EF-267-L-R22-0524-39000092-1

BOE-267-L (P1) REV. 22 (05-24)

# WELFARE EXEMPTION SUPPLEMENTAL AFFIDAVIT,



# Steve J. Bestolarides **Assessor-Recorder-County Clerk**

San Joaquin County 44 N San Joaquin Street Suite 230 Stockton, CA 95202-3273 Exemption Section: (209) 468-2632 www.sjgov.org/assessor\_recorder

HOUSING — LOWER INCOME HOUSEHOLDS	CHECENIA
This claim is filed for fiscal year 20 20	
This is a Supplemental Affidavit filed with	
☐ BOE-267, Claim for Welfare Exemption (First Filing)	
☐ BOE-267-A, Claim for Welfare Exemption (Annual Filing)	

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☐ BOE-267, Cla	im for Welfare Exemption (First Filing)	
 ☐ BOE-267-A, C	Claim for Welfare Exemption (Annual Filing)	
SECTION 1. IDENTIFI	CATION OF APPLICANT	
Name of Organization		Corporate ID or LLC Number
Mailing Address (numbe	er and street)	<u> </u>
City, State, Zip Code		
SECTION 2. IDENTIFI	CATION OF PROPERTY	
Address of property (nu		Assessor's Parcel/Assessment Number(s)
City, County, Zip Code		Date Property Acquired
	IMENT FINANCING OR TAX CREDITS; USE RESTRICT busing property for which this claim is made, the applicant certi	
A There is an enf project's usage lower income he the terms of fee the terms of the	forceable and verifiable agreement with a public agency or a re- e and that provides that the units designated for use by lower in louseholds at rents that do not exceed those prescribed by sec deral, state, or local financing or financial assistance conflicts of e financing or financial assistance. For property tax exemption	ecorded deed restriction, or other legal document, that restricts the noome households are continuously available to or occupied by ction 50053 of the Health and Safety Code, or, to the extent that with section 50053, rents that do not exceed those prescribed by
	area median income ("over-income" tenants) and the propert ency. (see Revenue and Taxation Code section 214(g)(2)(A)(iii	y is subject to an enforceable and verifiable agreement with a )(II)) <b>OR</b>
communit	rea median income ("over-income" tenants) and the property y land trust (CLT) and whose property is leased to a lower inco ents of Section 402.1. (see Revenue and Taxation Code section	
If you are filing other legal doc		a copy of the regulatory agreement, recorded deed restriction, or
for, the units oc	th would have been necessary to pay prop <mark>ert</mark> y taxes are used to cupied by lower income households.  the following criteria is applicable (check one):	o m <mark>ain</mark> tain the afford <mark>abi</mark> lity of, reduce rents otherwise necessary
of tax-ex any loan i 1937.(The	empt mortgage revenue bonds; qualified 501(c)(3) bonds; gen insured, held, or guaranteed by the federal government; or pro	of the property is financed with government financing in the form neral obligation bonds; local, state, or federal loans or grants; or oject—based federal funding under section 8 of the Housing Act of assistance through tenant rent-subsidy vouchers under section 8
	er is eligible for and receives state low-income housing tax cree 7057.5, 17058, 23610.4, and 23610.5 or federal low-income ho	dits pursuant to Revenue and Taxation Code sections 12205, ousing tax credits pursuant to section 42 of the Internal Revenue
by section (1)(C) to a	n 50053 of the Health and Safety Code. The total exemption a	income households whose rents do not exceed the rent prescribed mount allowed under Revenue and Taxation Code section 214(g) ties for any fiscal year on the sole basis of the application of this essed value.
	he basis for seeking exemption, you must also complete form	BOE-267-L2, Welfare Exemption Supplemental Affidavit,

THIS DOCUMENT IS SUBJECT TO PUBLIC INSPECTION



forms, BOE-267-L2 is confidential.)

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

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

Section 214(g) of the 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)

NO. OF PERSONS IN HOUSEHOLD	MAXIMUM INCOME						
1	\$54,000	3	\$69,400	5	\$83,300	7	\$95,600
2	\$61,700	4	\$77,100	6	\$89,450	8	\$101,800

#### A2. Eligibility Based on Family Household Income - 100% or 140% of Area Median Income (AMI)

Section 214(g)(2)(A)(iii) of the Revenue and Taxation Code provides in the case of an owner of property that is subject to an enforceable and verifiable agreement with a public agency 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:

If you have units meeting the criteria in A2, that do not meet the criteria of A1 upon which you seek exemption, check here to confirm the property is subject to an enforceable and verifiable agreement with a public agency and submit BOE-267-L4, Welfare Exemption Supplemental Affidavit, Households Exceeding Low-Income Limits - "Over-Income" Tenant Data (100% AMI). BOE-267-L4 is confidential

	NO. OF PERSONS IN HOUSEHOLD	100% AMI	NO. OF PERSONS IN HOUSEHOLD	100% AMI	NO. OF PERSONS IN HOUSEHOLD	100% AMI	NO. OF PERSONS IN HOUSEHOLD	100% AMI
-	1	\$72,650	3	\$93,400	5	\$112,100	7	\$128,700
	2	\$83,050	4	\$103,800	6	\$120,400	8	\$137,000

Note: If a dollar amount is not entered for each number of persons, contact the County Assessor for the figures. The amounts are different for each county and change annually. To qualify all or a portion of the property for the exemption, you must have: (1) a signed statement for each household that qualifies (you should keep the statement for future audits) and (2) you must complete parts 4B, 4C, and Section 5 below.

Section 214(g)(2)(A)(iii) or (iv) of the Revenue and Taxation Code provides that under certain circumstances, property eligible for and receives federal low income housing tax credits (LIHTC) pursuant to section 42 of the Internal Revenue Code or owner of property that is a community land trust (CLT) and whose property is leased to a lower income household, subject to a contract that complies with the requirements of Section 402.1 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:

If you have units meeting the criteria in A2, that do not meet the criteria of A1 upon which you seek exemption, check here to confirm the property has federal LIHTC or a CLT whose prop<mark>ert</mark>y is leased to a lower income household and submit BOE-267-L3, *Welfare* Exemption Supplemental Affidavit, Households Exceeding Low-Income Limits - "Over-Income" Tenant Data (140% AMI). BOE-267-L3 is confidential.

NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSONS IN HOUSEHOLD	140% AMI	NO. OF PERSONS IN HOUSEHOLD	140% AMI
1	\$101,710	3	\$13 <mark>0,</mark> 760	5	\$156,940	7	\$180,180
2	\$116,270	4	\$1 <mark>45</mark> ,320	6	\$168 <mark>,56</mark> 0	8	\$191,800

Note: If a dollar amount is not entered for each number of persons, contact the County Assessor for the figures. The amounts are different for each county and change annually. To qualify all or a portion of the property for the exemption, you must have: (1) a signed statement for each household that qualifies (you should keep the statement for future audits) and (2) you must complete parts 4B, 4C, and Section 5 below.

#### B. List of Qualified Households

Attach a list showing desired information for only those households that qualify. Identify which units qualify under the 100% or 140% AMI criteria indicated in Section 4.A2. Also, please identify the vacant units reserved for low-income households. Provide the following information: address/unit number, number of persons in household, maximum income for household.

#### C. Number of Units Serving Lower Income Households

Note: Under section 214(q), the exemption percentage is the total number of "units serving lower income ir

households" divided by the total number of residential units. This percentage is applied to the entire property including "related facilities".	EXAMPLE	ACTUAL
1. Number of residential units designated for use by or serving lower income households - lower income limts.	88	
2. Number of residential units occupied by households exceeding lower income limits but do not exceed 100% AMI ("over-income" tenants), as reported on BOE-267-L4 or 140% AMI ("over-income" tenants), as reported BOE-267-L3.	2	
3. Total number of qualified households (C1 + C2)	90	
4. Total number of residential units in property.	100	
5. Percentage which the number of "units serving lower income households" is of the total number of residental units. (C3 / C4 above)	90% (90/100)	



SECTION E	DDODEDTV	HIGE

Does this property include	commercial space? Yes[	□ No □			
Give a brief description of it	ts use:				
SECTION 6. APPLICATION O	F EXEMPTION LIMIT OF	\$20.000.000 OF	ASSESSED VALUE [	REVENUE & TAXATION	N CODE SECTION 214(g)(1)(C)]
			_		izations or eligible limited liability
companies that are not finan	ced by government loar	ns, as specified in	section 214(g)(1)(A)	or do not receive low-i	ncome housing tax credits, as counties in which such properties
are located. Use additional she		les qualifying for e	exemption under 214(g		ounties in which such properties
LIST ALL	LOW-INCOME PROPE	RTIES SUBJECT	TO \$20,000,000 OF	ASSESSED VALUE	EXEMPTION
					AMOUNT OF \$20,000,000
COUNTY	APN	PROPERT	Y STREET ADDRESS	CITY / ZIP CO	ASSESSED VALUE
					EXEMPTION TO BE APPLIED
		CERT	IFICATION		
I certify (or declare) under pe	nalty of periury under the	laws of the State of	of California that the fo	regoing and all informati	on contained herein, including
any accomp	anying statements or doc	um <mark>ent</mark> s, is true, co	rrect, and complete to	the best of my knowledg	ge and belief.
NAME OF CLAIMANT			TITLE		DATE
SIGNATURE OF CLAIMANT		D	AYTIME TELEPHONE	FMAII	ADDRESS
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# 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 (140% AMI)*.

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. Also identify the assessor's parcel number or assessment number of the property.

## 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.

## **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-L4 to include a list of households that qualify for exemption under the 100% AMI criteria or 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 11, 2023, pursuant to Revenue and Taxation Code section 214(g)(2)(A)(iii), a unit in a property that is subject to an enforceable and verifiable agreement with a public agency 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 100 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.

Effective October 13, 2017 and effective September 28, 2022, pursuant to Revenue and Taxation Code section 214(g)(2)(A)(iii) or (iv), a unit in a property that receives federal low income housing tax credits or owner of property that is a community land trust (CLT) and whose property is leased to a lower income household, subject to a contract that complies with the requirements of Section 402.1 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

#### **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 commercial space. If applicable, briefly describe the commercial space (i.e., multistory building with residential use on floors 2-5 and retail space on ground floor) and use.

#### **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.