Home Start Homebuyer Tax Credit
New Hampshire Housing’s Mortgage Credit Certificate (MCC) Program

Limited Business Use - Borrower Affidavit

In order to qualify for a Mortgage Credit Certificate, a mortgagor must meet the requirements of single-family and owner-occupied residence as defined in Treasury Regulations, Subchapter A, Sec. 1.25 -1T (b) (5). Single-family and owner-occupied residence Sec. 1.25 -1T (b) (5) states, the terms “single-family and “owner-occupied” have the meaning given those terms under section 103A (1) (9) and the regulation thereunder.

In addition, under New Hampshire Housing Finance Authority’s Single Family Mortgage Program Rules, HFA: 309.09 (a) (2) “If an eligible borrower intends or expects to use more than 5% of the total area of the housing (including any portion of the mortgaged premises) primarily in a trade or business, i.e., in such a manner that business deductions with respect to such use are not precluded by Section 280A of the Code (irrespective of whether the eligible borrower intends to claim such deductions), the housing is not eligible for financing under this program.”

Given that, the undersigned Applicant(s) as applicants for a MCC issued by New Hampshire Housing under the MCC Program, being duly sworn, do hereby represent and warrant as follows:

1. The Property for which I/we am/are requesting a MCC is located at ___________________________ NH.

2. I/We will not use more than 5% of the residence in a trade or business which qualifies me/us to deduct any portion of the cost of the residence as home business expense on my/our/our Federal or State income tax returns(s). I/We understand that this prohibition includes the use of our property as a daycare. I /We understand that this may also limit our ability to claim a larger percentage than may be allowed under current regulations.

I/We acknowledge and understand that this Affidavit will be relied upon for the purpose of determining the Buyers’ eligibility for a Mortgage Credit Certificate (MCC). I/We understand that any fraudulent statements will result in: 1) the revocation of the Mortgage Credit Certificate, and 2) a $10,000 penalty under 26 USC 6709.

I DECLARE UNDER PENALTIES OF PERJURY THAT ALL STATEMENTS IN THIS AFFIDAVIT ARE TRUE AND ACCURATE.

Executed on: ________________ (Date)

________________________          _______________________
Signature                  Signature

________________________          _______________________
Print Name                  Print Name

2/09/16