

This questionnaire asks for information regarding your post-issuance bond compliance and record retention practices. Please complete the questionnaire and follow the instructions in the accompanying letter for returning it to us.

Name of Organization: _____

Employer Identification Number: _____

PART I - POST-ISSUANCE COMPLIANCE - GENERAL

1. Do you have written procedures or guidelines to ensure that qualified 501(c)(3) bond financings remain in compliance with the following federal tax requirements after the bonds are issued:

- a. Proper and timely use of bond proceeds and bond-financed property? Yes No
- b. Arbitrage yield restriction and rebate? Yes No
- c. Timely return filings and other general requirements? Yes No

For each yes answer, briefly describe your procedures or guidelines.

2. Who is primarily responsible for monitoring post-issuance compliance of bond financings?

- Board Member (e.g., Director, Trustee)
- Management Official (e.g., Chief Financial Officer, Comptroller, Treasurer)
- Staff Person What is the person's title? _____
- Other Person What is the person's title? _____
- None

3. Do you have written procedures or guidelines for individuals to follow when more than one person is responsible for maintaining the records needed to ensure post-issuance compliance of bond financings?

- Yes No

If yes, briefly describe the procedures or guidelines.

4. Do you provide training or educational resources to personnel that are responsible for ensuring compliance with the post-issuance private use limitations for bond-financed property? Document hosted at JDSUPRA™
<http://www.jdsupra.com/post/documentViewer.aspx?fid=b84d13f7-f17d-4112-a864-a7492e95a847> Yes No
5. With respect to your tax-exempt status:
- a. Has your 501(c)(3) tax-exempt status been revoked? Yes No
- b. Has your tax-exempt status been reclassified under another 501(c) section (e.g., section 501(c)(4) social welfare organization, section 501(c)(7) social club)? Yes No
6. Do you know about the following options for voluntarily correcting failures to comply with post-issuance compliance requirements:
- a. Taking certain remedial actions described under section 1.141-12 of the income tax regulations? Yes No
- b. Entering into a closing agreement under the Tax-Exempt Bonds Voluntary Closing Agreement Program described in Notice 2001-60? Yes No

PART II - GENERAL RECORDKEEPING

7. Do you maintain records pertaining to your tax-exempt bonds? Yes No
- If yes, for how long?
- Less than 1 year 1-2 years 3-7 years 8-15
- Life of bonds Life of bonds plus 3 years
8. What medium do you use to maintain your bond records?
- Paper Electronic media (CD, disks, tapes) Both paper and electronic
9. Do you maintain copies of the following records:
- a. Form 1023, *Application for Recognition of Exemption under Section 501(c)(3) of the Internal Revenue Code*? Yes No
- b. Your favorable section 501(c)(3) determination letter? Yes No
- c. Any correspondence between your organization and the Service related to a significant change in your activities? Yes No
- d. Your organizing documents (articles of incorporation, bylaws and amendments)? Yes No
- e. Your recent Form 990-T, *Exempt Organization Business Income Tax Return*? Yes No
- f. Your recent Form 990, *Return of Organization Exempt From Income Tax*? Yes No
- g. Your audited financial statements? Yes No

- h. Bond transcripts, official statements and other offering documents of your bond financings? Yes No
- i. Minutes and resolutions authorizing the issuance of your bond financings? Yes No
- j. Certifications of the issue price of your bond financings? Yes No
- k. Any formal elections for bond financings (e.g., election to employ an accounting methodology other than specific tracing)? Yes No
- l. Appraisals, demand surveys, or feasibility studies for bond-financed property? Yes No
- m. Documents related to government grants associated with construction, renovation or purchase of bond-financed facilities? Yes No
 N/A
- n. Publications, brochures, and newspaper articles for your bond financings? Yes No
- o. Trustee statements for your bond financings? Yes No
 N/A
- p. Correspondence (letters, e-mails, faxes, etc.) for your bond financings? Yes No
- q. Reports of any prior IRS examinations of your organization or bond financings? Yes No
 N/A

PART III - INVESTMENTS AND ARBITRAGE COMPLIANCE

10. Do you maintain documentation of allocations of investments and investment earnings to your bond financings? Yes No
11. Do you maintain documentation for investments of your bond financing proceeds related to:
- a. Investment contracts (e.g., guaranteed investment contracts)? Yes No
- b. Credit enhancement transactions (e.g., bond insurance contracts)? Yes No
- c. Financial derivatives (swaps, caps, etc.)? Yes No
- d. Bidding of financial products? Yes No
12. Do you maintain copies of the following arbitrage-related documents for your bond financings:
- a. Computations of bond yield? Yes No
- b. Computation of rebate and yield reduction payments? Yes No
- c. Form 8038-T, *Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate*? Yes No
 N/A
- d. Form 8038-R, *Request for Recovery of Overpayments Under Arbitrage Rebate Provisions*? Yes No

13. Do you have procedures or guidelines for monitoring instances where compliance with applicable yield restriction requirements depends on subsequent reinvestment of bond proceeds in lower yielding investments? Yes No N/A
14. Do you have specific procedures or guidelines for monitoring bond financings that you expect will comply with the arbitrage rules as a result of the application of a temporary period exception (section 148(c) and section 1.148-2(e)) or a spending exception (section 148(f)(4) and section 1.148-7(c), (d), and (e))? Yes No

PART IV - EXPENDITURES AND ASSETS

15. Do you maintain documentation of allocations of bond-financing proceeds to expenditures (e.g., allocation of bond proceeds to expenditures for the construction, renovation or purchase of facilities you own and use in the performance of your exempt purpose)? Yes No
16. Do you maintain documentation of allocations of bond-financing proceeds to bond issuance costs? Yes No
17. Do you maintain copies of requisitions, draw schedules, draw requests, invoices, bills, and cancelled checks related to bond proceeds spent during the construction period? Yes No
18. Do you maintain copies of all contracts entered into for the construction, renovation or purchase of bond-financed facilities? Yes No
19. Do you maintain records of expenditure reimbursements incurred prior to issuing bonds for facilities financed with bond proceeds? Yes No
20. Do you maintain a list or schedule of all bond-financed facilities or equipment? Yes No
21. Do you maintain depreciation schedules for bond-financed depreciable property? Yes No
22. Do you maintain documentation that tracks your purchase and sale of bond-financed assets? Yes No

PART V - PRIVATE BUSINESS USE

23. Do you maintain records of all unrelated trade or business activities allocated to your bond-financed facilities? Yes No
24. Do you maintain records of trade or business activities by third parties that you allocate to your bond-financed facilities? Yes No
25. Have you entered into any of the following arrangements for bond-financed property:
- a. Management and other service agreements? Yes No
- b. Research contracts? Yes No
- c. Naming rights contracts? Yes No
- d. Ownership? Yes No

- e. Leases? Yes No
- f. Subleases? Yes No
- g. Leasehold improvement contracts? Yes No
- h. Joint venture arrangements? Yes No
- i. Limited liability corporation arrangements? Yes No
- j. Partnership arrangements? Yes No
- 26.** Do you maintain copies of the following agreements when entered into with respect to your bond-financed property:
- a. Management and other service agreements? Yes No
- b. Research contracts? Yes No
- c. Naming rights contracts? Yes No
- d. Ownership documentation (e.g., deeds, mortgages)? Yes No
- e. Leases? Yes No
- f. Subleases? Yes No
- g. Leasehold improvement contracts? Yes No
- h. Joint venture arrangements? Yes No
- i. Limited liability corporation arrangements? Yes No
- j. Partnership arrangements? Yes No
- 27.** In general, how do you ensure that your qualified 501(c)(3) bonds remain tax exempt after they are issued?

Privacy Act and Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. We need it to ensure that you are complying with these laws.

The IRS may not conduct or sponsor, and an organization is not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103 and 6104.