

**AMENDMENT TO H.R. 4868**

**OFFERED BY MS. MOORE OF WISCONSIN**

Page 53, after line 20, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

1           (4) release project resources, in the form of re-  
2           serve for replacement funds, to the selling owner to  
3           offset tax consequences resulting from the transfer  
4           under the program of the preservation project, but  
5           only if—

6                   (A) the seller receives insufficient proceeds  
7                   from the transfer of the project to pay exit  
8                   taxes;

9                   (B) the proceeds released pursuant to this  
10                  paragraph do not exceed the tax to the seller on  
11                  the gain from the qualified sale or exchange of  
12                  eligible multifamily housing property resulting  
13                  from depreciation;

14                  (C) the affordability and use restrictions  
15                  on the preservation project are legally enforce-  
16                  able and binding on all successors of the preser-  
17                  vation purchaser and are recorded as a restric-

1           tive covenant on the project pursuant to State  
2           law; and

3                   (D) the purchaser is a preservation pur-  
4           chaser who has entered into a bona fide preser-  
5           vation purchase contract under the program  
6           with the selling owner;

7           if the Secretary determines that a preservation  
8           project acquired with the use of proceeds under this  
9           paragraph does not comply with the requirements of  
10          this section, the Secretary shall require the owner of  
11          the project to repay the amount of project resources  
12          released pursuant to this paragraph;

