

Extended Use Period ("EUP") – Notice to Tenants of Expiration Process
Owner Certification

Owner's Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone #: _____

Email: _____

Property Name: _____ GAID No.: _____

Owners Requirements During the Extended Use Period

Owners will require all tenants who move into a LIHTC property within three (3) years of the building's extended use period expiration (years twenty-eight [28], twenty-nine [29], and thirty [30]) to sign an acknowledgment of written notification of expiration as part of the initial lease documents.

During the term of the Extended Use period, the LURC/ LURA (if applicable) sets forth the terms of the agreement between the owner and the state. Failure to comply with the owner requirements as outlined in the LURC and/ or LURA during the years of the property exiting the program will trigger state Non-Compliance and possible point deductions for future DCA/GHFA funding applications.

Owners must meet specific requirements during the years of the property exiting the program. Initial in the corresponding boxes to affirm that each requirement has been met:

1. Continue to abide by the terms set forth in the LURC and/or LURA;
2. Provide DCA with an updated Rent Roll at DCA request;
3. Provide annual Utility Allowance updates available to DCA upon request;
4. Implement annual rent limits so as not to exceed the maximum (per HUD guidelines);
5. Complete the Annual Owner Certification (AOC) by March 1st of each year;
6. Continue to update the state database (EMPHASYS) to ensure the database is current with all tenants, including vacant units;

Extended Use Period (“EUP”) – Notice to Tenants of Expiration Process
Owner Certification

7. Notify all new move-in and current low-income tenants starting in year twenty-eight (28) of the Extended Use Period, using DCA’s notification form, that the property is currently reaching the end of its allocated time frame within the LIHTC Program;
8. List all DCA/GHFA properties and maintain current and up-to-date rental unit availability on the Georgia Housing Search website at www.georgiahousingsearch.org. Listing properties and maintaining current unit availability are program requirements.

The project must maintain any affordability and regulatory restrictions based on financing and rental subsidies received on the project other than Section 42 LIHTC financing (i.e., HOME, Housing Trust Fund), as applicable. Additionally, loan agreements may reference other requirements. Owners are advised to know all required program restrictions where/if applicable.

Extended Use Tenant Notification Process

DCA/GHFA requires written notification to be provided to existing tenants and new move-in households, notifying them that the property will be exiting the tax credit program. A written document must be delivered to each tenant, posted in visible locations throughout the property, and given to each existing applicant.

By January 15 of each year, owners/agents will send notices to existing tenants of the upcoming expiration of their property starting in year twenty-eight (28) of the Extended Use Period. Any new household that moves in during years twenty-eight (28) through thirty (Year 30) of the Extended Use Period must be notified that the restriction on rents will terminate at the end of this period. In the final year, year thirty (30), owners/agents must provide a six (6) month advance written notice to each LIHTC tenant. LIHTC tenants should be able to find alternative affordable housing options if they choose to move out after the LIHTC restrictions terminate.

Tenant Acknowledgement

Tenant acknowledgment signatures must be obtained by January 31 for each of the last three (3) years of the extended use period. For any units for which the owner is unable to obtain a signature, notification letters must be sent by USPS-certified mail with a return receipt within thirty (30) days (no later than February 28). Failure to provide tenant acknowledgment notices by January 31 can impact future funding with DCA/GHFA.

I, _____, hereby certify that the property has completed all of the requirements of the property exiting the program. The DCA template letter has been sent by USPS Certified Mail with a return receipt or Personal Delivery (to obtain tenant signature) to each LIHTC-qualified household and provided to DCA.