

# INSTRUCTIONS

## HOSN: Certifications and Legal Disclosure Form

The Certification and Legal Disclosure Form is required for all applicants. It is used to confirm the accuracy and completeness of the information provided in the application and to disclose any legal issues that may affect the project. It includes two sections:

**Certifications:** The applicant must attest to a series of statements regarding the accuracy of the information provided in the application, their legal authority to submit the application, the disclosure of any persons or entities that will provide goods or services to the project, the legal status of the project or property, and the public nature of the information in the application.

**Questionnaire:** The applicant must complete a questionnaire about the civil and criminal legal history of the applicant and certain related parties. The questionnaire asks about bankruptcies, receiverships, defaults on loans, foreclosures, civil litigation, administrative or civil settlements, decisions, or judgments, and criminal charges or convictions. The applicant must provide an explanation for any positive responses to these questions. Certain individuals, such as members of the boards of directors of non-profit corporations and certain executive officers, are not required to complete the questionnaire.

**Upload the completed form to the portal with your other application documents.**



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## Applicant Entity Information

Name

Type

Address

City

State

Zip Code

## Certification

On behalf of the entity identified above, I certify that:

1. The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct.
2. I possess the legal authority to submit this application on behalf of the entity identified below.
3. The following is a complete disclosure of all identities of interest - of all persons or entities, including affiliates, that will provide goods or services to the Project either (a) in one or more capacity or (b) that qualify as a "Related Party" to any person or entity that will provide goods or services to the project. "Related Party" is defined in Section 10302 of the California Code of Regulations (CTCAC Regulations):

4. As of the date of application, the Project, or the real property on which the Project is proposed (Property) is not part to or the subject of any claim or action at the State or Federal appellate level.
5. I have disclosed and described below any claim or action undertaken which affects or potentially affects the feasibility of the Project. In addition, I acknowledge that all information in this application and attachments is public and may be disclosed by the State.

Printed Name	Title of Signatory	Signature	Date

# HOSN: Certifications and Legal Disclosure Form

## Applicant Entity Information

Name			
Type			
Address	City	State	Zip Code

**Public entity applicants, such as cities, counties, and joint powers authorities with 100 or more members, that do not have an ownership interest in the proposed project are not required to complete the following questionnaire.**

## Legal Disclosures

For purposes of the following questions, and with the exceptions noted below, the term "applicant" shall include the applicant and joint applicant, and any subsidiary of the applicant or joint applicant if the subsidiary is involved in (for example, as a guarantor) or will be benefited by the application or the project.

In addition to each of these entities themselves, the term "applicant" shall also include the direct and indirect holders of more than ten percent (10%) of the ownership interests in the entity, as well as the officers, directors, principals and senior executives of the entity if the entity is a corporation, the general and limited partners of the entity if the entity is a partnership, and the members or managers of the entity if the entity is a limited liability company. For projects using tax-exempt bonds, it shall also include the individual who will be executing the bond purchase agreement.

- The following questions must be responded to for each entity and person qualifying as an "applicant," or "joint applicant" as defined above.
- Explain all positive responses on a separate sheet and include with this questionnaire in the application.
- Members of the boards of directors of non-profit corporations, including officers of the boards, are also not required to respond. However, chief executive officers (Executive Directors, Chief Executive Officers, Presidents or their equivalent) must respond, as must chief financial officers (Treasurers, Chief Financial Officers, or their equivalent).

## Civil Matters

1. Has the applicant filed a bankruptcy or receivership case or had a bankruptcy or receivership action commenced against it, defaulted on a loan or been foreclosed against in past ten years?	
2. Is the applicant currently a party to, or been notified that it may become a party to, any civil litigation that may materially and adversely affect (a) the financial condition of the applicant's business, or (b) the project that is the subject of the application?	
3. Have there been any administrative or civil settlements, decisions, or judgments against the applicant within the past ten years that materially and adversely affected (a) the financial condition of the applicant's business, or (b) the project that is the subject of the application?	
4. Is the applicant currently subject to, or been notified that it may become subject to, any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency?	
5. In the past ten years, has the applicant been subject to any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency that resulted in a settlement, decision, or judgment?	

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Criminal Matters	
6. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, felony charges against the applicant?	
7. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, misdemeanor charges against the applicant for matters relating to the conduct of the applicant's business?	
8. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, criminal charges (whether felony or misdemeanor) against the applicant for any financial or fraud related crime?	
9. Is the applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, that could materially affect the financial condition of the applicant's business?	
10. Within the past ten years, has the applicant been convicted of any felony?	
11. Within the past ten years, has the applicant been convicted of any misdemeanor related to the conduct of the applicant's business?	
12. Within the past ten years, has the applicant been convicted of any misdemeanor for any financial or fraud related crime?	

Printed Name	Title of Signatory	Signature	Date

**Explain all positive responses on a separate sheet and upload it to the portal with this questionnaire.**