

RESPONSIBILITIES

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1.1 PHFA RESPONSIBILITIES

The PHFA, in an effort to best meet the requirements as a monitoring Agency of the LIHTC Program, will perform the following functions once a final allocation has been awarded to a particular development.

1. Review the Project History Form, as submitted by the owner/agent.
2. Review the Owner's Certificate of Continuing Program Compliance, as submitted by the owner/agent.
3. Review the Tenant Income Certificate(s), as submitted by the owner/agent.
4. Notify the owner/agent of any noncompliance with the LIHTC Program.
5. Notify the Internal Revenue Service (IRS) of any noncompliance issues, as required.
6. At the discretion of PHFA and in accordance with IRS direction, from time to time, perform on-site inspections and management reviews.

1.2 OWNER/AGENT

- A. Upon receiving an allocation of LIHTCs, the owner/agent is responsible for:
 1. Following the instructions in this Pennsylvania Housing Finance Agency LIHTC Program Compliance Manual.
 2. Completing and submitting the Project History Form.
 3. Completing and submitting the Owner's Certificate of Continuing Program Compliance, to the Agency as instructed in the PHFA LIHTC Compliance Manual.
 4. Completing and submitting the Tenant Income Certification(s), to the Agency as instructed in the PHFA LIHTC Compliance Manual.
 5. Participating and facilitating in the compliance review.
 6. Making all required corrections and/or clarifications as determined necessary for compliance. This action must be completed and a response received within the time established by the Agency. The Agency must give notice to the IRS of any known noncompliance.
 7. Keeping records for each building pursuant to the Tax Credit Compliance Manual, Section 4.5, Recordkeeping and Record Retention.
 8. Allowing and assisting in the review of any low income building during the compliance period. This audit would include an inspection of the building as well as the review of records.

B. The owner/agent must notify the PHFA of:

1. Change in management agent.
2. Anticipated change in ownership. Prior to a change of ownership, the owner must adhere to the procedures set forth in IRS Revenue Ruling 90-60.
3. Change of mailing address.
4. Action prescribed by the IRS should noncompliance exist.

C. Submission of Audited Financial Statements

The Pennsylvania Housing Finance Agency is compiling annual statistical data on the financial operations of the non-portfolio tax credit properties (properties that have received a tax credit allocation but no additional PHFA financing). The Agency is limiting the data to properties with **20 or more units**.

Effective January 1, 2000 and annually thereafter, PHFA will require the submission of audited financial statements. If audited financial statements are not available, a compilation must be prepared and submitted.

One copy of the financial statement or compilation is to be submitted, via scan and email, to PHFA by March 31 for the preceding calendar year.