



WASHINGTON STATE  
**HOUSING FINANCE  
COMMISSION**

Bill Rumpf  
*Chair*  
Steve Walker  
*Executive Director*

## NOTICE TO TAX CREDIT PROPERTY OWNERS IN WASHINGTON STATE

The Washington State Housing Finance Commission is exercising its authority under IRS Rev. Proc. 2014-49 to allow tax credit property owners to provide emergency housing to victims of the **November 2021 flooding and mudslides in Clallam, Whatcom and Skagit Counties, and the Lummi Nation, Nooksack Indian Tribe and the Quileute Tribe.**

**This Notice serves as written approval for any tax credit property owner in Washington State to temporarily rent to households displaced by the above-named disaster. Note that this approval assumes the compliance of tax credit property owners with the requirements set forth in this Notice.**

Applicants can self-certify their income rather than having to complete the forms normally required. In addition, WSHFC is waiving its additional state income and Special Needs requirements to qualify for housing. Applicants' income needs to be below 60% of the applicable county's median income.

### **Documentation:**

1. Owners must have each displaced household complete a **Displaced Household Certification** form (found on our website). Households may complete WSHFC's **Self-Certification of Annual Income** form to self-certify their income at move-in.
2. Owners **must indicate in WBARS** (in the *Comments* field on tab 4 of each resident record) that the household in the unit is being housed temporarily due to the November 2021 flooding/mudslides.

### **Timeframe:**

Temporary emergency housing at tax credit properties is available through **January 31, 2023.**

***By housing a displaced household at your property, you are agreeing to uphold the following requirements as set forth on the second page of this Notice:***

**Tax Credit property owners housing Displaced households are agreeing to comply with the following requirements:**

1. Will abide by the rules set forth in IRS Revenue Procedure 2014-49.
2. Will ensure that no existing tenant whose income is, or is treated as, at or below an applicable income limit under § 42(g)(2) may be evicted or otherwise have his or her occupancy terminated solely to provide emergency housing relief for a Displaced Individual.
3. Agree to rent vacant units temporarily only to households displaced due to the above-named disaster.
4. Will ensure that a **Displaced Household Certification** form attesting to the household's displacement shall be executed by all adult members of each assisted household.
5. Will ensure that the date the household began temporary occupancy and the date the property will discontinue providing temporary housing shall be certified in the household file by execution of a **Displaced Household Certification** form.
6. Will ensure that resident files for each assisted household shall be retained by the owner as part of tenant documentation for at least 6 years after the due date (with extensions) for filing the federal income tax return for the applicable years, pursuant to 26 CFR Section 1.42-5(b)(2).
7. Will ensure that rent for the low-income units leased to displaced households shall not exceed the maximum tax credit rent-restricted rates for the applicable county.
8. Will ensure that except as expressly provided in IRS Rev Proc 2014-49, the Project meets all other rules and requirements of § 42.
9. The status of a vacant unit (that is, a low-income or market rate unit for purposes of Internal Revenue Code Section 42) that becomes temporarily occupied by a displaced individual remains the same as the unit's status before the displaced individual moved in.
10. Will ensure that displaced households' leases are structured to terminate on or before January 31, 2023 and understand that this waiver ends on February 1, 2023.
11. At the end of the lease period, displaced households that have decided to permanently reside in a tax credit unit must be income-certified, as a new move-in, and must execute a new lease with minimum six month term.

**Failure of an Owner to follow the terms of this Notice and/or the guidelines in IRS Revenue Procedure 2014-49 in leasing to displaced households may be subject to issuance of IRS Form 8823 for noncompliance or a State Noncompliance notice.**