



Jan 03, 2024

Categories:
Experience

Services: Tax Credit Finance

Our commercial finance team can provide the following services, among others, in connection with various **state** and **federal** tax credit programs:

Opportunity Zone (OZ) Tax Incentive

- Provide advice regarding OZ program and benefits.
- Organize Qualified Opportunity Funds (QOF) and Qualified Opportunity Zone Businesses (QOZB).
- Structure and advise clients with respect to QOF and QOZB investments.
- Negotiate and document qualified OZ real estate and operating business transactions.
- Provide guidance on compliance and reporting requirements related to OZ investments.
- Inform on legislative and administrative updates related to OZ tax incentive.

New Markets Tax Credits (NMTC)

- Organization and certification of Community Development Entities (CDEs).
- Assistance with applications for NMTC allocations and execution of NMTC Allocation Agreements.
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Evaluation and advice regarding prospective transactions and structuring.

- Negotiating terms with CDEs, tax credit investors, lenders or qualified businesses on behalf of our client in connection with an NMTC transaction.
- Preparation and/or review of all corporate and financing transaction documents and applicable opinion letters as needed to reach a successful closing.
- Reviewing and assisting with ongoing NMTC program compliance and unwind of NMTC transaction upon expiration of the tax credit compliance period.

Historic Tax Credits (HTC)

- Evaluation and advice regarding prospective transactions and structuring post Rev. Proc. 2014-12 and safe harbor guidelines.
- Addressing specific matters related to tax-exempt entities.
- Providing guidance regarding rehabilitation requirements, reasonable fees and services, IRC 50(d) income, partnership tax considerations and other HTC topics.
- Leading, documenting, negotiating and successfully closing the HTC transaction.
- Combining HTCs with other tax credits, including NMTCs and LIHTCs.

Low-Income Housing Tax Credits (LIHTC)

- Drafting and negotiating limited partnership and operating agreements to facilitate optimum, ongoing developer and investor relationships.
- Advise on complex tax structuring points and prepare and issue tax opinions.

- Work with tax-exempt bond issuers, lenders, credit agencies and local authorities to coordinate multiple financing components and documentation.
- Review and analyze syndicated investments and negotiate subscription and fund documents.
- Guide clients through year 15 dispositions and investor exits.

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