

Funding Approval and Tax Credit Assistance Program (TCAP) Agreement

Title XII of the American Recovery and Reinvestment Act of 2009 (Recovery Act)

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0181
(exp. 10/31/09)

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

The Recovery Act imposes a significant number of data collection and reporting requirements. This includes information on assisted properties, on the owners or tenants of the properties, and on other programmatic areas. The information will be used: 1) to assist TCAP grantees in managing their programs; 2) to track performance of grantees in meeting fund commitment and expenditure deadlines; 3) to permit HUD to determine whether each grantee meets the Recovery Act requirements; and 4) to permit HUD to determine compliance with other statutory and regulatory program requirements. This data collection is authorized under the Recovery Act or related authorities. Access to Federal grant funds is contingent on the reporting of certain project-specific data elements. Records of information collected will be maintained by the recipients of the assistance. Information on activities and expenditures of grant funds is public information and is generally available for disclosure. Recipients are responsible for ensuring confidentiality when public disclosure is not required.

1. Grantee Name and Address	2. Grantee Number	
	3. Tax Identification Number	
	4. Appropriation Number	
	5. FY (yyyy)	
6. Previous Obligation (Enter "0" for initial FY allocation)		\$
a. Formula Funds	\$	
7. Current Transaction (+ or -)		\$
a. Formula Funds	\$	
8. Revised Obligation		\$
a. Formula Funds	\$	
9. Special Conditions (check applicable box) ☐ Not applicable ☐ Attached		10. Date of Obligation (Congressional Release Date) (mm/dd/yyyy) / /

This Agreement between the Department of Housing and Urban Development (HUD) and the Grantee is made pursuant to the authority of Section 2, Division A, Title XII of the Recovery Act. The Grantee's approved TCAP Submission Packet and the Recovery Act (as is now in effect and as may be amended from time to time) and this Tax Credit Assistance Program Agreement, form HUD-40092, including any special conditions, constitute part of this Agreement. Subject to the provisions of this Agreement, HUD will make the funds for the Fiscal Year specified, available to the Grantee upon execution of this Agreement by the parties. All funds for the specified Fiscal Year provided by HUD by formula reallocation are covered by this Agreement upon execution of an amendment by HUD, without the Grantee's execution of the amendment or other consent. HUD's payment of funds under this Agreement is subject to the Grantee's compliance with HUD's electronic funds transfer and information reporting procedures issued pursuant to the Recovery Act. To the extent authorized by HUD regulations in the Recovery Act, HUD may, by its execution of an amendment, deobligate funds previously awarded to the Grantee without the Grantee's execution of the amendment or other consent. The Grantee agrees that funds expended will be capital investments pursuant to the Recovery Act and as defined under Section 42 of the Internal Revenue Code. The Grantee agrees to assume all of the responsibility for environmental review, decision making, and actions, as specified and required in regulation at 24 CFR Part 58 and the Recovery Act.

11. For the U.S. Department of HUD (Name and Title of Authorized Official)	12. Signature	13. Date / /
14. For the Grantee (Name and Title of Authorized Official)	15. Signature	16. Date / /

17. Check one:

☐ Initial Agreement ☐ Amendment # _____