revenue & Ta housing properties or ion 214(g)(1)(A) or do ider 214(g)(1)(C) mus	wned by nonprofit o not receive low- st list all the counti	t organizations or -income housing t les in which such	eligible lir tax credits properties	, as provided
	LIST ALL LOW-II	NCOWE PROPER	TIES SUBJECT	10 \$10,000,000 OF	ASSESSED VA	COE EXEMPTI		
COUNTY	COUNTY APN PROPERTY STREET ADDRESS		СІТҮ	/ ZIP CODE	AMOUNT OF \$10,000,000 ASSESSED VALUE EXEMPTION TO BE APPLIED			
I certify (or declare	) under penalty of	perjury under the la	ws of the State of	FICATION  California that the forect, and complete to	regoing and all in	formation contain	ned herein, lief.	including
NAME OF CLAIMANT	,		,,	TITLE			DATE	
SIGNATURE OF CLAIMA	NT		DA	YTIME TELEPHONE		EMAIL ADDRESS		

# INSTRUCTIONS FOR FILING WELFARE EXEMPTION SUPPLEMENTAL AFFIDAVIT, HOUSING — LOWER INCOME HOUSEHOLDS

#### **FILING OF AFFIDAVIT**

This affidavit is required under the provisions of sections 214(g), 214.15, 251, and 254.5 of the Revenue and Taxation Code and must be filed when seeking exemption on low-income housing property owned and operated by a nonprofit corporation or eligible limited liability company. A separate affidavit must be filed for each location and the income of the occupants must not exceed certain limits (see section 4 of this form). This affidavit supplements the claim for Welfare Exemption and must be filed with the county assessor by February 15 to avoid a late filing penalty under section 270. If the property for which exemption is sought is used for low-income rental housing and is owned by a nonprofit corporation or eligible limited liability company, you must complete and file this form; failure to do so will result in denial of the exemption. If the low-income rental housing is owned by a limited partnership, do not complete this supplemental affidavit form; use BOE-267-L1, Welfare Exemption Supplemental Affidavit, Low – Income Housing Property of Limited Partnership. The claimant should provide each household living on the property with a copy of BOE-267-L-A, Lower Income Households – Family Household Income Reporting Worksheet.

The organization claiming the exemption keeps the completed, signed statements received from households in case of further audit. Do not submit the worksheets with your filing.

#### **FISCAL YEAR**

The fiscal year for which an exemption is sought must be entered correctly. The proper fiscal year follows the lien date (12:01 a.m., January 1) as of which the taxable or exempt status of the property is determined. For example, a person filing a timely claim in February 2018 would enter "2018-2019" on line four of the claim; a "2017-2018" entry on a claim filed in February 2018 would signify that a late claim was being filed for the preceding fiscal year.

#### SECTION 1. Identification of Applicant

Identify the name of the organization seeking exemption on the low-income housing property, corporate identification number or LLC number, and mailing address.

#### **SECTION 2. Identification of Property**

Identify the location of the low-income housing property, county in which the property is located, and the date the property was acquired by the organization.

#### SECTION 3. Government Financing or Tax Credits; Use Restriction

Check all applicable boxes to certify if: (1) the property use is restricted to low-income housing by a recorded regulatory agreement or recorded deed restriction or other legal document, and (2) the funds that would have been necessary to pay property taxes are used to maintain the affordability of the housing or to reduce the rents for the units occupied by lower income households, and (3) the property receives government financing, or state/federal low-income housing tax credits, or 90 percent or more of the occupants of the property are lower income households whose rent does not exceed the rent prescribed by section 50053 of the Health and Safety Code. If the property does not have government financing or low-income housing tax credits and item C(3) in Section 3 of this supplemental affidavit form is checked, then claimant must also submit BOE-267-L2, Welfare Exemption Supplemental Affidavit, Housing – Lower Income Households – Tenant Data.



# INSTRUCTIONS FOR FILING WELFARE EXEMPTION SUPPLEMENTAL AFFIDAVIT, HOUSING — LOWER INCOME HOUSEHOLDS

#### **SECTION 4B. List of Qualified Households**

Include a list of all of households that qualify for exemption based on the maximum income level for the county for the claim year where the property is located (see dollar amounts in Sections 4.A1 and 4.A2). Additionally, claimant must submit BOE-267-L3 to include a list of households that qualify for exemption under the 140% AMI criteria indicated in Section 4.A2. Also, please list vacant units held for low-income housing tenants.

#### **SECTION 4C**

Revenue and Taxation Code section 214(g)(1) states rental housing and "related facilities" are entitled to a partial exemption equal to that percentage of the value of the property that is equal to the percentage that the number of units serving lower income households represents of the total number of residential units. The percentage determined shall apply to the total value of both improvements and land. Identify the number of units designated for use by or serving lower income households and the total number of residential units for the property.

#### Units Serving Lower Income Households

"Units serving lower income households" shall mean units that are occupied by lower income households at an affordable rent, as defined in section 50053 of the Health and Safety Code or, to the extent that the terms of federal, state, or local financing or financial assistance conflicts with section 50053, rents that do not exceed those prescribed by the terms of the financing or financial assistance. Effective October 13, 2017, pursuant to Revenue and Taxation Code section 214(g)(2)(A)(iii), a unit in a property that receives federal low-income housing tax credits shall continue to be treated as occupied by a lower income household if the occupants were lower income households on the lien date in the fiscal year in which their occupancy of the unit commenced and the unit continues to be rent restricted, notwithstanding an increase in the income of the occupants of the unit to 140 percent of area median income (AMI), adjusted for family size ("over-income" tenants). Units reserved for lower income households at an affordable rent that are temporarily vacant due to tenant turnover or repairs shall be counted as occupied.

#### **Related Facilities**

Revenue and Taxation Code section 214(g)(3)(B) states "related facilities" means any manager's units and any and all common area spaces that are included within the physical boundaries of the rental housing development, including, but not limited to, common area space, walkways, balconies, patios, clubhouse space, meeting rooms, laundry facilities, and parking areas, except any portions of the overall development that are nonexempt commercial space.

#### **SECTION 5**

This section requests information on any nonexempt commercial space. If applicable, briefly describe the nonexempt commercial space (i.e., multi-story building with residential use on floors 2-5 and retail space on ground floor.)

#### **SECTION 6**

This section requests identification of all low-income housing properties in California where the sole basis of exemption claimed is under the provisions of Revenue and Taxation Code section 214(g)(1)(C). If you checked item 3(C) in Section 3 on any supplemental affidavit form BOE-267-L filed with an assessor in California, you must list such properties.

