

The definitions in this Glossary may be amended by the Commission to comply with federal or state law. If there is a conflict between an Internal Revenue Code and a Bond Program definition, restriction, or requirement, the more restrictive one will apply, as determined by the Commission.

Additionally Qualified Residents

Residents whose combined income in a Household do not exceed 50% of the Area Median Income, as adjusted for Household size.

Affirmative Marketing Plan

A plan for marketing available Housing Units in a Project to ensure compliance with the Bond Program and federal, state, and local fair housing laws governing the prohibition of discriminatory housing practices.

Annual Certification

A certification by the Owner of a Project (Certificate of Continuing Project Compliance) that, for the preceding Certification Period, the Project met the requirements of the Tax–Exempt Bond Program and Section 142 of the Code.

Annual Compliance Monitoring Fee

The annual fee imposed by the Commission on the Owner of a Project for monitoring of its compliance with the Regulatory Agreement, the Tax–Exempt Bond Program and Section 142 of the Code.

Area Median Gross Income

The median gross Income for the county or counties where each Building in a Project is located, as determined under Section 8.

Bond Closing

The date the Bonds are delivered to the initial purchaser. The project compliance period for bonds starts on this date.

Certification Period

The 12-month period preceding the date that the Owner is required to submit the Annual Certification in accordance with the reporting requirements of the Regulatory Agreement.

Code

Code refers to the Internal Revenue Service Code of 1986, as amended.

Commission

The Washington State Housing Finance Commission and any successor or assignee.

Commitment

A representation or agreement by the Owner in the Bond Application and Regulatory Agreement that is binding upon the Owner of a Project throughout the Compliance Period.

Compliance Period or Regulatory Period

Period described in the Bond Regulatory Agreement during which the Owner must comply with provisions of that agreement.

Correction Period

The period during which an Owner must supply any missing documentation and bring the project into compliance with the provisions of the Regulatory Agreement.

Disability/ Disabled

A physical or mental impairment that substantially limits one or more of the major life activities of an individual.

Effective Date

The Effective Date for an initial move-in is the first day of the lease term, which is typically the first day that Residents can move into their unit, simultaneous with completed Resident Eligibility Application and qualified verifications. This date is also used for annual recertifications. For rehabilitation projects, the Effective Date is the date a Household is initially qualified for the program.

Elderly Housing Property

A property that conforms to the Fair Housing Act, as amended, and:

- 1.) A Project in which all Housing Units are intended for and solely occupied by Residents who are 62 or older;
- 2.) A Project in which all Housing Units are each intended and operated for occupancy by at least one Resident who is 55 or older, and where at least 80% of the Total Housing Units are in fact occupied by at least one Resident who is 55 or older; or
- 3.) A Project which is financed, constructed, and operated under the RD Section 515 program for the Elderly or HUD program (i.e., where each Resident is either 62 or older or is a person with handicaps or disabilities regardless of age, as such terms are defined in the RD program) or HUD.

Eligible Resident

A Resident in a Household that is Income qualified at or below the Area Median Gross Income (“AMGI”) selected by the Owner in his/her regulatory agreement. In Bond Regulatory Agreements these are referred to as the following:

Qualified	= 80% AMGI
Project Qualified	= 60% AMGI
Additionally Qualified	= 50% AMGI
Specially Qualified	= Below 50% AMGI, as specified in the Regulatory Agreement

Functionally Related and Subordinate Facilities	“Functionally Related and Subordinate” means and includes facilities (other than Units) for use by Residents; for example, laundry facilities, parking areas, swimming pools and other recreational facilities; provided, that such facilities are of a character and size commensurate with the character and size of the Project.
Household	The combined total of one or more Eligible Residents who occupy a Low-Income Housing Unit.
HUD	The U.S. Department of Housing and Urban Development.
Income or “Gross Income”	The income of one or more Residents as determined under Section 8 for lower income families. Household Income is the gross amount (before any taxes or deductions) of wages and salaries, overtime pay, commissions, fees, tips, bonuses, and other compensation of all the adults of the Household. Household income also includes income from assets. The income used for bond purposes is the <i>anticipated</i> income for the 12 months following the signing of the lease.
IRS Form 8703	The Internal Revenue Service form entitled <i>Annual Certification by Operator of a Residential Rental Project</i> , used by an operator of Residential projects to provide annual information the IRS.
Job Training Partnership Act or Workforce Investment Act (WIA)	The federal job training and assistance program act for disadvantaged youth adopted as Public Law 97-300, 29 U.S.C. Section 1501 et. seq., as amended.
Large Household	A group of four (4) or more Eligible Residents who are not necessarily related and who live together in a Low-Income Housing Unit containing three (3) or more bedrooms.
Lease Rider	The disclosure statement required by the Commission which is to be attached by the Owner to each Resident lease and rental agreement for all Low-Income Housing Units and all Market Rate Housing Units in a Project. The Lease Rider describes in general the rights of the Residents of a Project.
Low-Income (“affordable”) Housing Unit	A Housing Unit that is occupied by Eligible Residents.

Management Team	All persons and organizations involved in the operation and management of the Project, including the Owner, property manager, and on-site Resident manager.
Market Rate Housing Unit	A Housing Unit that is not Income qualified to meet requirements of the Bond Program.
Noncompliance	A failure to observe or perform any covenant, condition or term of any agreement between you or the Owner and the Commission, or failure to meet the requirements of Section 142 of the Code, <i>the Policies</i> , or the Bond Program.
Nonprofit Organization	An organization organized and operated exclusively for Charitable Purposes which is tax-exempt under Section 501(a) of the Code. Examples of these are organizations described in Sections 501(c)(3) and 501(c)(4) of the Code. A Nonprofit Organization also includes public housing and public development corporations, authorities and agencies that are tax-exempt.
Official Intent Declaration (OID)	The inducement action or the first official step taken by the Commission for a project participating in the Commission’s bond financing programs. It does not legally bind the Commission to issue bonds. This is also referred to as an OAR (Official Action Resolution) number. The OID and OAR number is also used as a project-specific identifier for tracking/servicing purposes.
Owner/ Ownership	<p>The legal Owner of record of the Project and its successor(s) in interest in the Project. It also includes:</p> <ol style="list-style-type: none"> 1.) You and any purchaser, grantee, Transferee, Owner, or lessee of any portion of the Project, 2.) The heirs, executors, administrators, devisees, successors, and assigns of any purchaser, grantee, Transferee, Owner, or lessee of any portion of the Project, and <p>Any other person or entity having any right, title, or interest in the Project.</p>
Policies	Written interpretive and policy statements issued by the Commission for administration of the Bond program. Policies include requirements that are more stringent than those in the Code.

Project (or “property”)	The land and buildings, structures, or other improvements constructed or located upon the land.
Project Monitoring	The activities, investigations and undertakings of the Commission staff, its designees, agents or assigns to make sure a Project conforms to the terms, conditions, obligations and restrictions of the Regulatory Agreement.
Project Qualified Residents	Residents whose combined income in a Household do not exceed 60% of the Area Median Income, as adjusted for Household size.
Qualified Low-Income Resident	Residents whose combined income in a Household do not exceed 80% of the Area Median Income, as adjusted for Household size.
Qualified Project	A Project that meets the terms, conditions, obligations and restrictions of the Bond Program.
Referral and Marketing Agreement	An agreement between an Owner and an organization that provides services to Large Households, persons with Disabilities, the Elderly or other targeted Special-Needs Groups.
Regulatory Agreement	The agreement which the owner signs at Bond Closing. This agreement outlines income restrictions, reporting requirements, terms and other commitments made by the owner for his/her project.
Resident	A person or Household (other than an Owner) residing in a Low-Income Housing Unit or Market-Rate Housing Unit.
Residential Rental Property	A Building or Project, together with any Functionally Related and Subordinate Facilities, containing one or more similarly constructed Housing Units, that are rented for use on other than a Transient Basis and made available for use by the general public. Substantially all of each Project must contain those Housing Units and Functionally Related and Subordinate Facilities. Hotels, motels, dormitories, fraternity and sorority houses, nursing houses, sanitariums, rest homes, and mobile home parks and courts for use on a transient basis are not Residential Rental Property.
Revenue Ruling	An official interpretation of the tax laws by the IRS published in the Internal Revenue Bulletin.
Rules	The rules adopted by the Commission governing the allocation of tax-exempt private activity bonds as codified at Washington Administrative Code 262-01-140.

Section 8	Section 8(c)(2)(A) of the U.S. Housing Act of 1937, as amended. Or, if that program ends, under the program in effect immediately before that program ends.
Special-Needs Group	A group identified by the Commission that requires special targeting under the Tax-Exempt Bond Program because of a lack of rental housing, including Large Households, the Elderly, and Persons with Disabilities.
Special-Needs Housing Commitments	The specified percentage of Housing Units that are set aside for occupancy by Residents who are in a Special-Needs Group.
Supportive Services	Any service under a planned program of services to enable Residents of a Project to remain independent and avoid being placed in a hospital, nursing home, or intermediate care facility.
Student	An individual who is a fulltime student at an educational organization which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where its educational activities are regularly carried on, for 5 calendar months during a calendar year. “Fulltime” is determined by the normal rules of the educational organization. It is permissible for one or more fulltime students to be part of an otherwise qualified household or for part-time students to be part of a qualified household, but if <u>all</u> the Residents of a unit are fulltime students, the unit will not be eligible as a Low Income Housing Unit.
Transfer	Any transaction that results in a change in the ownership entity whether the title to the property is transferred by a recordable deed or the interests in the ownership entity are transferred. See Chapter 5 for more details.
Treasury Regulations (or Regulations)	The temporary, proposed, or final regulations as amended, published by the U.S. Department of the Treasury under the Code.
Unit	The accommodations for Residents containing separate and complete facilities for living, sleeping, eating, cooking (equipped with a cooking range, refrigerator, and sink) and sanitation comprising the Project and that are available for occupancy.
WAC	The Washington Administrative Code.
You (“you”)	The Owner. This applies to any forms of the word in this Manual, such as “you”, “your” or “yours.”