

CITY OF CARBONDALE, ILLINOIS

ORDINANCE NO. 2007- 39

AN ORDINANCE ESTABLISHING A SINGLE FAMILY HOUSING CONVERSION PROGRAM FOR THE PURPOSE OF INCREASING OWNER OCCUPANCY IN THE CITY OF CARBONDALE, ILLINOIS

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF CARBONDALE, ILLINOIS

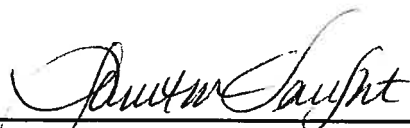
THE 16th DAY OF OCTOBER, 2007

Published in pamphlet form by authority of the City Council of the City of Carbondale, Jackson County, Illinois, this 17th day of October, 2007.

CERTIFICATE OF PUBLICATION

I, Janet M. Vaught, the duly qualified City Clerk of the City of Carbondale, Illinois, and the official custodian of the records of said City, do hereby certify that this ordinance was published in pamphlet form by authority of the City Council on the 17th day of October, 2007.





Janet M. Vaught, City Clerk

ORDINANCE NO. 2007- 39

AN ORDINANCE ESTABLISHING A SINGLE FAMILY HOUSING CONVERSION PROGRAM FOR THE PURPOSE OF INCREASING OWNER OCCUPANCY IN THE CITY OF CARBONDALE, ILLINOIS

WHEREAS, the City of Carbondale, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, pursuant to Article VII, Section 6(a), of the Illinois Constitution, 1970, the City of Carbondale may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, 1,124 new rental units have been built in Carbondale since FY 2004 and there are plans to continue this growth in the next two years; and

WHEREAS, certain single family owner occupied neighborhoods are threatened by the presence of rental houses; and

WHEREAS, the City encourages the growth of owner occupied houses in Carbondale; and

WHEREAS, the increase in rental units should make available single family rental houses to be converted to owner occupied houses; and

WHEREAS, in order to assist in the conversion of single family residential structures from rental to owner occupied, the City hereby establishes a Single Family Housing Conversion Program in order to provide financial incentives and assistance to home buyers of houses that were rental for a minimum of the previous two years; and

WHEREAS, the Single Family Housing Conversion Program should increase

residential home ownership and population within the community and have a positive effect on neighborhood redevelopment and preservation; and

WHEREAS, a Single Family Housing Conversion Grant shall be created in order to provide funding toward the conversion of single family houses from rental to owner occupied in the amount of \$5,000.00 per house. Said funding shall be payable within sixty (60) days after the closing for the purchase of the property. The City shall require that the residential structure remain occupied for no less than ten years by the owner of record. The Single Family Housing Conversion Grant shall be available for single family houses in all residential zoning districts; and

WHEREAS, in addition to the above grants, the City shall also waive all applicable permit fees for improvements made to the residential structure; and

WHEREAS, the City Council of the City of Carbondale, Illinois, hereby determines that the Single Family Housing Conversion Program, as described above, is in the best interest of the City of Carbondale.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARBONDALE AS FOLLOWS:

SECTION ONE. That the City Council hereby establishes a Single Family Housing Conversion Program for the purpose of providing financial incentives and assistance to home buyers for the purchase of single family houses that have been registered with the City of Carbondale as a rental unit for a minimum of two (2) years prior to purchase through a Single Family Housing Conversion Grant.

SECTION TWO. That the Single Family Housing Conversion Grant as stated in Section One herein shall provide funding for the purchase and conversion to owner

occupancy single family rental houses in the amount of \$5,000.00 per house, payable within sixty (60) days from the closing for the purchase of the property. Eligible recipients of said grant shall enter into an agreement with the City with a minimum time frame of no less than ten (10) consecutive years in which the residential structures shall remain occupied by the owner of record. The Single Family Housing Conversion Grant shall be available in all residential zoning districts.

SECTION THREE. That in addition to implementing the above-stated grant, the City shall waive all applicable permit fees for improvements made to the residential structures in order to provide considerable savings in construction costs.

SECTION FOUR. That the City Manager of the City of Carbondale is hereby authorized to and shall take any and all reasonable, necessary and proper action to carry out the intent and purposes of this Ordinance, including but not limited to, establishing terms and conditions for eligibility under the Single Family Housing Conversion Program and entering into agreements with eligible recipients for funding under the Single Family Housing Conversion Program.

SECTION FIVE. That the Finance Director is hereby authorized to disperse the funds necessary to accomplish the intent of this Ordinance.

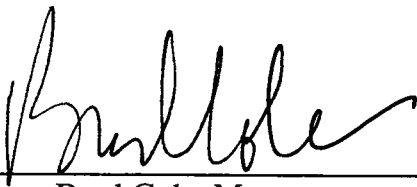
SECTION SIX. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION SEVEN. That repeal of any ordinance by this Ordinance shall not affect any rights accrued or liability incurred under said repealed ordinance to the effective date hereof. The provisions of this Ordinance insofar as they are the same or substantially the same as those of any prior ordinance, shall be construed as a continuation of said prior ordinances.

SECTION EIGHT. That it is the intention of the City Council of the City of Carbondale that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

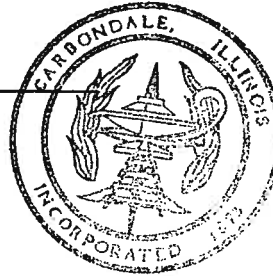
SECTION NINE. That the City Council of the City of Carbondale finds that the subject matter of this Ordinance pertains to the government and affairs of the City of Carbondale and is passed pursuant to authorities granted it by State statutes and the Home Rule powers of the City of Carbondale pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution.

SECTION TEN. That this Ordinance shall be known as Ordinance No. 2007- 39 of the Ordinances of the City of Carbondale, Illinois, and shall be in full force and effect from and after its passage, approval, recording and publication in accordance with law.

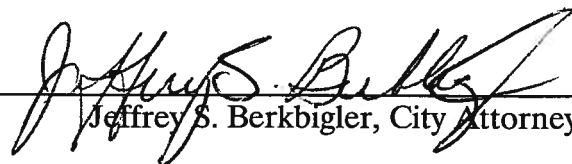
APPROVED: 
Brad Cole, Mayor

FOR: Jack, Fritzier, McDaniel,
Pohlmann, Wissmann, Haynes and Cole
AGAINST: None
PASSED: Oct. 16, 2007
APPROVED: Oct. 17, 2007
RECORDED: Oct. 17, 2007
PUBLISHED: Oct. 17, 2007

ATTEST: 
Janet M. Vaught, City Clerk



APPROVED AS TO LEGALITY AND FORM:


Jeffrey S. Berkbigler, City Attorney



200 South Illinois Avenue
P.O. Box 2047
Carbondale, Illinois 62902-2047
Telephone: 618-549-5302
Fax: 618-457-3283
www.ci.carbondale.il.us

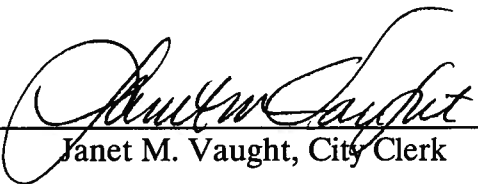
CERTIFICATION

STATE OF ILLINOIS)
COUNTY OF JACKSON)

I, Janet M. Vaught, the duly qualified and acting City Clerk of the City of Carbondale, Jackson County, Illinois, and the keeper of the official records of said City, do hereby certify that the foregoing is a true, correct and complete copy of Resolution No. 2007-39, which Resolution established a Single Family Housing Conversion Program for the Purpose of Increasing Owner Occupancy in the City of Carbondale, which Resolution was passed and adopted by the City Council of the City of Carbondale, Illinois, on the 16th day of October, 2007.

Given under my hand and the official seal of the City of Carbondale, Illinois, this 14th day of December, 2007.





Janet M. Vaught, City Clerk

AFFIDAVIT OF COMPLIANCE WITH ILLINOIS PLAT ACT REQUIREMENTS

THIS IS A LEGAL DOCUMENT AND MUST BE FILED WITH EVERY RECORDED DEED.

Consult an attorney if you do not understand what you are signing.

PARCEL NUMBER: 15-17-430-006 (Required information)

The Grantor(s), or the Grantor(s)' authorized representative, transferring an interest in real property described in the accompanying deed, state the following:

A. NOT A DIVISION OF LAND (requiring no change of parcel boundary lines)

If A is marked above, the Recorder will proceed with recording the deed and no further questions apply. Please sign below.

B. A DIVISION OF LAND (requiring a change of parcel boundary lines) meeting one of these exceptions:

If B is marked above, approval by the Chief County Assessment Office is required.

- a. A division or subdivision of land into tracts of five (5) acres or more not involving new streets or easements of access with a minimum of five (5) acres residue.
- b. A division of lots or blocks of less than one (1) acre in a recorded subdivision not involving new streets or easements of access.
- c. A sale or exchange of land between owners of adjoining and contiguous land.
- d. A conveyance of land for use as a right-of-way for public utilities and other pipelines not involving new streets or easements of access.
- e. A conveyance of land for highway or other public purpose, or relating to a dedication of land, or for vacation of land subject to a public use.
- f. A conveyance made to correct a description in a prior conveyance.
- g. The sale of a tract of land following the division into no more than two (2) parts of a particular parcel of land existing on July 17, 1959, and not involving any new streets or easements of access. (Does not apply within City of Carbondale subdivision jurisdiction.)
- h. A conveyance of land owned by a railroad or public utility not involving new streets or easements of access.
- i. The division and distribution of land pursuant to law or court order.
- j. The sale of a single lot of less than (5) acres from a larger tract when a survey is made by a registered land surveyor. This exemption shall not apply to the sale of any subsequent lots from the same larger tract as it existed on October 1, 1973. (Does not apply within City of Carbondale subdivision jurisdiction.)

C. A DIVISION OF LAND (a change of parcel boundary lines) not meeting one of the above exceptions.

If C is marked above, approval by Jackson County Land Use Committee and Jackson County Board is required.

In accordance with Section 1a of the Illinois Plat Act, all divisions under five (5) acres must be surveyed and a subdivision plat prepared by a licensed professional land surveyor. Who prepared this legal description? _____

Phone _____

Does this division of land fall within the jurisdiction of another city or municipality? No Yes. If yes, which jurisdiction? _____

Under the penalties of perjury I swear that the statements contained here are true and correct.

Seller Name Michael Magnus DATE _____

Seller Signature _____ PHONE _____

CITY OF CARBONDALE, ILLINOIS

ORDINANCE NO. 2016-29

**AN ORDINANCE AMENDING THE SINGLE FAMILY HOUSING CONVERSION
PROGRAM FOR THE PURPOSE OF INCREASING OWNER OCCUPANCY IN THE
CITY OF CARBONDALE, ILLINOIS**

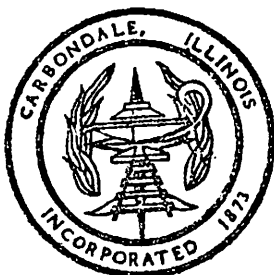
**ADOPTED BY THE CITY COUNCIL
OF THE CITY OF CARBONDALE, ILLINOIS**

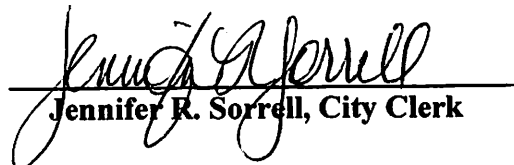
THIS 24TH DAY OF MAY, 2016

**Published in pamphlet form by authority of the City of Council of the City of Carbondale,
Jackson County, Illinois, this 25th day of May, 2016.**

CERTIFICATE OF PUBLICATION

**I, Jennifer R. Sorrell, the duly qualified City Clerk of the City of Carbondale,
Illinois, and the official custodian of the records of said City, do hereby certify that this
Ordinance was published in pamphlet form by authority of the City Council on the 25th
day of May, 2016.**




Jennifer R. Sorrell, City Clerk

ORDINANCE 2016-29

AN ORDINANCE AMENDING THE SINGLE FAMILY HOUSING CONVERSION PROGRAM FOR THE PURPOSE OF INCREASING OWNER OCCUPANCY IN THE CITY OF CARBONDALE, ILLINOIS

WHEREAS, the City of Carbondale, Illinois, is a home rule unit of local government under the Illinois Constitution, 1970, Article VII, Section 6; and

WHEREAS, pursuant to Article VII, Section 6(a), of the Illinois Constitution, 1970, the City of Carbondale may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, in 2007 the City Council of the City of Carbondale established, in Ordinance 2007-39, a single family housing conversion program to encourage owner occupancy in neighborhoods which had become predominately rental; and

WHEREAS, since the grant was formed it has gone underutilized due to the ten (10) year payback provision; and

WHEREAS, the City Council finds it in the best interest of the City of Carbondale to amend the language to allow for proration of the amount to be paid back if the owner of record does not remain in the home for the ten (10) years; and

WHEREAS, the Single Family Housing Conversion Grant shall be amended so that the ten (10) year repayment program be amended to five (5) years prorated at a rate of 1/60th of the original amount for each month the home is owned and occupied. The City shall require that the residential structure remain owner occupied for no less than five years by the owner of record.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE

CITY OF CARBONDALE, ILLINOIS, AS FOLLOWS:

SECTION 1. That the City Council hereby amends the Single Family Housing Conversion Grant so that the ten (10) year repayment program be amended to five (5) years at prorated rate of 1/60th the original amount for every month the home is owned and occupied.

SECTION 2. That the City Manager of the City of Carbondale is hereby authorized to and shall take any and all reasonable, necessary and proper actions to carry out the intent and purposes of this Ordinance, including but not limited to, establishing terms and conditions for eligibility under the Single Family Housing Conversion Program and entering into agreements with eligible recipients for funding under the Single Family Housing Conversion Program.

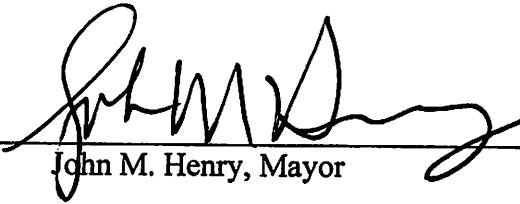
SECTION 3. That the Finance Director is hereby authorized to disperse the funds necessary to accomplish the intent of this Ordinance.

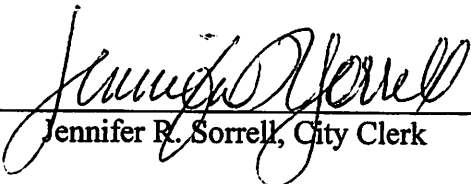
SECTION 4. That all ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

SECTION 5. That it is the intention of the City Council of the City of Carbondale that this Ordinance and every provision thereof shall be considered separable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 6. That the City Council of the City of Carbondale finds that the subject matter of this Ordinance pertains to the government and affairs of the City of Carbondale and is passed pursuant to authorities granted it by State statutes and the Home Rule powers of the City of Carbondale pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution.


SECTION 7. That this Ordinance shall take effect upon its passage, approval, recording, and publication in pamphlet form in accordance with law.

APPROVED: 
John M. Henry, Mayor

ATTEST: 
Jennifer R. Sorrell, City Clerk

APPROVED AS TO LEGALITY AND FORM:




Leonard "Jamie" Snyder, Assistant City Attorney

FOR: Kang, Bradshaw, Harvey,
Fronabarger, Grant, Loos, Henry
AGAINST: None
PASSED: May 24, 2016
APPROVED: May 24, 2016
RECORDED: May 25, 2016
PUBLISHED: May 25, 2016

CITY OF CARBONDALE
SINGLE FAMILY HOUSING CONVERSION PROGRAM APPLICATION
REFERENCE ORDINANCE NO. 2007-39 and NO. 2016-29 ATTACHED HERETO

Applicant / Home Buyer: _____

Current Address of Home Buyer: _____

Phone: _____

Number of family members to occupy residence: _____

Address of Property to be Purchased: _____

Current / Previous Property Owner: _____

Date of Property Transfer / Possession: _____

Name and address of Lending Institution if property acquisition is being financed:

Loan Officer: _____

I have reviewed Ordinances No. 2007-39 and NO. 2016-29 as attached along with the Agreement and understand the terms and conditions and further allow the City to verify the information in order to ensure that the program requirements are met. Submission of this application does not in itself obligate the City or Home Buyer without execution of the agreement.

Home Buyer(s)

Date

Date

CITY VERIFICATION / REVIEW & SIGN-OFF

Zoning verified (Planning Division): _____ Date _____

Verification of Rental Residence (BNS Division): _____ Date _____

City Housing Inspection (BNS Division): _____ Date _____

Housing Programs Administrator (Development Services): _____ Date _____

Approval by City Manager: _____ Date _____

SINGLE FAMILY HOUSING CONVERSION PROGRAM AGREEMENT

THIS AGREEMENT is hereby entered into this DAY day of MONTH, YEAR, by and between the CITY OF CARBONDALE, a municipal corporation existing under the laws of the State of Illinois, 200 S. Illinois Avenue, P. O. Box 2047, Carbondale, Illinois 62902-2047, hereinafter called the "City", and NAME, hereinafter referred to as "home buyer".

WITNESSETH:

WHEREAS, The Carbondale City Council recognizing the importance of home ownership within the community to strengthen and revitalize established residential neighborhoods adopted Ordinance No. 2007-39 on October 16, 2007 providing certain inducements to encourage the conversion of existing rental housing to owner occupied housing, and;

WHEREAS, under authority of Ordinance No. 2007-39, a Single Family Housing Conversion Grant has been established in which an individual or family can secure a one time grant of \$5,000 to be used to convert an existing single family home to an owner occupied housing unit under certain terms and conditions as outlined in this agreement, and;

WHEREAS, it is the desires of the "home buyer" to participate in the program and hereby agrees to the stipulations and conditions as outlined herein.

WHEREAS, the purchased property is located at ADDRESS, Carbondale, Jackson County, IL.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and promises set forth in this Agreement, the City and Home Buyer hereby agree as follows, to wit:

SECTION ONE. DEFINITIONS.

The following terms and phrases shall be defined as stated herein, and all others shall have their common meaning given:

Permit Fees: Any fees required by the City of Carbondale for building permits and zoning certificates as may be required for renovations and improvements to an existing single family residential structure.

Eligible Single Family Residential Structure: An existing housing structure located within any residential zoned area in the corporate limits of Carbondale, Illinois that has been duly registered as a rental housing unit with the City of Carbondale (Building & Neighborhood Services) and has been a rental single family house the previous two (2) years from date of application being submitted under the Single Family Housing Conversion Program.

Eligible Recipient: A person, persons and/or entity that intends to purchase an existing single family residential property that has been a rental unit registered with the City of Carbondale for the past two years and will convert the unit from rental to an owner occupied residence for a time frame of no less than five(5) consecutive years.

Owner-Occupied Residence: A single-family residence which the owner of record thereof resides.

SECTION TWO. RESPONSIBILITY OF HOME BUYER.

A. Purchase of Eligible Single Family Residential Structure: In consideration for the funding assistance provided by the City of Carbondale under the Single Family Housing Conversion Program, the Home Buyer hereby agrees to the purchase of the residential property located at **ADDRESS** located within the corporate limits of Carbondale. Evidence of purchase by Home Buyer or contract for purchase of said property is attached hereto as “Exhibit A”

B. Required Occupancy of Residential Structure: Home Buyer agrees that said residential property will be used exclusively as an owner occupied residence for a minimum time frame of no less than five (5) consecutive years. Any change in ownership status of said property shall be provided to the City within thirty (30) days in writing.

C. Compliance with Applicable City Property Maintenance Codes and Related Ordinances: Home Buyer hereby agrees to comply with all applicable codes and ordinances regarding occupancy of said premises. This shall include securing required permits for any modifications, alterations and other improvements to the property in which a building and other required permits are to be obtained. The following items must be addressed at the location:

- 1) The electrical panel, screw-infuses, and cloth/paper wiring insulation must be replaced.
- 2) All open studs and areas missing sheetrock must be covered
- 3) All gaps in window frames, broken window panes, and missing screens must be repaired/replaced
- 4) There seems to be an apparent roof leak which will need to be addressed.

D. Failure to Meet Requirements for Funding: If the Home Buyer fails or refuses to meet all requirements as prescribed in this agreement, then the City may perform one or both of the following options: (1) cease payment of any funding hereunder due to Home Buyer until such time as compliance is met; or (2) seek immediate reimbursement of any payment submitted, including any and all fees waived to Home Buyer for permits. In addition to either option (1) or (2), the City may seek termination of this Agreement for Home Buyer’s breach of this Agreement, and pursue reimbursement of any funding paid through appropriate legal action.

SECTION THREE. RESPONSIBILITY OF CITY.

A. Payment of Funding: Upon receipt, verification and approval of the information as required by Home Buyer in Section Two of this agreement, the City shall submit the \$5,000 payment to Home Buyer. Said payment will be made within sixty (60) days after receipt of recorded deed with restrictive covenant provision.

B. Waiver of Permit Fees: In addition to the payment of funding under subsection A herein, the City shall waive any and all Permit Fees normally required by the City relating to

improvements to the residential property that are initiated by said Home Buyer for a two-year period following the signing of the Single Family Housing Conversion Program Agreement.

SECTION FOUR, RESTRICTIVE COVENANT ON USE OF PROPERTY

A. Restrictive Covenant: The Home Buyer will hereby agree to the attachment of a restrictive covenant on the subject property for the period of five (5) years to secure compliance with section two paragraph B of this agreement, and shall state as follows:

The Owner of record does hereby charge the subject property now and henceforth with the following covenant which shall hereinafter run with the land and be binding upon the Owner and his successors-in-interest:

The subject property shall, for a period of five(5) years from the date of this instrument, be used by the Owner of record or his successors-in-interest as an owner occupied residence, if said property is converted within the five(5) year period to non-owner occupied property, current owner of record shall re-pay the City of Carbondale Illinois unforgiven amount remaining from the Conversion grant of five thousand dollars (\$5,000.00). The grant shall be forgiven in an amount equal to 1/60th of the original amount each month the home remains owner occupied.

B. Responsibility and Proof: It shall be the Home Buyer's responsibility to have said covenant filed upon the deed of record and shall provide the City with proof of said covenant within thirty (30) days of the signing of this agreement.

SECTION FIVE. INDEMNIFY AND HOLD HARMLESS.

The Home Buyer hereby agrees to indemnify, hold and save the City harmless and defend the City against any and all claims, suits, damages, costs, losses, and/or expenses incurred, arising out of or connected in any way with the purchase and subsequent improvements of the residential property under this program.

SECTION SIX. TERM OF AGREEMENT.

This Agreement shall be in effect against both parties as of the date of its execution as shown by the signatures below, and shall remain in full force and effect for a period of five (5) years. Upon the expiration of the five (5) year period, this Agreement shall automatically expire.

SECTION SEVEN. TERMINATION.

If either party materially breaches any terms or conditions hereunder, then the non-breaching party shall have the right to terminate this Agreement by sending written notice of such termination no less than thirty (30) days prior to the effective date of termination. If the breaching party cures the breach to the satisfaction of the non-breaching party within said thirty (30) day notice, the non-breaching party shall have the option of rescinding said termination.

SECTION EIGHT. GENERAL PROVISIONS.

- A. Validity of Provisions: The invalidity of any section or subsection of this Agreement shall not impair the validity of any other section or subsection. If any provision of this Agreement is determined to be unenforceable, such provision shall be determined severable and the Agreement may be enforced with such provision severed or as modified by court.
- B. Governing Law: This Agreement shall be deemed to have been executed, delivered and accepted in the State of Illinois and shall be governed by and construed in accordance with the laws of the State of Illinois.
- C. Legal Action for Enforcement of Agreement: If Home Buyer fails or refuses to comply with the terms and conditions of this Agreement, then the City may pursue any legal action necessary to enforce the provisions of this Agreement, which may include specific performance or in the alternative, demand for reimbursement of funding provided by City to Home Buyer. Home Buyer hereby agrees that if the City files any legal proceedings to enforce this Agreement, then the Home Buyer shall be responsible for any and all attorney's fees, legal and/or court costs associated with such legal proceeding.
- D. Entire Agreement: This Agreement embodies and constitutes the entire understanding between the parties with respect to the transaction contemplated herein, and all prior agreements, understandings, representations and statements, oral or written, are merged into this Agreement. Neither this Agreement nor any provision hereof may be waived, modified amended, discharged or terminated except by an instrument signed by the party against whom the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument.
- E. Captions: The captions in this Agreement are inserted for convenience or reference only and in no way define, describe or limit the scope or intent of this Agreement or any provisions hereof.
- F. Binding upon Successor Parties: This Agreement shall be binding upon the heirs, executors, administrators, successors, assigns and trustees in bankruptcy of the respective parties hereto.
- G. Scope of Authority: The persons signing this Agreement on behalf of the City and Home Buyer warrant that they have the authority to legally bind their respective parties to the terms and conditions of this Agreement.

Request for Taxpayer Identification Number and Certification

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

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other ▶	
	<input type="checkbox"/> Exempt from backup withholding	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
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 your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number								
or								
Employer identification number								

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

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. person (including a U.S. resident alien).

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 on page 4.)

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

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

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.

Note. If 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.

For federal tax purposes you are considered a person if you are:

- An individual who is a citizen or resident of the United States,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or

- Any estate (other than a foreign estate) or trust. See Regulations sections 301.7701-6(a) and 7(a) for additional information.

Foreign person. If you are a foreign person, do not use Form W-9. Instead, use the appropriate Form W-8 (see Publication 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 recipient 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.