

REQUEST FOR RECAPTURE TAX REIMBURSEMENT



The undersigned Mortgagor(s) request reimbursement for the federal Recapture Tax paid following the sale or disposition of my home. I purchased my home with a mortgage loan through the First-time Homebuyer Program with the South Dakota Housing Development Authority (SDHDA).

I have attached to this Request for Recapture Tax Reimbursement, a completed IRS Form 4506, which permits SDHDA to obtain copies of the federal tax returns for each of the above-identified Mortgagor(s). The attached Form 4506 contains the original signature of each Mortgagor. I understand that SDHDA may need additional documentation to approve my request for reimbursement, and I will provide such documentation promptly as needed. I also understand that SDHDA will pay any fees the IRS may charge in connection with filing the Form 4506.

As part of my request for reimbursement, I make the following statements, representations and warranties:

1. At the time I sold my home, my SDHDA-financed mortgage loan was still outstanding and had not been subsequently refinanced.
2. I have calculated the Recapture Tax paid to the Internal Revenue Service (IRS), either by myself or with the assistance of a tax advisor or the IRS. I have neither requested nor relied on SDHDA to calculate the Recapture Tax for me. I acknowledge that SDHDA will not calculate the amount of my Recapture Tax and has no obligation or responsibility to verify the accuracy of my calculation.
3. I have not previously requested SDHDA to reimburse me for any Recapture Tax with respect to the Home described above. I will not submit another reimbursement request regarding this Home for any reason, including, but not limited to, the payment of additional Recapture Tax because of a miscalculation.
4. I understand that SDHDA will reimburse me only for the amount of the Recapture Tax I actually paid to the IRS and that SDHDA will not reimburse me for any fees, interest, expenses or penalties incurred in connection with the Recapture Tax.
5. The information contained in my tax returns for the calendar year in which I sold my home was true and correct as of the dates such returns were filed with the IRS. Such information, together with the information included in this request for reimbursement of my Recapture Tax and in any other document or item requested by SDHDA, is or will be true and correct as of the date submitted to SDHDA.

I acknowledge that SDHDA's reimbursement of my Recapture Tax may constitute income to me for federal and/or state income tax purposes, and that I may have to pay taxes on this additional income. I further acknowledge that SDHDA will not provide me with additional moneys to pay such taxes. If I have questions regarding the treatment of the reimbursement for tax purposes, I will check with my tax advisor or the IRS.

BY SIGNING BELOW, Mortgagor(s) accepts and agrees to the terms and provisions in this Request for Recapture Tax Reimbursement.

_____ **MORTGAGOR** _____ Date **MORTGAGOR** _____ Date

My SDHDA-financed mortgage:

Name(s) of Mortgagor(s): _____

Address of Home: _____

SDHDA Mortgage Loan Closing Date: _____

Date Home sold and Price: _____ \$ _____

Amount of Recapture Tax Paid: \$ _____

Send Request to:
SDHDA
Attn: Director, Homeownership
Programs
P.O. Box 1237
Pierre, SD 57501-1237