11. CPA PROJECT APPLICATION FORM

[CPC Use Only: Date Received ____________ By: ____________
Assigned CPC #2021- ________]

If possible, use word processor to fill out form. Please answer all questions, use "N/A" if not applicable.

1. a.) Applicant Name and Organization: Last Stanley, Fran on behalf of First ________
   Organization(s) (if appropriate) Town of Groton Affordable Housing Trust

   b.) Regional Project: Yes☐? or No?☑ If Yes, Town/Organization: ________

2. Submission Date: 8/21/20

3. Applicant Address: St. 173 Main Street
   City/ State: Groton, MA ZIP: 1450

4. Ph. # 978-732-1913 Email: fstanley@townofgroton.org

5. CPA Purpose. Check all that apply:
   Community Housing☑ (Affordable Housing☐) Historic Preservation*:☐ Open Space:☐ Recreation☐

   ** As per MA General Law Chapter 44B, proposed historic projects that are not on the structures listed on the state's registry of historic places require a determination by the Groton Historic Commission that the proposed project is of historic significance.*

6. Town Committee or boards participating: Town of Groton Affordable Housing Trust

7. Project Location/Address: Various locations throughout the Town of Groton

8. Project Name: Emergency Rental Assistance

9. Additional Responsible Parties (If applicable):

Role (specify)	Name	Address	Ph. (w) (cell)	Email
Property/Site Owner	n/a			
Project Manager	n/a			
Lead Architect	n/a			
Project Contractor	n/a			
Project Consultants	n/a			
Other:	Fran Stanley	173 Main St., Groton	978-394-561	fstanley@tow
Other				

10. As appropriate, indicate if proposal requires P&S agreement N Deed N
    Option agreement N Other-describe: n/a

11. a.) Assessor info. (map/ block/ lot id.(s)): n/a b.) Tax classification type: ________

12. Permits required: Zoning: n/a Historic Preservation: n/a Other : n/a

13. Historic Commission Approval signoff (when required): n/a Date: ________

14. Funding: a.) Requested from CPC: $ $ 200,000.00 b.) Committed from other sources:$ $ 0.00
    c.) Annual anticipated total income :$ $ 0.00 d.) Annual anticipated total expense: $ $ 200,000.00
    d.) Anticipated net income (loss): $ $ 0.00 e.) Estimator name/company: Fran Stanley

15. CCP Objectives - use codes from **Section 5** to indicate all that apply: 5.2.1

16. Project Timelines: Proposed Start Date: 10/5/20 Projected Complete Date: 6/30/22

17. Estimated Delivery Date of Completion Report to CPC: 7/15/22

18. Project description and explanation (attach additional sheets as needed):

Please refer to attached sheets.

19. Feasibility: This program is feasible. Municipal rental assistance programs using CPC funding have been a common response to Covid-19 pandemic disruptions.

20. List of attachments: Guildelines/Application, Applicant Participation Agreement, Landlord Participation Agreement, Sample W-9 form

21. Additional Information:

22. Management Plan: Please refer to attached sheets.

23. Applicant Signature: [signature] Date: Aug. 21, 2020

Co Applicant Signature: Date:

Co Applicant Signature: Date:

18. Project description and explanation

Introduction

The Groton Affordable Housing Trust wishes to sponsor an emergency rental assistance project funded with CPC community housing funds. On March 10, 2020, Governor Baker declared a state of emergency for the Commonwealth due to the outbreak of the 2019 novel coronavirus (COVID-19). Since that time, there have been financial losses across the economy that have impacted many Groton residents.

Need

In Massachusetts, the pandemic shutdowns and continuing physical distancing measures have resulted in a number of occupations that are considered high risk for layoffs and furloughs. These jobs are classified as high risk for unemployment if they are considered non-essential, cannot be done remotely and paid with hourly wages. Statistically, more Massachusetts renter households work in occupations at high risk for unemployment (See Federal Reserve Bank of Boston report titled "Impact of the COVID-19 Pandemic on New England Homeowners and Renters"). To date, there have been large scale job losses across the Commonwealth (see June 17, 2020 WBUR article titled "Mass. Unemployment Rate Rises To 17.4%, Worst in the Country"). And for Groton, its unemployment rate was at 1.7% pre-pandemic and is now at 11.7% (See Pioneer Institute's municipal unemployment tracker for July 11, 2020).

The same public health directives aimed at community mitigation of the virus have helped to limit the spread of the virus but also constrain residents' ability to replace lost income with alternative employment.

Groton renters need housing and so must pay rent. In turn, Groton landlords need the rents to be paid as those payments are necessary for them to continue to provide the rental units. Studies from the 2008 recession show that when financially strapped landlords lose rental units to foreclosure or forced sales, the rental housing that replaces those units is typically less affordable for renters.

The Affordable Housing Trust hopes that a moderate infusion of rental assistance will not only assist Groton renters but also have a stabilizing influence on Groton's rental market. Research on the lingering impacts of the 2008 recession showed that municipalities, states and countries that had less severe losses enjoyed quicker rebounds post-recession.

Description

This is a temporary emergency program that will issue grants to landlords in order to help eligible tenants pay rents on their Groton apartments during this COVID-19 pandemic.

The primary purpose of the program is to assist income eligible tenants who may be at risk of losing their housing. This program has the additional indirect benefits of assisting landlords who are providing rental housing and also stabilizing the Groton rental market.

Grants will be provided for up to four months in duration and monthly payments will be based on the number of bedrooms in the apartment.

Studio to 1 bedroom	= $800/month [Estimated total of $3,200 over 4 months]
2 bedroom	= $1,000/month [Estimated total of $4,000 over 4 months]
3 bedroom and up	= $1,200/month [Estimated total of $4,800 over 4 months]

Payments will be made directly to the landlord. Aid will be targeted to those households earning up to 80% of the area median income.

22. Management Plan

All program materials will be reviewed by Town Counsel prior to the start of the program.

Unexpended CPC funds will be held on the Affordable Housing Trust's behalf in a separate account to be managed by the Town Treasurer in accordance with municipal law.

Issuance of all CPC funding will comply with Department of Revenue's legal and regulatory oversight and in particular grant assistance will be made in compliance with the Commonwealth's Anti-Aid Amendment.

Administration

The Emergency Rental Assistance program will be administered in-house by the housing coordinator. The Affordable Housing Trust reserves the right to contract out program administration at a future time at its discretion. If contracted out, the fees are estimated to be in the 10 to 20% range and the contractor will be selected in accordance with applicable public procurement laws.

The program will keep data on each application received which will include the following information:

- Date application received,
- Date that application is determined to be complete with verified eligibility
- Date that W-9 and participation agreements are received.
- Amounts of monthly assistance disbursed and dates of same
- Total assistance disbursed for the benefit of applicant household.
- Size of rental apartments served
- Fees charged by program administrator (if contracted out)
- Marketing expenses (such as cost of one-page GELD insert advertising the program)
- Record of communications with applicants and landlords
- Applications and all supplementary material will be retained until the end of the program in order to allow for appeals and proper oversight by the Trust.
- Information required by law to allow for the issuance of grant assistance – at minimum, the completed W-9 forms and the executed Landlord Participation Agreements -- will be retained for the duration required by the Department of Revenue.
- Any feedback offered by tenants on the program.
- Any feedback offered by landlords on the program.

Reporting

As a part of the Emergency Rental Assistance program, information will be reported to allow the public to learn more about the program. The program will report a variety of information about the program including:

1. number of inquiries received
2. number of complete applications received
3. number of eligible households with verified applications
4. number of tenant households assisted
5. apartment size for assisted rental units
6. rental assistance amounts disbursed to landlords
7. total amounts disbursed to date in the categories of rental assistance, administrative fees, and marketing
8. feedback from program participants (landlord and tenant)

Reported information will be largely non-identifying to the extent permitted by law. For example, tenant names and rental addresses will not be shared.

Town of Groton Emergency Rental Assistance Program

Guidelines and Application

Through its Affordable Housing Trust and using Community Preservation Committee funding, the Town of Groton has organized this Emergency Rental Assistance Program for eligible Groton residents. This is a temporary emergency program that issues grants to landlords in order to help eligible tenants pay rents on their Groton apartments during this COVID-19 pandemic. It is understood that negative economic impacts such as job losses, income reduction and difficulty obtaining replacement income may continue well after the public health crisis has passed.

The primary purpose of the program is to assist income eligible tenants who may be at risk of losing their housing. This program has the additional indirect benefits of assisting landlords who are providing rental housing and also stabilizing the Groton rental market.

Grants will be provided for up to four months in duration and monthly payments will be based on the number of bedrooms in the apartment. Payments will be made directly to the landlord.

All documentation needed to apply for the program may be executed electronically. Signatures delivered in an electronic format -- scanned, emailed PDF, facsimile, or similar -- shall be effective.

Grant Assistance

Grant amounts will be awarded based on the size of the rental unit but in no event will the monthly grant exceed actual rent if actual rent is lower than set grant amount:

Studio to 1 bedroom = $800/month [Estimated total of $3,200 over 4 months]
2 bedroom = $1,000/month [Estimated total of $4,000 over 4 months]
3 bedroom and up = $1,200/month [Estimated total of $4,800 over 4 months]

Duration will be up to 4 months of rental assistance disbursed to landlords in monthly payments. Fewer than 4 months of aid will be expended if program end date is reached before all 4 rental grants have been made.

Eligibility

Residency. Eligible applicants will be current Groton resident households renting an apartment located in the Town of Groton. A 'household' is defined as an individual or two or more persons who will live regularly in the unit as their principal residence and who are related by blood, marriage, law, or who have otherwise evidenced a stable inter-dependent relationship.

Income Eligible. Eligible applicants will have a total annual household income of no more than 80% of the area median income as measured by the current HUD area median income data for the Lowell metropolitan area. Total income is defined as income of the applicant together with all other members of the applicant's household of at least eighteen years of age (18) adjusted for household size. An applicant's total household income cannot exceed the following limits:

Household size	1 person	2 person	3 person	4 person	5 person	6 person
80% Income Limit	$54,950	$62,800	$70,650	$78,500	$84,800	$91,100

Unit Requirements. A current lease or similar documentation must be in place for the duration of the grant.

Ineligible for Rental Assistance.

Applicants households who are related by blood or marriage to the Landlord shall not be eligible.

Guidelines and Application

Applicant households who own real estate property shall not be eligible.

Applicant households who are currently receiving rental assistance from any other local, state or federal program shall not be eligible.

Application Process

Application process will verify household income, apartment location/size and monthly rent.

Applicants must submit a completed Application with sufficient documentation to determine eligibility in order to be considered for a grant (see page 3). Eligible applicants must be willing to sign an Applicant Participation Agreement with the Town of Groton (see link).

Eligible applicants must have landlord cooperation as evidenced by the landlord's willingness to:

1. accept payments from the Town of Groton,
2. sign a Landlord Participation Agreement that agrees to no rent increases or initiation of eviction proceedings during the pendency of the grant assistance (see link), and
3. provide a completed Form W-9 to the Town of Groton (see link).

Please note that applicants may also request reasonable accommodations, which may include a change to policy, procedure or practice to allow an applicant with a disability an equal opportunity to fully participate in the housing program.

The Town of Groton does not discriminate on the basis of race, color, religion, national origin, disability, sex, age, marital status, children, sexual orientation, genetic information, gender identity, ancestry or veteran/military status.

Grant Award Process

Applicants who have submitted complete applications and whose eligibility has been verified by program administrator will be notified of grant awards on a first come, first serve basis until funds are exhausted. However, should the volume of complete applications received in the first 4 weeks of the program exceed available funds, a lottery will be held to set the order of the households to be served.

Applicants will be emailed a notice of program award plus an Applicant Participation Agreement, a Landlord Participation Agreement and a sample W-9 form.

Funds will be set aside for the awarded applicant for 14 days. After 14 days, if the two participation agreements and W-9 form have not been completed and returned fully executed, then the reserved funds are released back to the program. In that event, an applicant will be able to re-apply but loses his or her place in ordered list of completed and verified applicants. The program administrator will be able to grant short extensions to the 14-day time limit.

Outreach

Program guidelines and applications will be available electronically on the Town of Groton website. Applications will be available by mail by request. Program administrator can assist with copying and/or scanning for applicants with limited computer proficiency. Emailed outreach will be made to the Groton Council on Aging, the Groton Dunstable Regional School District, the Loaves and Fishes food pantry, and the *Groton Herald*. A notice will be inserted in a future Groton Electric bill.

Application

Participating Household Information:

Name	
Assisted Unit Address	
Mailing Address (if Different)	
Phone	
Email	

Please list name, age and relationship to applicant for each household member:

NAME	AGE	RELATIONSHIP TO APPLICANT

1.
2.
3.
4.
5.

Assisted Housing Unit Information:

Assisted Unit Address	
Number of Bedrooms	
Monthly Rent	

Landlord Contact Information:

Landlord Name			
Mailing Address			
Town, State		Zip	
Phone			
Email			

Application Continued

Please answer the following questions:

Is anyone in your household related by blood or marriage to the Landlord?

Does anyone in your household own any real estate property?

Is your household currently receiving rental assistance from a local, state or federal program?

Income Information. For yourself and each other member of your household who is at least eighteen years of age (18) – if any -- please provide the following information:

Name of Adult #1:

Total income:

List sources of income and amounts received for each income element:

Name of Adult #2:

Total income:

List sources of income and amounts received for each income element:

Name of Adult #3:

Total income:

List sources of income and amounts received for each income element:

Examples of income include paid employment, unemployment payments, disability payments, other government assistance, retirement payments, child support payments, alimony payments, and investment interest/dividend income *if it exceeds $100 annually.* Please attach extra sheets if more space is needed.

Documentation. Please provide the following documents electronically or on paper.

1. Copy of your lease or similar documentation.
2. Documentation for each source of income.

Application Continued

By signing below, you certify that the answers to the foregoing questions are true and correct, and that you have not knowingly withheld any fact or circumstances which would, if disclosed, affect the eligibility of your household to receive grant assistance.

By signing below, you agree to authorize the use of the information provided for the purposes of verifying program eligibility and understand that the information provided will be used to administer and enforce program rules and policies in compliance with program guidelines.

By signing below, you understand that all decisions made by the program administrator are final and that any appeals must be submitted in writing to the Groton Affordable Housing Trust which has authority over program spending.

______________________	______________________	____________
Applicant Signature	Applicant Printed Name	Date

Submit completed application and documentation in one of the following ways:

Electronically to fstanley@townofgroton.org.

By mail to:

Housing Coordinator
Town of Groton
173 Main Street
Groton, MA 01450

By drop box in the rear of Town Hall which is located at: 173 Main Street.

For any questions about this program please contact the Town of Groton housing coordinator at 978-732-1913 or fstanley@townofgroton.org.

Town of Groton Emergency Rental Assistance Program

Applicant Participation Agreement

Through its Affordable Housing Trust and using Community Preservation Committee funding, the Town of Groton has organized this Emergency Rental Assistance Program for eligible Groton residents. This is a temporary emergency program that issues grants to landlords in order to help eligible tenants pay rents on their Groton apartments during this COVID-19 pandemic. It is understood that negative economic impacts such as job losses, income reduction and difficulty obtaining replacement income may continue well after the public health crisis has passed.

The primary purpose of the program is to assist income eligible tenants who may be at risk of losing their housing. This program has the additional indirect benefits of assisting landlords who are providing rental housing and also stabilizing the Groton rental market.

Grants will be provided for up to four months in duration and monthly payments will be based on the number of bedrooms in the apartment. Payments will be made directly to the landlord.

This Agreement may be executed electronically. Signatures delivered in electronically- scanned, emailed PDF, facsimile, or similar format shall be effective.

Participating Household Information:

Name	
Assisted Unit Address	
Mailing Address (if Different)	
Phone	
Email	

Assisted Housing Unit Information:

Assisted Unit Address	
Number of Bedrooms	
Monthly Rent	

(See next page)

Town of Groton Emergency Rental Assistance Program

Applicant Participation Agreement

Landlord Contact Information:

Landlord Name			
Mailing Address			
Town, State		Zip	
Phone			
Email			

Applicant understands that in order for rental assistance to be issued, the Landlord must agree to execute a Landlord Participation Agreement and submit a completed W-9 form.

Applicant understands that if the Landlord later withdraws from the program, then grant assistance will be stopped.

Applicant certifies that all information provided in this agreement and throughout the application process has been true and complete to the best of his or her knowledge and belief.

Applicant certifies that no one in the applicant's household is related to the Landlord by blood or marriage.

Applicant certifies that for the duration of the grant assistance, he or she shall not assign or sublease the assisted housing unit and that the assisted housing unit must be the household's only residence.

Applicant certifies that his or her household is not currently receiving rental assistance from any other local, state or federal program.

Applicant certifies that he or she does not own any real estate property.

Applicant agrees that the Town of Groton and the Affordable Housing Trust will have legal standing to seek reimbursement of rental assistance if the applicant provides false information or fails to disclose requested information.

Applicant Signature ______________ Applicant Printed Name ______________ Date ______________

For any questions about this program please contact the Town of Groton housing coordinator at 978-732-1913 or fstanley@townofgroton.org.

Town of Groton Emergency Rental Assistance Program

Landlord Participation Agreement

Through its Affordable Housing Trust and using Community Preservation Committee funding, the Town of Groton has organized this Emergency Rental Assistance Program for eligible Groton residents. This is a temporary emergency program that issues grants to landlords in order to help eligible tenants pay rents on their Groton apartments during this COVID-19 pandemic. It is understood that negative economic impacts such as job losses, income reduction and difficulty obtaining replacement income may continue well after the public health crisis has passed.

The primary purpose of the program is to assist income eligible tenants who may be at risk of losing their housing. This program has the additional indirect benefits of assisting landlords who are providing rental housing and also stabilizing the Groton rental market.

Grants will be provided for up to four months in duration and monthly payments will be based on the number of bedrooms in the apartment. Payments will be made directly to the landlord.

This Agreement may be executed electronically. Signatures delivered in electronically- scanned, emailed PDF, facsimile, or similar format shall be effective.

Participating Household Information:

Name	
Assisted Unit Address	
Mailing Address (if Different)	
Phone	
Email	

Assisted Housing Unit Information:

Assisted Unit Address	
Number of Bedrooms	
Monthly Rent	

(See next page)

Town of Groton Emergency Rental Assistance Program

Landlord Participation Agreement

Landlord Contact Information:

Landlord Name			
Mailing Address			
Town, State		Zip	
Phone			
Email			

Landlord certifies that monthly rent amount and bedroom count listed above is true and accurate to the best of his or her knowledge and belief.

Landlord certifies that he or she is not related to anyone in the applicant tenant household by blood or marriage.

Landlord certifies that he or she will not increase the rent for the duration of the granted rent assistance.

Landlord certifies that he or she will not initiate an eviction action for the duration of the granted rental assistance.

Landlord understands that a completed W-9 form must be provided in order for the grant money to be issued.

_________________________ _________________________ ____________

Landlord Signature Landlord Printed Name Date

For any questions about this program please contact the Town of Groton housing coordinator at 978-732-1913 or fstanley@townofgroton.org.

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ ________

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) ________

Exemption from FATCA reporting code (if any) ________

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.

Requester's name and address (optional)

6 City, state, and ZIP code

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN,* later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number

☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number

☐☐ – ☐☐☐☐☐☐☐

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here **Signature of U.S. person ▶** **Date ▶**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9.*

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and

4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting,* later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners' share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.

- In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
- In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
- In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items.

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

4. The type and amount of income that qualifies for the exemption from tax.

5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

Backup Withholding

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,

2. You do not certify your TIN when required (see the instructions for Part II for details),

3. The IRS tells the requester that you furnished an incorrect TIN,

4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or

5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See *Exempt payee code,* later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see *Special rules for partnerships,* earlier.

What is FATCA Reporting?

The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See *Exemption from FATCA reporting code,* later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Line 1

You must enter one of the following on this line; **do not** leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: ITIN applicant: Enter your individual name as it was entered on your Form W-7 application, line 1a. This should also be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or "doing business as" (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity's name as shown on the entity's tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a "disregarded entity." See Regulations section 301.7701-2(c)(2)(iii). Enter the owner's name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner's name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on line 2, "Business name/disregarded entity name." If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2

If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3

Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

IF the entity/person on line 1 is a(n) . . .	THEN check the box for . . .
• Corporation	Corporation
• Individual • Sole proprietorship, or • Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.	Individual/sole proprietor or single-member LLC
• LLC treated as a partnership for U.S. federal tax purposes, • LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or • LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.	Limited liability company and enter the appropriate tax classification. (P= Partnership; C= C corporation; or S= S corporation)
• Partnership	Partnership
• Trust/estate	Trust/estate

Line 4, Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

Exempt payee code.

- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or health care services are not exempt with respect to payments reportable on Form 1099-MISC.

The following codes identify payees that are exempt from backup withholding. Enter the appropriate code in the space in line 4.

1—An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)

2—The United States or any of its agencies or instrumentalities

3—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

4—A foreign government or any of its political subdivisions, agencies, or instrumentalities

5—A corporation

6—A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession

7—A futures commission merchant registered with the Commodity Futures Trading Commission

8—A real estate investment trust

9—An entity registered at all times during the tax year under the Investment Company Act of 1940

10—A common trust fund operated by a bank under section 584(a)

11—A financial institution

12—A middleman known in the investment community as a nominee or custodian

13—A trust exempt from tax under section 664 or described in section 4947

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

IF the payment is for . . .	THEN the payment is exempt for . . .
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over $600 required to be reported and direct sales over $5,000[1]	Generally, exempt payees 1 through 5[2]
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

[1] See Form 1099-MISC, Miscellaneous Income, and its instructions.

[2] However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with "Not Applicable" (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)

B—The United States or any of its agencies or instrumentalities

C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities

D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)

E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)

F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state

G—A real estate investment trust

H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940

I—A common trust fund as defined in section 584(a)

J—A bank as defined in section 581

K—A broker

L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5

Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a new address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6

Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner's SSN (or EIN, if the owner has one). Do not enter the disregarded entity's EIN. If the LLC is classified as a corporation or partnership, enter the entity's EIN.

Note: See *What Name and Number To Give the Requester,* later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at *www.SSA.gov*. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at *www.irs.gov/Businesses* and clicking on Employer Identification Number (EIN) under Starting a Business. Go to *www.irs.gov/Forms* to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to *www.irs.gov/OrderForms* to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see *Exempt payee code,* earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.

1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered active during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

For this type of account:	Give name and SSN of:
1. Individual	The individual
2. Two or more individuals (joint account) other than an account maintained by an FFI	The actual owner of the account or, if combined funds, the first individual on the account[1]
3. Two or more U.S. persons (joint account maintained by an FFI)	Each holder of the account
4. Custodial account of a minor (Uniform Gift to Minors Act)	The minor[2]
5. a. The usual revocable savings trust (grantor is also trustee)	The grantor-trustee[1]
b. So-called trust account that is not a legal or valid trust under state law	The actual owner[1]
6. Sole proprietorship or disregarded entity owned by an individual	The owner[3]
7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))	The grantor*

For this type of account:	Give name and EIN of:
8. Disregarded entity not owned by an individual	The owner
9. A valid trust, estate, or pension trust	Legal entity[4]
10. Corporation or LLC electing corporate status on Form 8832 or Form 2553	The corporation
11. Association, club, religious, charitable, educational, or other tax-exempt organization	The organization
12. Partnership or multi-member LLC	The partnership
13. A broker or registered nominee	The broker or nominee
14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments	The public entity
15. Grantor trust filing under the Form 1041 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(i)(B))	The trust

[1] List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person's number must be furnished.

[2] Circle the minor's name and furnish the minor's SSN.

[3] You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

[4] List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see *Special rules for partnerships,* earlier.

***Note:** The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:

- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 14039.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes. Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.

The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to *phishing@irs.gov*. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at *spam@uce.gov* or report them at *www.ftc.gov/complaint*. You can contact the FTC at *www.ftc.gov/idtheft* or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see *www.IdentityTheft.gov* and Pub. 5027.

Visit *www.irs.gov/IdentityTheft* to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.