



APPENDIX
LETTER OF INTENT (LOI) REQUIREMENTS

Regulation Section 10325(c)(8)

Include the terms and conditions pursuant to which an investor will acquire at least a 99% interest (usually 99.99%) in the partnership that owns the property:

- Name of the partnership, limited partner or investor, general partner(s) and guarantors
- Describe the design and outline the development schedule
- Outline the construction and permanent financing sources, amounts, terms
- State the tax credit reservation amount and terms, including credit delivery schedule, basis and timing adjusters
- State the net price to be paid per dollar of credit, total capital contribution amount, contribution schedule and terms for payment
- State any additional conditions which could affect the pricing
- Outline guarantees and other obligations of the general partner
- State the requirements for Operating and Replacement Reserves
- Provide cash flow and sale or refinancing “waterfall” and GP/LP distribution splits
- State the conditions to closing into the partnership, including investor committee approval and conditions under which there could be re-pricing or change in other terms
- Describe the developer fee and terms for payment of any deferred fee
- State exclusivity of the agreement and indicate any termination fees or damages
- Specify the term of commitment/expiration date
- Consistent with TCAC Regulation Section 10322(h)(18), the syndicator shall not pay any fees or provide any other financial or other substantive benefit to a partnership developer unless all such fees or benefits are fully and completely disclosed to the California Tax Credit Allocation Committee (CTCAC) in the executed LOI.
- Include signature of the investor/syndicator and general partner