Tax Increment Financing and Residential Incentive Districts

TIF Overview

- At least 6 different types of TIFs – all are implemented by ordinance or resolution
- Focus today will be on 3 most commonly used TIF types (Revised Code Sections 5709.40, 5709.73 and 5709.78)
- TIF is one of many economic development tools available in Ohio and is often used in conjunction with other tools
- The point of a TIF is to generate payments in lieu of taxes ("PILOTs") to pay for public infrastructure improvements

Increment Generates PILOTs

<table>
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<tr>
<th>County</th>
<th>Municipality</th>
<th>School District</th>
<th>Township</th>
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<td></td>
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<td>Improved</td>
<td>Unimproved</td>
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TIF PILOTs generated from the incremental assessed value are used to finance the public infrastructure costs.
**Tax Increment Generates PILOTs**

- Existing taxes are unaffected
- County treasurer collects PILOTs along with real estate taxes
- Tax lien exists to secure PILOTs
- PILOTs are in the same amount as the otherwise applicable taxes
- Potential issues with diverting too much real property taxes to PILOTs

**Public Infrastructure Improvements**

- Traditional government projects (i.e. roads, water & sewer lines, stormwater, etc.)
- Redevelopment projects (i.e. land acquisition, environmental remediation and demolition)
- New development (i.e. gas, electric, and communications service facilities)
- Projects can, in some cases, be located outside of TIFing jurisdiction
- Projects can, in some cases, be located on private property
- Projects must generally benefit TIF property

**General TIF Considerations**

- School vs. Non-School TIF
  - No School District approval for Non-School Municipal TIFs or TIFs that do not exceed 10 years, 75%
  - School District approval required for all other TIFs over 10 years, 75%
  - Compensation Agreements with School District – potential issues
  - Income tax sharing applies for School TIFs
- Notice Periods
  - 14 days for JVSD notices and for TIFs where School approval is not required
  - 45 business days for all other TIFs
- Prevailing Wage Requirements
Eligibility for Incentive District TIFs

- A TIF may be comprised of specific private parcels (a "parcel" TIF) or a political body may create an "incentive district" TIF
- Political body’s ability to TIF residential property is very limited in a parcel TIF
- Incentive districts may include both residential and commercial improvements
- Basic requirements for an incentive district:
  - No larger than 300 contiguous acres
  - Exhibits one or more characteristics of economic distress

Eligibility for Incentive District TIF (Cont.)

- Additional provisions/restrictions to create an incentive district:
  - Need to identify specific projects generating infrastructure demands
  - If PILOTs generated from private improvements in the district are being used to fund housing renovations, legislation must identify a project within the district that places real property in use for commercial or industrial purposes
  - PILOTs cannot be used for police or fire equipment
  - Subdivisions with a population over 25,000 may not create an incentive district if it would result in more than 25% of the taxable value of all real property within its boundaries for the preceding tax year being included in incentive district TIFs

Incentive District TIFs May Require Additional Notice

- For incentive district TIFs that are longer than 10 years or provide more than a 75% exemption, notice must be given to the board of county commissioners or board of township trustees (45 business days)
- If the political subdivision intends to file exemption applications on behalf of property owners, it must hold a public hearing on the proposed TIF at least 30 days prior to passage of the authorizing TIF legislation and give 30-day notice of that hearing to all owners of property within the incentive district by first class mail
Sharing of PILOTS for Incentive District TIFs

- Where the TIF'ing subdivision files the exemption application, half of PILOTS from the inside millage for a county or township on reappraisal/update increases to base value are shared with counties or townships
- Where notice to county or township is required, if no compensation agreement is reached, an amount equal to either 50% of the taxes otherwise payable to the county or township in years 11-30 or 50% of the taxes otherwise payable to the county or township if the exemption did not exceed 75%

Protected Levies for Incentive District TIFs

- PILOTs attributable to certain tax levies are not captured by the TIF and are to be paid to the benefiting agency
- Amount of PILOTs paid to the benefiting agency is equal to the entire amount generated from any newly approved additional levies, plus the increased amount generated from the increase in effective rate (over the January 1, 2006 rate) of any renewal or replacement levies, passed by the electors on or after January 1, 2006

TIF Agreements

- Agreements between the public body and the property owner are recommended for most TIFs whenever feasible
- Provides an opportunity to allocate risks
- May include property owner’s covenants to make payments in lieu of taxes and provide for those covenants to run with the land (useful if foreclosure proceedings are not initiated)
- May provide for the property owner’s promise to construct the proposed real property improvements
- May include covenants requiring the property owner to prepare and file (in cooperation with the public body) the necessary tax exemption applications
- May set forth the terms of constructing and paying for the public infrastructure improvements, including minimum service payments and issuing debt or entering into a guaranty or letter of credit arrangement
Risks Public Bodies Guard Against

- Anticipated real property improvements are not completed or valued at anticipated level
- Real property improvements are completed but are later destroyed as a result of natural disaster or other casualty event
- Real property improvements are completed but the property owner encounters financial difficulty and is unable to make PILOTs
- Decrease in level of assessed valuation and/or level of real property taxation
- PILOTs are insufficient to pay debt service on securities issued to pay costs of the public improvements

Financing Methods

- State Loan
- Public Body Debt
- Cash Advance
- Developer Reimbursement
- Conduit Financing
- Regardless of method, financing needs to account for time period between debt issue and beginning of PILOT collection

Ongoing TIF Compliance

- DTE 24 Filings (who prepares, who signs)
- Property Notice Filings
- TIF Value Check
- Annual Reports
- Tax Incentive Review Council (review, not revoke)
- Expenditure Tracking/Accounting
Tax Increment Financing 
and 
Residential Incentive Districts

Auditor of State 
2010 Local Government Officials' Conference

APRIL 7, 2010

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TAX INCREMENT FINANCING.

A. What is “Tax Increment Financing?”

1. Tax increment financing (“TIF”) involves public body (municipal corporation, county or township) implementation of a state statutory program under which a real property tax exemption is granted with respect to (in most cases) the increment of increase in assessed valuation of certain designated parcels resulting from real property improvements made to such parcels.

2. The property owners of the designated parcels make payments in lieu of taxes (“PILOTs”), equal to the amount of taxes that would otherwise have been paid with respect to the exempted real property improvements (may include public infrastructure improvements, e.g. parking garages).

3. As a result, implementation of tax increment financing creates a “cash flow”, back to the public body with respect to the exempted real property improvements, in the amount of the taxes that otherwise would have to be paid on such real property improvements.

B. Watch Out For Potential Confusion - There Are Several TIF Programs

1. Developers (sometimes public officials) will frequently say “I want to use TIF on this project” without realizing that there are at least six different state statutory programs under which tax increment financing could be implemented. Each TIF program has its own requirements, including constraints on what can be done with the TIF cash flow to the public body.

2. In general, TIF can be regarded as providing a financing device for the public body, and so is of direct benefit to the public body in carrying out its public purposes.

3. TIF can be an indirect benefit to a developer of a project. TIF can indirectly result in flowing economic benefit to a developer by financing improvements desired by the developer or which the developer would otherwise have to finance, or by reducing the developer’s lease rentals, etc.

C. Ohio Tax Increment Financing Programs.

1. Ohio Revised Code §§ 5709.40, 5709.73 and 5709.78 Tax Increment Financing.

a. A municipal corporation, township or county that will construct a public improvement that will directly benefit specific private parcels can adopt a “TIF” ordinance or resolution that specifically identifies the public improvement and declares the future increase in assessed valuation of those private parcels to be a public purpose and exempt from real property taxation. The public body can require owners to make PILOTs that must be used to pay costs of the designated public improvements or pay compensation payments to school districts and other public bodies.
b. There can be a maximum of 10 years of real property exemption, and maximum of 75% exemption, unless school board approval is obtained for a higher rate or longer term or the municipal TIF ordinance provides that the city, local or exempted village school district will be paid an amount equal to the amount of taxes it would have received absent the TIF. With school board approval or payment provisions, the maximum exemption is 100% and the maximum term of the exemption is 30 years.

c. The public body must comply with the school district notice and compensation requirements described below.

d. Public bodies may create an incentive district to finance housing renovations and other public improvements.

e. Basic requirements for an incentive district:
   • Need an area of not more than 300 acres.
   • The area must have a continuous boundary.

f. Incentive districts must have one or more of the following characteristics:
   • At least 51% of the district’s residents have income of less than 80% of the median income of residents of the municipality, township or county, as applicable.
   • Average rate of unemployment in the district is equal to at least 150% of the average rate of unemployment in the State.
   • At least 20% of the district’s residents live at or below the poverty level.
   • The district is a blighted area.
   • The district is in situational distress per ODOD.
   • The public body’s engineer has certified that the existing public infrastructure is inadequate to meet the development needs of the district as evidenced by a written and approved economic development or urban renewal plan.
   • The district is composed entirely of unimproved land that is located in a distressed area.

g. Additional provisions/restrictions for an incentive district:
   • Legislation must identify public infrastructure improvements which benefit or serve the district. These improvements may not include “police or fire equipment”.
   • Private development project(s) in the incentive district that place(s) additional demand(s) on the public infrastructure improvements must be identified by the ordinance.
• If PILOTs are being used for housing renovation, then a project within the district must place real property in use for commercial or industrial purposes.
• A public body with a population over 25,000 may not create an additional incentive district if it would result in more than 25% of the taxable value of all real property within its boundaries for the preceding tax year being included in incentive district TIFs.

2. Ohio Revised Code §§ 5709.41 through 5709.43 Tax Increment Financing.
   a. A municipal corporation acquiring land involving “urban redevelopment” can (after acquisition of title by the municipal corporation) declare the future increase in assessed valuation of a parcel to be a public purpose and exempt from real property taxation, and can require making of payments in lieu of taxes by the owner of a structure on the parcel. Payments are made to the county treasurer and distributed to the municipal corporation. Payments are deposited in special fund created by the municipal corporation and used for any purposes designated by the municipal corporation.
   b. There can be a maximum of 10 years of real property exemption, and maximum of 75% exemption, unless school board approval is obtained for a higher rate or longer term or the TIF ordinance provides that the city, local or exempted village school district will be paid an amount equal to the amount of taxes it would have received absent the TIF. With school board approval or payment provisions, the maximum exemption is 100% and the maximum term of the exemption is 30 years.
   c. Municipality must comply with the school district notice and compensation requirements described below.
   d. The semiannual payments in lieu of taxes to be collected by the municipal corporation with respect to private development on the property might enable structuring arrangements that could be of indirect (or direct) benefit to a developer, including the following:
      i. Collection of those payments in lieu of taxes might result in a municipality being willing to finance certain infrastructure improvements as public improvements, and without levying special assessments against the private property.
      ii. Other relationships might be structured under which a developer might receive the economic benefit of such payments. For example, a municipality might issue taxable industrial development bonds to finance some part of the private facility, and the municipality might contribute those payments to the payment of debt service, in addition to any debt service payments to be made by the developer.
3. Tax Increment Financing using Chapter 725 Bonds.
   
a. Under Ohio Revised Code Chapter 725, a municipality can enter into a development agreement with a developer of land in an urban renewal project, and can authorize a real property tax exemption with respect to the improvements constructed, and require the owner to make payments in lieu of taxes to the municipality. The municipality can use those payments to pay debt service on Chapter 725 bonds and for related expenses.

   b. Chapter 725 Bonds can be issued to pay costs of urban renewal land acquisition, demolition and public improvements in urban renewal areas.

   c. A municipality can use Chapter 725 payments in lieu of taxes to repay the State for infrastructure loans made to finance infrastructure improvements located in urban renewal projects.

   d. There can be a maximum of 75% real property exemption, for up to 30 years, unless school board approval is obtained. With school board approval, a municipality can have a maximum 100% real property exemption.

   e. Municipality must comply with the school district notice and compensation requirements described below.

D. Notice and Compensation Requirements for School Districts and County.

1. Notice to and compensation for affected school districts.

   a. A public body must give statutory notice to school districts affected by the implementation of the TIF. Notice of 14 calendar days is required where school board approval is not required (also, notice to any JVSD), as set forth under Ohio Revised Code Section 5709.83. Notice of 45 business days is required where school board approval is required.

   b. Under certain circumstances, a public body will need school board approval in advance of passing TIF ordinance.

   c. Under certain circumstances, use of a TIF program will also trigger revenue sharing/school district compensation requirements under O.R.C. §5709.82.

2. Notice to and PILOT Sharing with County or Township for Incentive District TIFs.

   a. A municipality or township must give the board of county commissioners 45 business days’ notice prior to passing an incentive district TIF legislation if the proposed exemption is for more than 10 years or in excess of 75%. A county must give the board of township trustees 45 business days’ notice prior to passing an incentive
district TIF resolution if the proposed exemption is for more than 10 years or in excess of 75%.

b. The county (or township) then has 30 calendar days from receipt of the notice to approve or object to the proposed TIF. If the county (or township) either (i) approves the proposed TIF, or (ii) fails to respond in writing within this 30 day period, the municipality, township or county may enact the TIF as proposed. If the county (or township) objects in writing to the proposed TIF within this 30 day period, the county, township and municipality, as applicable, may negotiate a compensation agreement.

c. The compensation agreement may be for an amount up to 100% of the amount “the county” or “the township”, as applicable, would have received in property taxes absent the TIF exemption. The proposed TIF legislation may be passed when the compensation agreement is agreed upon. If no compensation agreement is agreed upon, the municipality, township or county may nevertheless proceed to pass the TIF legislation subject to paying the statutory minimum mandatory compensation payments of either: 50% of the township’s or county’s (as applicable) foregone taxes during the 11th and subsequent year of the TIF or (b) 50% of the township’s or county’s (as applicable) foregone taxes on the portion of the exempted improvement in excess of 75% throughout the life of the TIF.

d. Certain tax levies for county MRDD, senior citizen service, hospital, mental health service, library, children services agencies, zoos, park districts and township park districts, park and recreational purposes of joint recreation districts, public assistance, human or social services, public relief, public welfare, public health and hospitalization and support of general hospitals, and general health district programs are not captured by the TIF and are to be paid to the benefiting agency. The amount of PILOTs that are paid to the benefiting agency is equal to the entire amount generated from any additional levies and the increased amount generated from any renewal or replacement levies passed by the electors on or after January 1, 2006. These amounts will be paid directly by the county treasurer to the benefiting agency from the PILOTs.

E. Converting TIF PILOT Cash Flow Into Up Front Lump Sum Proceeds Available to Pay Project Costs.

1. TIF PILOTs result in a semiannual cash flow to public body.

2. TIF PILOT cash flows come to a public body on a delayed basis, after completion of construction of the exempted real property improvements at the time that increased tax bills would first be paid with respect to the real property improvements were it not for the property tax exemption.
3. There are various ways for a public body to convert TIF PILOT cash flows to a lump sum up front payment, available to pay project or infrastructure costs. Examples include:

   a. Cash advance. Public body can make a cash advance out of its available funds, with the intent of reimbursing itself out of future payments in lieu of taxes.

   b. State loan. Public body might seek to obtain a state loan, and use TIF PILOTs to repay the state loan.

   c. Public body might issue obligations (such as industrial development bonds, general obligation bonds, or other obligations as appropriate based on the facts of the project and under applicable state law) and pay debt service in whole or in part out of PILOTs.

   d. Developer Reimbursement. Developer funds initial costs of public infrastructure improvements and public body agrees to reimburse developer for those costs from TIF PILOTs, usually with interest (which may be tax-exempt in many cases).

   e. Conduit Financing. Conduit issuer (i.e. a Port Authority or New Community Authority) may issue debt (often for a fee) that is backed by a pledge of TIF PILOTs. Conduit issuers often require letters of credit or other forms of credit enhancement in order to market the debt.

4. When choosing to issue obligations, a public body and a developer must decide how risk will be distributed among the two of them.

   a. When a public body issues general obligation bonds in support of a TIF arrangement, the public body assumes greater risk in the financing. However, by assuming this risk it may enable the public body to attract more desirable developers to take advantage of the TIF and secure better interest rates, thereby stretch TIF PILOTs farther.

   b. A public body may reduce its financing risk by issuing special obligations supported solely by the PILOTs. This may increase financing costs/decrease funds available for projects.

   c. Another approach would be to structure the financing so that the developer bears much of the financing risk. This may be accomplished by requiring the developer to purchase some or all of the debt or to enter into a guaranty arrangement or a letter of credit arrangement.
F. **The Role of a Tax Increment Financing Agreement.**

1. Certain TIF programs mandate an agreement between public body and the property owner.
   
   a. O.R.C. Chapter 1728 requires a “financial agreement” between the municipal corporation and the community urban redevelopment corporation.
   
   b. O.R.C. Chapter 725 requires a “development agreement”.

2. Under other TIF programs, statutes do not require a TIF agreement, but agreements are recommended whenever feasible.

3. **Benefits of a TIF agreement for the public body (non-exclusive list):**
   
   a. TIF agreement provides the opportunity to obtain written covenants from the property owner to make PILOTs, and to set up such promises as covenants running with the land.
   
   b. TIF agreement can be a repository for other desirable covenants, such as a property owner’s promise to construct the proposed real property improvements. These covenants may be particularly important if the public body is issuing general obligation debt to pay for the public improvements.
   
   c. TIF agreement can include covenants requiring the property owner to prepare (in cooperation with the public body) the necessary form of real property tax exemption application and file the same with the county auditor and the state tax commissioner to obtain the necessary real property tax exemption.
   
   d. TIF agreement can be a repository to provide for arrangements to secure the obligation to make PILOTs, such as to provide for a series of mortgages, or a minimum payment.
   
   e. TIF agreement can also address risk allocation - See E above and G below.

G. **Potential Risks Public Bodies Guard Against (non-exclusive list):**

1. Anticipated real property improvements are not completed or valued at anticipated level, resulting in lower PILOTs.

2. Real property improvements are completed, but later burn down or blow up, resulting in lower PILOTs.

3. Real property improvements are completed, but the property owner encounters financial difficulty and lacks ability to make TIF PILOTs.
4. Potential future decrease in level of assessed valuation and/or level of real property taxation, resulting in lower PILOTs.

H. Filing Exemption Applications to Commence PILOTs.

1. Who may sign – property owner or public body.
   a. Owner signature.
      i. Avoids extra notice and hearing requirements and revenue sharing for incentive district TIFs (see below).
      ii. The owner must have owned the subject property on January 1 of the year in which the application is filed or to which it relates (in case PILOT remissions are desired).
      iii. TIF exemption is not subordinated to other tax exemptions (i.e. educational, religious, etc.) without TIF legislative authority approval.
   b. Government signature.
      i. Extra notice and hearing requirements apply for incentive district TIFs where government intended to apply for TIF exemption at time of TIF passage. Public body must hold public hearing on TIF at least 30 days before adopting the TIF legislation and must give notice of that hearing by first class mail to each property owner within the proposed incentive district at least 30 days before the hearing.
      ii. Additional revenue sharing for incentive district TIFs applies – one-half of the PILOTs generated by county (for municipal or township TIFs) or township (for county TIFs) inside millage levied on the increase in pre-TIF base value of each parcel as a result of the county auditor’s sexennial reappraisal or triennial update must be shared with the county or township, as applicable.
      iii. TIF exemption may become subordinate to other exemptions (i.e. educational, religious, etc.).
      iv. Property ownership requirements not applicable.

2. Tax payment requirements.
   a. Owner signature: real property taxes for tax year during which TIF ordinance became effective and all tax payments for year in which exemption application was submitted must be paid prior to submitting exemption application.
b. **Government signature:** real property taxes for *tax year* during which TIF ordinance became effective must be paid prior to submitting exemption application.

3. **Timing.**

   a. For initial filing and processing – generally once tax payment requirements are met.

   b. Waiver of school notice given by State Department of Taxation – may help speed processing (O.R.C. § 5715.27).

I. **Role of Tax Incentive Review Councils (TIRCs) (O.R.C. § 5709.85)**

   a. Required to be established by the public body approving the TIF and convened annually by the County Auditor.

   b. Role of TIRC is to review TIF, *not* revoke TIF.

   c. TIRC may provide recommendations to enhance compliance with the public body’s nondiscriminatory hiring policies. The public must accept, reject or modify those recommendations within 60 days.

J. **Impact of Incentive District TIF Exemptions on State School Aid Formula**

   1. **General Rule.** The aggregate value of real property in the school district exempted from taxation pursuant to an *incentive district* TIF is to be included in the calculation of a school district’s state aid to the extent that the school district is compensated or made-whole, potentially lowering the amount of state aid for the school district.

   2. **Exceptions.** The aggregate value of the improvement to parcels of real property in a school district exempted from taxation pursuant to an incentive district TIF ordinance is *not* included in the calculation of the school district’s state aid if various specific exceptions apply, including situations: where including property values in state aid calculations would interfere with certain bond issues; where the incentive district is located in certain economically distress neighborhoods; involving certain mixed-use riverfront entertainment projects; or involving certain transportation capacity projects. Each TIF eligible for these exceptions must have been issued or adopted prior to January 1, 2006.

   3. **Effective Date.** Reporting of compensation or make-whole amounts paid to school districts began April 1, 2006.
Submit three (3) copies of this application to the auditor's office in the county where the property is located. (Make a copy for your records.) The final deadline for filing with the county auditor is December 31 of the year for which exemption is sought. If you need assistance in completing this form, contact your county auditor.

Both the County Auditor's Finding (page 3) and the Treasurer's Certificate (page 4) of this application must be completed. Ask your county auditor for the procedure to follow to obtain the Treasurer's Certificate. When presented with this application, the county treasurer should promptly complete the certificate and return the application to you so it may be filed with the county auditor. The county treasurer should make certain the treasurer's certificate is complete and accurately reflects the payment status of taxes, special assessments penalties, and interest, by tax year. Obtain a copy of the property record card from the county auditor and enclose it with this application. It is the applicant's responsibility to make sure the information supplied by the county auditor and county treasurer is complete and accurate.

Answer all questions on the form. If you need more room for any question, use additional sheets of paper to explain details. Please indicate which question each additional sheet is answering. This application must be signed by the property owner or the property owner's representative.

Special Instructions for Tax Increment Financing Exemptions

If the applicant requests an exemption under R.C. 725.02, 1728.10, 5709.40, 5709.41, 5709.73, or 5709.78, the application can be signed by the property owner, the property owner's representative, the political subdivision without the property owner's consent, or the political subdivision with the property owner's consent acting under a power of attorney (attach DTE Form 24P). If the application is signed by the political subdivision without the property owner's consent, such exemption shall be subordinate to an exemption granted under any other section of the Revised Code and service payments shall not be required for the portion of the property exempt under that other section. If the exemption requested involves service payments in lieu of taxes and the application is signed by the property owner, the property owner's representative, or the political subdivision with the property owner's consent acting under a power of attorney, those payments will remain in effect for the term of the exemption even if the property is used later for another exempt purpose, unless the political subdivision consents in writing to the subsequent exemption. These service payments are also binding on future owners if the political subdivision or the property owner files a notice with the county recorder after the tax commissioner approves the application, unless the political subdivision consents in writing to the subsequent exemption. Failure to file such notice relieves only future owners from the obligation to make service payments if the property becomes exempt under any other provision of the Revised Code. Consent by a property owner filed with the tax commissioner after the commissioner has approved an application for exemption originally filed by the political subdivision without the property owner’s consent will trigger the same procedures mentioned above for an application filed by or with the property owner’s consent.

Please Type or Print Clearly

| Applicant Name: | name |
| Notices concerning this application should be sent to: | name (if different from Applicant) |
| | address |
| | city state Zip telephone number |

Application is hereby made to have the following property placed on the tax exempt list pursuant to the authorizing agreement, ordinance, or resolution, and the limitations in the Ohio Revised Code.
1. Parcel number(s): a) __________________________ b) __________________________ c) __________________________ d) __________________________
   (If more than 4, continue on an attached sheet.) **All parcels must be in the same school district.**

2. School district where located: __________________________

3. Street address or location of property: __________________________

4. a) Title to this property is in the name of: __________________________
   b) Address of owner: __________________________

5. Date title was acquired: __________________________

6. If title holder is different from the applicant, please explain: __________________________

7. Under what section of the Revised Code is exemption sought?
   - ☐ §725.02
   - ☐ §1728.10
   - ☐ §5709.40(B)
   - ☐ §5709.40(C)
   - ☐ §5709.41
   - ☐ §5709.62
   - ☐ §5709.63
   - ☐ §5709.71
   - ☐ §5709.73(B)
   - ☐ §5709.73(C)
   - ☐ §5709.78(A)
   - ☐ §5709.78(B)
   - ☐ §5709.88
   Other incentive program, specify R.C. section: ☐ §

8. Explain terms and details of incentive (real property included, percentage exempted, number of years, etc.).

9. a) Attach a copy of the resolution or ordinance of the subdivision granting the incentive and/or the applicant’s incentive agreement with the subdivision.
   b) Attach proof of school district approval (if required).

10. If this application requests exemption under a Tax Increment Financing provision (see special instructions), please indicate whether the application is being filed:
    - ☐ by the property owner
    - ☐ by the political subdivision without owner consent
    - ☐ by the political subdivision with owner consent (attach copies of DTE Form 24P).

I declare under penalty of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct, and complete.

Applicant or Representative:

signature

print name and title

address

city state Zip

telephone number date
## County Auditor’s Finding

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<th>Land</th>
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<tbody>
<tr>
<td>Taxable Value in Year of Application (Tax Year)</td>
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<td>Taxable Value in Prior Year (Tax Year)</td>
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This application covers property that is (check all that apply):

- [ ] Currently exempt*
- [ ] Previously exempt
- [ ] New Construction on previously exempted parcel
- [ ] Currently on CAUV
- [ ] Previously on CAUV

**Auditor’s Recommendation:**

- [ ] Grant
- [ ] Partial Grant
- [ ] Deny
- [ ] None

**Comments:**

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Forward two (2) copies of the completed application to the Ohio Department of Taxation, Equalization Division, P.O. Box 530, Columbus OH 43216-0530.

*If the property or any portion of the property is currently exempt, please indicate the type of exemption, the portion of property exempted, and the tax years to which the current exemption applies.*
Treasurer’s Certificate

If the Treasurer’s Certificate is not properly filled out and signed, the tax commissioner will have no jurisdiction to act on the application, and it will be subject to dismissal.

(Notice to treasurer: The first paragraph of this certificate must always be complete.)

As of the date below, I hereby certify that all TAXES, SPECIAL ASSESSMENTS, PENALTIES AND INTEREST levied and assessed against the above described property have been paid in full to and including the tax year _______ and that the most recent year for which taxes and special assessments have been charged is tax year _______.

I further certify that, as of the date below, the only UNPAID TAXES, SPECIAL ASSESSMENTS, PENALTIES AND INTEREST which have been charged against this property are as follows:

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<thead>
<tr>
<th>Parcel Number</th>
<th>Tax Year</th>
<th>Taxes (including penalties and interest)</th>
<th>Special Assessments (including penalties and interest)</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

If additional years are unpaid, please list on an attached sheet.

Have Tax Certificates been sold under R.C. 5721.32 or 5721.33 for any of the property subject to this application? □ yes □ no

Are any unpaid taxes listed on this certificate subject to a valid delinquent tax contract under R.C. 323.31(A)? If unpaid taxes are subject to a valid delinquent tax contract, please indicate which tax years’ charges are included in the contract. □ yes □ no

If yes, list tax years: ____________________________

Comments:

County Treasurer (signature) ____________________________ Date ____________________________
This form is used by a real property owner to appoint an official or employee of a political subdivision as the property owner’s agent for purposes of filing the DTE form 24, Tax Incentive Program Application for Real Property Tax Exemption and Remission, to request an exemption under Ohio Revised Code section 725.02, 1728.10, 5709.40, 5709.41, 5709.73 or 5709.78. This form (DTE 24P) should be filed with DTE form 24. **Caveat:** If the exemption for which the power of attorney is given involves service payments in lieu of taxes, those payments will remain in effect for the term of the exemption, even if the property is used for another exempt purpose after the tax incentive exemption is granted, unless the political subdivision consents in writing to the subsequent exemption. These service payments are also binding on future owners if the political subdivision or the property owner files a notice with the county recorder after the tax commissioner approves the application, unless the political subdivision consents in writing to the subsequent exemption. Failure to file such notice relieves only future owners from the obligation to make service payments if the property becomes exempt under any other provision of the Revised Code.

Use Part A if the property owner is an individual or an individual general partner of a partnership that owns the property. Use Part B if the property owner is a corporation or if the general partner of the partnership that owns the property is a corporation. Fill in the name of the property owner as grantor of the power of attorney, the name of the official or employee of the political subdivision that is appointed attorney in fact, and the parcel numbers of the property subject to the power of attorney. The property owner or representative must sign the power of attorney in the presence of a notary public.

I, __________________________, of __________________________, make __________________________, my attorney in fact to do the following on my behalf: to file DTE form 24 with the ________ County auditor requesting a tax exemption from the tax commissioner on the real property identified by parcel numbers:

<table>
<thead>
<tr>
<th>Parcel numbers</th>
<th>(List parcel numbers)</th>
</tr>
</thead>
</table>

I have signed this power of attorney on ___________________________ (Date) , ___________________________ , ____________ by ___________________________, Notary public
B. Power of Attorney Granted by a Corporation

The __________________________, a corporation duly organized under the laws of __________________________, and having its principal office in __________________________, state of Ohio, makes __________________________, __________________________, of __________________________ its attorney in fact to do the following on its behalf: to file DTE form 24 with the __________________________ County auditor requesting a tax exemption from the tax commissioner on the real property identified by parcel numbers __________________________; to appeal any denial of the request for exemption; and to defend any complaint that may be filed against the continued exemption of those parcels if exemption is granted. I give __________________________ the authority to perform any act necessary to fulfill this power of attorney with full power of substitution and revocation, I ratify all that __________________________, or his/her substitute, shall lawfully do pursuant to this power of attorney.

The __________________________ has signed this power of attorney on __________________________

________________________________________________________
(Name of property owner)

By __________________________
(Name of property owner)

President

[Corporate seal]

________________________________________________________
(Secretary)

State of Ohio

County of __________________________

Social security number __________________________

The forgoing instrument was acknowledged before me this ______ day of __________________________, ________ by __________________________, president of __________________________, a __________________________ corporation, on behalf of the corporation.

________________________________________________________
Notary public
### OHIO TAX INCREMENT FINANCING (TIF) PROGRAMS
#### 2009 ANNUAL STATUS REPORT WORKSHEET

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 &amp; 2.</td>
<td>Name of Local Jurisdiction and County:</td>
</tr>
<tr>
<td>3.</td>
<td>Jurisdiction that created the TIF (circle one): County  Municipal  Township</td>
</tr>
<tr>
<td>4.</td>
<td>TIF type (circle one):  Parcel TIF  Incentive District TIF</td>
</tr>
<tr>
<td>5.</td>
<td>Date Created (mm/dd/yy):  __________</td>
</tr>
<tr>
<td>6.</td>
<td>Identify Affected School District(s):</td>
</tr>
<tr>
<td>7.</td>
<td>Project Information/Name:</td>
</tr>
<tr>
<td>8.</td>
<td>Type of Project:  __________  (C=Commercial,  I=Industrial,  M=Mixed Use,  R=Residential)</td>
</tr>
<tr>
<td>9.</td>
<td>Type of Public Improvements:</td>
</tr>
<tr>
<td>9.</td>
<td>Exemption %:  ______  Exemption Term:  ______</td>
</tr>
<tr>
<td>10.</td>
<td>Project Investment:  Real Property  Personal Property (if applicable)</td>
</tr>
<tr>
<td></td>
<td>Projected (at time of legislation)</td>
</tr>
<tr>
<td></td>
<td>Actual (as of 12/31/09)</td>
</tr>
<tr>
<td>11.</td>
<td>Employment Information:  Retained  Created</td>
</tr>
<tr>
<td></td>
<td>Projected (at time of legislation)</td>
</tr>
<tr>
<td></td>
<td>Actual (as of 12/31/09)</td>
</tr>
<tr>
<td>12.</td>
<td>Dollar amount of service payments deposited into the TIF’s tax increment equivalent fund:</td>
</tr>
<tr>
<td></td>
<td>In Calendar Year 2009  __________</td>
</tr>
<tr>
<td></td>
<td>Cumulative (through 12/31/09)  __________  Year first payment made  ______</td>
</tr>
<tr>
<td>13.</td>
<td>Expenditures of money from the tax increment equivalent fund for the public infrastructure associated with the TIF</td>
</tr>
<tr>
<td></td>
<td>In Calendar Year 2009  __________</td>
</tr>
<tr>
<td></td>
<td>Cumulative (through 12/31/09)  __________  Year first expense paid  ______</td>
</tr>
<tr>
<td>14.</td>
<td>Date of most recent Tax Incentive Review Council (TIRC):  __________</td>
</tr>
<tr>
<td>15.</td>
<td>TIRC recommendation (e.g.: compliance, non-compliance, etc.):  __________</td>
</tr>
</tbody>
</table>

I hereby represent and certify that the foregoing information, to the best of my knowledge, is true, complete, and accurately describes the status of the TIF project as of December 31, 2009.

Signature of Authorized Representative  ________________  Title  ________________  Date  ________________

Printed name of Authorized Representative  ___________________________