

**Exhibit M**

**NOTICE OF POTENTIAL RECAPTURE TAX**

**PART II (To be Completed Upon Loan Closing)**

Name of Mortgagor(s): \_\_\_\_\_

Full Address of Residence: \_\_\_\_\_

City: \_\_\_\_\_ County: \_\_\_\_\_

Loan Closing Date: \_\_\_\_\_ Initial Principal Amount: \_\_\_\_\_

Residence is located in (check one and provide information requested)

<input type="checkbox"/> Non-Targeted Area	<input type="checkbox"/> Targeted Area
County Median Income: \$ _____	Program Income Limit for: 1 or 2 Person Household: \$ _____ 3 or More Person Household: \$ _____

**Maximum Recapture Tax:** The maximum tax that you may be required to pay as an addition to your federal income tax is \$ \_\_\_\_\_. This amount is 6.25% of the highest principal amount of your mortgage loan and is your federally subsidized amount with respect to the loan.

**Actual Recapture Tax:** The actual recapture tax, if any, can only be determined when you sell your home. It is the lesser of (1) 50% of your gain on the sale of your home, regardless of whether you have to include that gain in your income for federal income tax purposes, or (2) your recapture amount determined by multiplying the following three numbers:

- (a) \$ \_\_\_\_\_ Maximum recapture tax indicated in the paragraph above
- (b) x \_\_\_\_\_ Holding period percentage (See Worksheet Step 2, below)
- (c) x \_\_\_\_\_ Income percentage (See Worksheet Step 6, below)

The recapture tax cannot be more than 50% of gain.  
If there is no gain, there is no tax.

**STEPS IN CALCULATING THE RECAPTURE TAX**

	<u>Example Calculation</u>	<u>Mortgagor Calculation</u>
<b>Step 1. Compute 50% of Gain From Disposition of Residence</b>		
a. Enter Sale Price of Residence	\$ 50,000	\$ _____
b. Enter Purchase Price of Residence	\$ 40,000	\$ _____
c. Compute Gain or Loss on sale (Line 1a minus Line 1b). If the amount computed on Line 1c is negative (less than zero), there will be no Recapture Tax and no further computations need to be made.	\$ 10,000	\$ _____
d. Portion of Gain included in computation of Recapture Tax	x 50%	x 50%
e. Compute amount of Gain included in computation of Recapture Tax (Line 1c times Line 1d). This amount represents the maximum potential Recapture Tax.	\$ 5,000	\$ _____

<b>Step 2. Determine the applicable Holding Period Percentage</b>		
a. Enter Date of Sale of Residence	3/15/95	/ /
b. Enter Date of purchase of Residence	2/05/91	/ /
c. Compute number of months Residence was owned (Line 2a minus Line 2b).	49.33 mos.	_____ mos.
d. Divide Line 2c by 12 to compute number of years Residence was owned (round to next whole number).	4 yrs.	_____ yrs.
e. Determine the applicable Holding Period Percentage from the table below:	100 %	_____ %

<u>Line 2d</u>	<u>Percentage</u>	<u>Line 2d</u>	<u>Percentage</u>
0	20%	5	80%
1	40%	6	60%
2	60%	7	40%
3	80%	8	20%
4	100%	9 or more	0%

*Note:* If the Holding Percentage is determined to be 0%, there will be no Recapture Tax and no further computations need to be made.

