

**PERFORMANCE DEPOSIT CERTIFICATION FORM
FOR AN APPLICATION FOR AN ALLOCATION OF QUALIFIED PRIVATE ACTIVITY BONDS**

THE CALIFORNIA DEBT LIMIT ALLOCATION COMMITTEE (CDLAC)

901 P Street, Room 213A
Sacramento, CA 95814
(916) 653-3255

CERTIFICATION OF THE _____ (Applicant)
REGARDING AN APPLICATION FOR QUALIFIED PRIVATE ACTIVITY BOND ALLOCATION

In connection with the following Qualified Private Activity Bond Application:

APPLICANT: _____

AMOUNT OF ALLOCATION REQUESTED: \$ _____

PROJECT NAME/PROJECT TYPE:

the undersigned officer of the _____
(Applicant) hereby certifies as follows:

1. I, _____ (Name), am the _____
(Title) of the _____ (Applicant),
and am duly authorized to make the deposit required below.
2. The _____ (Applicant) has
collected and has placed on deposit in an account in a financial institution \$_____, _____ dollars
_____ (write out dollar amount in
words), which **equals one half of one percent** of the amount of the Qualified Private Activity Bond
Allocation being requested, **not to exceed \$100,000**.
3. The deposit will be held until receipt of a written notification from the California Debt Limit Allocation
Committee that the deposit is authorized to be released or forfeited, in whole or in part, pursuant to
Article 5 of Chapter 1 of the Committee's Regulations.
4. To the extent that any portion of the deposit is forfeited, the Applicant agrees to send the required
amount in a check made payable to "The California Debt Limit Allocation Committee." Such check shall
be mailed to the Committee at the address noted above immediately upon receipt of the written
notification from the Committee.
5. The undersigned has read the Regulations of the California Debt Limit Allocation Committee and
understands that if a Qualified Private Activity Bond Allocation is not used for the purpose for which it
was granted, the performance deposit must be fortified to the Committee.

Signature of Senior Official

Print or Type Name

Title

Date

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1. Each Applicant for a Qualified Private Activity Bond Allocation must submit evidence to the Committee that it has on deposit in an account in a financial institution an amount **equal to one half of one percent** of the amount of Qualified Private Activity Bond Allocation being requested, **not to exceed \$100,000**. Applicants are advised to read Article 5 of Chapter 1 of the Committee's Regulations.
2. The Performance Deposit Certification Form (see other side) must be filed with the Committee in conjunction with the filing of an Application and by the Application Deadline.
3. The Committee will authorize release or require forfeiture of the deposit as follows:
 - a. If the Committee provides no Allocation, or grants an amount lower than requested by the Applicant, the Committee will authorize release of the deposit or release of a pro rata amount of the deposit so that only one-half of one percent (0.5%) of the Allocation granted is on deposit;
 - b. If the Applicant uses only a portion of the Allocation granted to issue bonds (or convert the Allocation to mortgage credit certificate authority), the Committee will authorize the release of the deposit in accordance with the conditions imposed at the time of Allocation. The Committee will approve the Allocation with the deposit fully refundable if 80% or more of the Allocation is used to issue bonds prior to the expiration date. If less than 80% of the Allocation is used to issue bonds prior to the expiration date, the refundable performance deposit will be pro-rated. For Mortgage Credit Certificate Programs, if 80% or more of the Allocation is converted to mortgage credit certificate authority and at least one mortgage credit certificate is issued prior to the expiration date, the performance deposit will be refunded in full. If less than 80% of the Allocation is converted to mortgage credit certificate authority and at least one mortgage credit certificate is issued prior to the expiration date, the refundable performance deposit will be pro-rated.
 - c. If the Applicant does not use any of the Allocation to issue bonds prior to the expiration date (or convert the Allocation to mortgage credit certificate authority and issue at least one mortgage credit certificate prior to the expiration date), the entire deposit will be forfeited; and
 - d. If the Applicant or the Project Sponsor withdraws the Application in writing prior to the Committee's consideration of the Application, the performance deposit shall be automatically released and no written authorization from the Committee shall be necessary.
4. If the Applicant forfeits all or a part of a deposit pursuant to Article 5 of Chapter 1 of the Committee's Regulations, the Applicant shall send the required amount to the Committee in a check made payable to "The California Debt Limit Allocation Committee". Amounts received will be deposited in the Committee's Fund.
5. Project Sponsors bear the risk of forfeiting all or part of their performance deposit if the Allocation is not used in accordance with the conditions and timeframes set forth in the Committee Resolution.