Form **8823**

(Rev. January 1994)

Department of the Treasury
Internal Revenue Service

Low-Income Housing Credit Agencies Report of Noncompliance

▶ **Under section 42(m)(1)(B)(iii) of the Internal Revenue Code**

Note: *If more than one building goes out of compliance, you must file a separate Form 8823 for each building.*

OMB No. 1545-1204
Expires 10-31-96

1 Address of **building** (as shown on Form 8609)

2 Name and address of **building owner**

3 Building identification number (BIN)

4 **Building owner's** taxpayer identification number

5 Is the building part of a multiple building project? . . . . . ☐ Yes ☐ No

6 Date building ceased to comply with the low-income housing credit provisions . . . . . ▶ / /

7 Describe noncompliance

Date noncompliance corrected (if applicable) . . . . . ▶ / /

8 Name and address of **housing credit agency**

9 Employer identification number of **agency**

10 Name and telephone number of contact person

Under penalties of perjury, I declare that I have examined this report, including accompanying statements and schedules, and to the best of my knowledge and belief, they are true, correct, and complete.

▶ Signature of authorizing official ▶ Print name and title ▶ Date

General Instructions

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

Paperwork Reduction Act Notice

We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

Recordkeeping . . . . . 3 hr., 7 min.

Learning about the law or the form. . . . . 12 min.

Preparing and sending the form to the IRS . . . . 16 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form more simple, we would be happy to hear from you. You can write to both the **Internal Revenue Service,** Attention: Reports Clearance Officer, PC:FP, Washington, DC 20224; and the **Office of Management and Budget,** Paperwork Reduction Project (1545-1204), Washington, DC 20503.

DO NOT send this form to either of these offices. Instead, see **Where To File** later.

Purpose of Form

Form 8823 is used by housing credit agencies to fulfill their responsibility under section 42(m)(1)(B)(iii) to notify the IRS of noncompliance with the low-income housing tax credit provisions. A separate form must be filed for each building that is not in compliance.

Who Must File

Any authorized housing credit agency that becomes aware that a low-income housing building is not in compliance with the provisions of section 42 must file Form 8823.

When To File

File Form 8823 no later than 45 days after the end of the time allowed the building owner to correct the condition(s) that caused noncompliance. For details, see Regulations section 1.42-5(e).

Where To File

File Form 8823 with the Internal Revenue Service Center, Philadelphia, PA 19255.

Specific Instructions

Lines 2 and 4.—If there is more than one building owner (other than as a member of a flow-through entity), attach a schedule listing the owners and their taxpayer identification numbers.

Line 7.—Explain why the building is not in compliance with the low-income housing tax credit provisions. Also, indicate whether or not the building owner has corrected the noncompliance, and the date the noncompliance was corrected.

If more space is needed, attach a statement to this form.

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