



117 Lane Drive Ste. 18 Rosenberg, TX 77471 | 281.342.1456 P | www.rosenbergha.org

HOUSING CHOICE VOUCHER PROGRAM

A PROPERTY OWNER'S GUIDE TO HCV LEASE-UP



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Property Manager:

The Rosenberg Housing Authority's (RHA) jurisdiction is the City of Rosenberg and 5 miles outside it's ETJ. Thank you for your interest in leasing to a Housing Choice Voucher Program (HCV) participant. Once you have determined that a tenant is a suitable candidate to lease from you, please adhere to the following steps to determine whether the client will be eligible to receive subsidized assistance at your unit:

Step 1: Return RTA Packet to the Rosenberg Housing Authority

You must complete all the documents from the attached Request for Tenancy Approval (RTA) Packet:

- (1) Request for Tenancy Approval
 - Box 8 "Date Unit Available for Inspection" should have a date at least 15 calendar before the Requested Lease Date in Box 3. **If the date is in Box 8 is less than 15 calendar days, the lease may not start on the Requested Lease Date.**
 - Must be signed by both the owner and the HCV client.
- (2) Landlord Certification
- (3) Completed W-9 for the Owner
- (4) Lead-based Paint Disclosure for pre-1978 Units

In addition, If you have never participated in the HCV program with the RHA, you must provide the following documents located in the back of this Packet:

- (1) New Owner Identification Form
- (2) Warranty Deed (filed and recorded - all pages)
- (3) Proof of Owner's Social Security number or EIN number (Form SS-4)
- (4) Copy of Valid Government Issued ID



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All of the documents listed above must be returned to the Rosenberg Housing Authority before the deadline on the front of this packet. Please note that the name and EIN/Social Security number listed on the owner's W-9 must match the warranty deed. When the RTA Packet and the other documents listed above are returned, RHA staff will review them for completeness and accuracy. If the contents of the packet are not complete or not consistent, the packet will not be accepted. If the documents have been completed correctly, the Inspector will contact you to schedule an inspection to be conducted within 10-15 business days. If you still reside in the unit, then RHA will not be able to perform the inspection.

Step 2: Prepare the Unit for Inspection

The unit that you list in the enclosed RTA Packet will be inspected to ensure that it meets the federal standards for subsidized units on the Housing Choice Voucher Program. Your unit must pass this inspection, known as the Housing Quality Standard (HQS) Inspection, before the Authority can execute a Housing Assistance Payment (HAP) Contract with you. Enclosed in this packet is a document called "The Top Reasons Why Units Fail HQS Inspection" (see pg. 3-4) that you can refer to as a guide to ensuring that your unit is ready for the HQS inspection.

Step 3: Wait for the HAP Contract

If your unit passes the HQS inspection, the proposed rent that you listed on Box 6 of the RTA Packet will be reviewed by the Authority's market analysts for reasonableness. You may be contacted to resolve any discrepancies related to the rent amount. After the appropriate rent amount is established, the RTA will be forwarded to an occupancy technician for the execution of the HAP Contract. The HAP contract will not be completed until you and the tenant supply a lease with the move-in date.

Step 4: Allow the Client to Move In

On the effective date of your executed HAP contract and lease agreement (they must match), you should allow the client to move into the unit. If you allow a client to move in on the date your unit passes inspection, or any other date before the HAP contract is executed, the client will be responsible for the full rent. You will receive your first HAP payment within 15-20 days of the execution of your HAP Contract. All subsequent payments will be made on, or around, the 5th business day of each month.



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THE TOP REASONS WHY UNITS FAIL HQS INSPECTION

Owners should pay particular attention to the following items when preparing their units for inspection. Use of this document will help you pass the HQS Inspection

Windows

- Severe deterioration or windows allowing drafts and weather inside the unit.
- Broken and missing windowpanes or boarded up windows.
- No window in the living room.
- The bedroom doesn't have at least one window that opens.
- Bathroom does not have either a working vent fan or a window that opens.
- No locks on 1st floor windows or other windows accessible from the ground.
- If windows have multiple locks, all locks must work. No safety locks.

Doors

- Lack of weather-stripping.
- Inoperable locks or locks installed that require a key to open from the inside, including security doors.
- Doors that do not close properly preventing the lock from working.

Walls and Ceilings

- Bulging plaster or wallboard, damp plaster from leaks, holes.

Paint (units built before 1978 and occupied by child under age 6)

- Peeling, chipping, flaking, chalking paint on any painted surface in unit, common areas or exterior.
- Rotting or deteriorated substrate under painted surface.

Electricity

- Outlets and overhead/wall mounted fixtures that do not work or were improperly installed.
- Missing covers on outlets and switches. Exposed, cracked, frayed wiring or wiring not properly secured.
- Electrical boxes missing knockouts or open spaces in boxes without breakers or blanks.
- Utilities are not turned on.
- Electric outlet(s) with open ground.

Safety

- Unit lacks an operable smoke detector in one or more sleeping room or other required spaces, such as common areas.
- Presence of gas leaks or fumes.



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Floors, Decks, Porches and Exteriors

- Holes in floors allowing drafts or entry by vermin.
- Tripping hazards, such as protruding nails or holes in carpets.
- Roof leaks.
- Fences or garages that are unsound and have safety hazards.

Plumbing Leaks

- Leaking faucets, toilets, or fixture drain pipes.

Appliances

- Missing appliances that are listed as “provided by owner” in the lease.
- Stoves and refrigerators that do not work or are missing manual shut off for gas range.
- Stove burners that do not work or have missing knobs.
- Oven not working or oven door not closing properly.
- Stove temperature knobs not readable
- Stove not level
- Drip pan and burner not flush and secure

Handrails and Guardrails

- No handrails on steps with 4” or more risers.
- No guardrails around decks or porches that are 30” or more inches off ground level.

Water Heaters and Heating Equipment

- No pressure relief valve or no discharge line within 6” of ground on the hot water heater. No manual shut off valves on heating and hot water equipment fired by fuel.

Exterior

- Wooden fencing is broken
- Missing slab.
- Front & Back yards not mowed

General

- Some fixtures or facilities within the unit are not clean.
- Trash and/or debris in yard or premises.
- No screens on windows and doors when refrigerated air is not available.
- Apartment numbers not visible

**CERTIFICATION OF
DOMESTIC VIOLENCE,
DATING VIOLENCE,
SEXUAL ASSAULT, OR STALKING,
AND ALTERNATE DOCUMENTATION**

**U.S. Department of Housing
and Urban Development**

OMB Approval No. 2577-0286
Exp. 06/30/2017

Purpose of Form: The Violence Against Women Act (“VAWA”) protects applicants, tenants, and program participants in certain HUD programs from being evicted, denied housing assistance, or terminated from housing assistance based on acts of domestic violence, dating violence, sexual assault, or stalking against them. Despite the name of this law, VAWA protection is available to victims of domestic violence, dating violence, sexual assault, and stalking, regardless of sex, gender identity, or sexual orientation.

Use of This Optional Form: If you are seeking VAWA protections from your housing provider, your housing provider may give you a written request that asks you to submit documentation about the incident or incidents of domestic violence, dating violence, sexual assault, or stalking.

In response to this request, you or someone on your behalf may complete this optional form and submit it to your housing provider, or you may submit one of the following types of third-party documentation:

- (1) A document signed by you and an employee, agent, or volunteer of a victim service provider, an attorney, or medical professional, or a mental health professional (collectively, “professional”) from whom you have sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse. The document must specify, under penalty of perjury, that the professional believes the incident or incidents of domestic violence, dating violence, sexual assault, or stalking occurred and meet the definition of “domestic violence,” “dating violence,” “sexual assault,” or “stalking” in HUD’s regulations at 24 CFR 5.2003.
- (2) A record of a Federal, State, tribal, territorial or local law enforcement agency, court, or administrative agency; or
- (3) At the discretion of the housing provider, a statement or other evidence provided by the applicant or tenant.

Submission of Documentation: The time period to submit documentation is 14 business days from the date that you receive a written request from your housing provider asking that you provide documentation of the occurrence of domestic violence, dating violence, sexual assault, or stalking. Your housing provider may, but is not required to, extend the time period to submit the documentation, if you request an extension of the time period. If the requested information is not received within 14 business days of when you received the request for the documentation, or any extension of the date provided by your housing provider, your housing provider does not need to grant you any of the VAWA protections. Distribution or issuance of this form does not serve as a written request for certification.

Confidentiality: All information provided to your housing provider concerning the incident(s) of domestic violence, dating violence, sexual assault, or stalking shall be kept confidential and such details shall not be entered into any shared database. Employees of your housing provider are not to have access to these details unless to grant or deny VAWA protections to you, and such employees may not disclose this information to any other entity or individual, except to the extent that disclosure is: (i) consented to by you in writing in a time-limited release; (ii) required for use in an eviction proceeding or hearing regarding termination of assistance; or (iii) otherwise required by applicable law.

**TO BE COMPLETED BY OR ON BEHALF OF THE VICTIM OF DOMESTIC VIOLENCE,
DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**

1. Date the written request is received by victim: _____

2. Name of victim: _____

3. Your name (if different from victim's): _____

4. Name(s) of other family member(s) listed on the lease: _____

5. Residence of victim: _____

6. Name of the accused perpetrator (if known and can be safely disclosed): _____

7. Relationship of the accused perpetrator to the victim: _____

8. Date(s) and times(s) of incident(s) (if known): _____

10. Location of incident(s): _____

In your own words, briefly describe the incident(s):

This is to certify that the information provided on this form is true and correct to the best of my knowledge and recollection, and that the individual named above in Item 2 is or has been a victim of domestic violence, dating violence, sexual assault, or stalking. I acknowledge that submission of false information could jeopardize program eligibility and could be the basis for denial of admission, termination of assistance, or eviction.

Signature _____ Signed on (Date) _____

Public Reporting Burden: The public reporting burden for this collection of information is estimated to average 1 hour per response. This includes the time for collecting, reviewing, and reporting the data. The information provided is to be used by the housing provider to request certification that the applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking. The information is subject to the confidentiality requirements of VAWA. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid Office of Management and Budget control number.

Rosenberg Housing Authority
Notice of Occupancy Rights under the Violence Against Women Act¹

To all Tenants and Applicants

The Violence Against Women Act (VAWA) provides protections for victims of domestic violence, dating violence, sexual assault, or stalking. VAWA protections are not only available to women, but are available equally to all individuals regardless of sex, gender identity, or sexual orientation.² The U.S. Department of Housing and Urban Development (HUD) is the Federal agency that oversees that **Housing Choice Voucher Program** is in compliance with VAWA. This notice explains your rights under VAWA. A HUD-approved certification form is attached to this notice. You can fill out this form to show that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking, and that you wish to use your rights under VAWA.”

Protections for Applicants

If you otherwise qualify for assistance under **Rosenberg Housing Authority (RHA) Housing Choice Voucher Program**, you cannot be denied admission or denied assistance because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Protections for Tenants

If you are receiving assistance under **Housing Choice Voucher Program (HCV)**, you may not be denied assistance or be terminated from participation from your rental housing because you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

Also, if you or an affiliated individual of yours is or has been the victim of domestic violence, dating violence, sexual assault, or stalking by a member of your household or any guest, you may not be denied rental assistance under **HCV** solely on the basis of criminal activity directly relating to that domestic violence, dating violence, sexual assault, or stalking.

Affiliated individual means your spouse, parent, brother, sister, or child, or a person to whom you stand in the place of a parent or guardian (for example, the affiliated individual is in your care, custody, or control); or any individual, tenant, or lawful occupant living in your household.

Removing the Abuser or Perpetrator from the Household

RHA may request the abuser who has engaged in criminal activity (the abuser or perpetrator) directly relating to domestic violence, dating violence, sexual assault, or stalking be removed from your lease in order or terminate the assistance of the individual.

If RHA chooses to remove the abuser or perpetrator, RHA may not take away the rights of eligible tenants to the unit or otherwise punish the remaining tenants. If the perpetrator was the sole tenant to have established eligibility for assistance under the program, RHA must allow the tenant who is or has been a victim and other household members to remain in the unit for a

¹ Despite the name of this law, VAWA protection is available regardless of sex, gender identity, or sexual orientation.

² Housing providers cannot discriminate on the basis of any protected characteristic, including race, color, national origin, religion, sex, familial status, disability, or age. HUD-assisted and HUD-insured housing must be made available to all otherwise eligible individuals regardless of actual or perceived sexual orientation, gender identity, or marital status.

period of time, in order to establish eligibility under the program or under another HUD housing program covered by VAWA, or, find alternative housing.

Moving to Another Unit

Upon your request, RHA may permit you to move to another unit, subject to the availability of other units, and still keep your assistance. In order to approve a request, RHA may ask you to provide documentation that you are requesting to move because of an incidence of domestic violence, dating violence, sexual assault, or stalking. If the request is a request for an emergency transfer voucher, the housing provider may ask you to submit a written request or fill out a form where you certify that you meet the criteria for an emergency transfer under VAWA. The criteria are:

(1) You are a victim of domestic violence, dating violence, sexual assault, or stalking. If your housing provider does not already have documentation that you are a victim of domestic violence, dating violence, sexual assault, or stalking, your housing provider may ask you for such documentation, as described in the documentation section below.

(2) You expressly request the emergency transfer voucher. Your housing provider may choose to require that you submit a form, or may accept another written or oral request.

(3) You reasonably believe you are threatened with imminent harm from further violence if you remain in your current unit. This means you have a reason to fear that if you do not receive a transfer you would suffer violence in the very near future.

OR

You are a victim of sexual assault and the assault occurred on the premises during the 90-calendar-day period before you request a transfer. If you are a victim of sexual assault, then in addition to qualifying for an emergency transfer voucher because you reasonably believe you are threatened with imminent harm from further violence if you remain in your unit, you may qualify for an emergency transfer if the sexual assault occurred on the premises of the property from which you are seeking your transfer, and that assault happened within the 90-calendar-day period before you expressly request the transfer.

RHA will keep confidential requests for emergency transfer vouchers by victims of domestic violence, dating violence, sexual assault, or stalking, and the location of any move by such victims and their families.

RHA's emergency transfer plan provides further information on emergency transfer vouchers, and RHA must make a copy of its emergency transfer plan available to you if you ask to see it.

Documenting You Are or Have Been a Victim of Domestic Violence, Dating Violence, Sexual Assault or Stalking

RHA can, but is not required to, ask you to provide documentation to "certify" that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking. Such request from RHA must be in writing, and RHA must give you at least 14 business days (Saturdays, Sundays, and Federal holidays do not count) from the day you receive the request to provide the documentation. RHA may, but does not have to, extend the deadline for the submission of documentation upon your request.

You can provide two of the following to RHA as documentation. It is your choice which of the following to submit if RHA asks you to provide documentation that you are or have been a victim of domestic violence, dating violence, sexual assault, or stalking.

- A complete HUD-approved certification form given to you by RHA with this notice, that documents an incident of domestic violence, dating violence, sexual assault, or stalking. The form will ask for your name, the date, time, and location of the incident of domestic violence, dating violence, sexual assault, or stalking, and a description of the incident. The certification form provides for including the name of the abuser or perpetrator if the name of the abuser or perpetrator is known and is safe to provide.
- A record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency that documents the incident of domestic violence, dating violence, sexual assault, or stalking. Examples of such records include police reports, protective orders, and restraining orders, among others.
- A statement, which you must sign, along with the signature of an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional or a mental health professional (collectively, “professional”) from whom you sought assistance in addressing domestic violence, dating violence, sexual assault, or stalking, or the effects of abuse, and with the professional selected by you attesting under penalty of perjury that he or she believes that the incident or incidents of domestic violence, dating violence, sexual assault, or stalking are grounds for protection.
- Any other statement or evidence that RHA has agreed to accept.

If you fail or refuse to provide one of these documents within the 14 business days, RHA does not have to provide you with the protections contained in this notice.

If RHA receives conflicting evidence that an incident of domestic violence, dating violence, sexual assault, or stalking has been committed (such as certification forms from two or more members of a household each claiming to be a victim and naming one or more of the other petitioning household members as the abuser or perpetrator), RHA has the right to request that you provide third-party documentation within thirty 30 calendar days in order to resolve the conflict. If you fail or refuse to provide third-party documentation where there is conflicting evidence, RHA does not have to provide you with the protections contained in this notice.

Confidentiality

RHA must keep confidential any information you provide related to the exercise of your rights under VAWA, including the fact that you are exercising your rights under VAWA.

RHA must not allow any individual administering assistance or other services on behalf of RHA (for example, employees and contractors) to have access to confidential information unless for reasons that specifically call for these individuals to have access to this information under applicable Federal, State, or local law.

RHA must not enter your information into any shared database or disclose your information to any other entity or individual. RHA, however, may disclose the information provided if:

- You give written permission to RHA to release the information on a time limited basis.
- RHA needs to use the information in an eviction or termination proceeding, such as to evict your abuser or perpetrator or terminate your abuser or perpetrator from assistance under this program.

- A law requires RHA or your landlord to release the information.

VAWA does not limit RHA's duty to honor court orders about access to or control of the property. This includes orders issued to protect a victim and orders dividing property among household members in cases where a family breaks up.

Reasons a Tenant Eligible under VAWA May Have Assistance Terminated

Your assistance can be terminated for serious or repeated lease violations that are not related to domestic violence, dating violence, sexual assault, or stalking committed against you. However, RHA cannot hold tenants who have been victims of domestic violence, dating violence, sexual assault, or stalking to a more demanding set of rules than it applies to tenants who have not been victims of domestic violence, dating violence, sexual assault, or stalking.

The protections described in this notice might not apply, and your assistance terminated, if RHA can demonstrate that not terminating your assistance would present a real physical danger that:

- 1) Would occur within an immediate time frame, and
- 2) Could result in death or serious bodily harm to other tenants or those who work on the property.

If RHA can demonstrate the above, RHA should only terminate your assistance if there are no other actions that could be taken to reduce or eliminate the threat.

Other Laws

VAWA does not replace any Federal, State, or local law that provides greater protection for victims of domestic violence, dating violence, sexual assault, or stalking. You may be entitled to additional housing protections for victims of domestic violence, dating violence, sexual assault, or stalking under other Federal laws, as well as under State and local laws.

Non-Compliance with The Requirements of This Notice

You may report a covered housing provider's violations of these rights and seek additional assistance, if needed, by contacting or filing a complaint with **Houston HUD field office at 1301 Fannin St # 2200, Houston, TX 77002, 713-374-6150**

For Additional Information

You may view a copy of HUD's final VAWA rule at **<https://www.gpo.gov/fdsys/pkg/FR-2016-11-16/pdf/2016-25888.pdf>**

Additionally, RHA must make a copy of HUD's VAWA regulations available to you if you ask to see them.

For help regarding an abusive relationship, you may call the National Domestic Violence Hotline at 1-800-799-7233 or, for persons with hearing impairments, 1-800-787-3224 (TTY).

For tenants who are or have been victims of stalking seeking help may visit the National Center for Victims of Crime's Stalking Resource Center at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.



NEW OWNER IDENTIFICATION FORM

ALL Information and requested documents must be supplied on these forms in full or they will be returned for completion, which will delay the Inspection and Assistance Payment process.

TAXPAYER CERTIFICATION AND IDENTIFICATION NUMBER PLEASE PRINT:

NAME: _____
(Must be name of person, company, etc. who is responsible for the IRS reporting—a 1099 is issued in this name at the end of the year.)

ADDRESS: _____
(Address where the check is to be mailed—cannot be tenant's unit.)

Date of Birth: _____

Phone number: _____ E-mail Address _____

If you stated above that your agency is an "LLC", please circle which of the following two options best describes your agency:

- Limited Liability COMPANY
- Limited Liability CORPORATION

If you are providing a P.O. Box for delivery of your check, please provide a residential address:

SOCIAL SECURITY #/FEDERAL I.D. # _____
(Must match above name for 1099 reporting—"on file" not acceptable)

The following information is requested on the person whose tax I.D. number is listed above: MALE: _____ FEMALE: _____

RACE: Black Asian ETHNICITY: Hispanic
 White American Indian Non-Hispanic
 Other

NAME(S) OF ANY OR ALL OTHER PERSON(S) ON DEED OR MORTGAGE: _____

ALL ELECTED OFFICIALS MUST DISCLOSE THEIR POSITIONS IN ORDER TO DETERMINE POSSIBILITY OF CONFLICT OF INTEREST.

ARE YOU (the owner of the property) AN ELECTED OFFICIAL? _____. If YES, please disclose the position you hold: _____

Please provide the following items along with this form:

1. The attached W9 filled out.
 2. Copy of Valid Government Issued ID
 2. Copy of proof of ownership (Deed or Trust, Settlement Statement, Property Tax Statement)
 3. Copy of Social Security Card and/or Copy of IRS Form SS-4 for EIN Number
- All these items can be emailed to kbrown@rosenbergha.org or Faxed to 281-232-2920 ATTN: Kim Brown.
Any questions can be directed to the above email address or call (281)342-1456x13

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/disregarded entity name, if different from above	
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶	
<input type="checkbox"/> Exempt payee	
Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
City, state, and ZIP code	Rosenberg Housing Authority 117 Lane Drive, Suite 18 Rosenberg, TX 77471
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 the "Name" line 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																																		
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Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Employer identification number																																								
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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).

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 ▶

General Instructions

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

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.

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. 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.

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.

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 on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the 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 withholding on your share of partnership income.