



**TOWN OF CLARESHOLM
PROVINCE OF ALBERTA
BYLAW #1816**

A Bylaw of the Town of Claresholm to amend Bylaw 1526, the Property Taxation Exemption for Community Organizations Bylaw.

WHEREAS pursuant to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, Council of the Town of Claresholm (hereafter called Council) has adopted the Property Taxation Exemption for Community Organizations Bylaw #1526; and

WHEREAS Council deems it necessary to amend the existing Bylaw #1526;

NOW THEREFORE under the authority and subject to the provisions of the Municipal Government Act, Revised Statutes of Alberta 2000, Chapter M-26, as amended, the Council of the Town of Claresholm, in the Province of Alberta, duly assembled does hereby enact the following:

1. The Town of Claresholm Property Taxation Exemption for Community Organizations Bylaw #1526 shall be amended as follows:

a) **SCHEDULE "A"** be updated to Alberta Regulation 281/1998 with amendments up to and including Alberta Regulation 162/205 – "Community Organization Property Tax Exemption Regulation" (attached).

b) **SCHEDULE "B"** be updated to form LGS1316 (2010/08) – "Application for Property Tax Exemption: Non Profit Organization" (attached)

2. This bylaw comes into full force and effect upon third and final reading.

3. **Bylaw #1677 is hereby repealed.**

4. **Bylaw #1526 is hereby amended.**

Read a first time in Council this 22 day of September 2025 A.D.

Read a second time in Council this day of 2025 A.D.

Read a third time in Council and finally passed in Council this day of 2025 A.D.

Brad Schlossberger, Mayor

Abe Tinney, CAO



Province of Alberta

MUNICIPAL GOVERNMENT ACT

**COMMUNITY ORGANIZATION
PROPERTY TAX EXEMPTION
REGULATION**

Alberta Regulation 281/1998

With amendments up to and including Alberta Regulation 162/2025

Current as of June 30, 2025

Office Consolidation

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Note

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 162/2025)

ALBERTA REGULATION 281/98

Municipal Government Act

**COMMUNITY ORGANIZATION PROPERTY
TAX EXEMPTION REGULATION**

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Interpretation

1(1) In this Regulation,

- (a) “Act” means the *Municipal Government Act*;
- (b) “charitable or benevolent purpose” means the relief of poverty, the advancement of education, the advancement of religion or any other purpose beneficial to the community;
- (c) “general public” means pertaining to the general community, rather than a group with limited membership or a group of business associates;
- (d) “professional sports franchise” means a professional sports franchise operating in the National Hockey League, the Canadian Football League, the National Professional Soccer League or the Pacific Coast League;
- (d.1) “subsidized accommodation” means
 - (i) rental accommodation where the Government of Alberta sets the rent at a maximum amount, sets the rent at a percentage of household income or provides the facility with ongoing operating funds, and
 - (ii) rent to own units where the Government of Alberta sets the rent at a percentage of income or sets the rent at a maximum amount,
 - (iii) repealed AR 152/2023 s2;
- (e) “taxation” means taxation under Division 2 of Part 10 of the Act.

(2) For the purposes of the Act and this Regulation, “community association” means an organization where membership is voluntary, but restricted to residents of a specific area, and that is formed for the purpose of

- (a) enhancing the quality of life for residents of the area or enhancing the programs, public facilities or services provided to the residents of the area, or

- (b) providing non-profit sporting, educational, social, recreational or other activities to the residents of the area.

(3) The definitions in sections 1 and 284 of the Act apply to this Regulation.

AR 281/98 s1;182/2008;152/2023

Part 1 General Rules

Application

2 This Regulation applies to taxation in 1999 and later years.

Part of a property

3 An exemption under section 362(1)(n)(i) to (v) of the Act or Part 3 of this Regulation applies only to the part of a property that qualifies for the exemption.

Primary use of property

4(1) Property is not exempt from taxation under section 362(1)(n)(iii), (iv) or (v) of the Act or Part 3 of this Regulation unless the property is primarily used for the purpose or use described in those provisions.

(2) For the purposes of this Regulation, a property is primarily used for a purpose or use if the property is used for the specified purpose or use at least 60% of the time that the property is in use.

Holding property

5 When section 362(1)(n)(i) to (v) of the Act or Part 3 of this Regulation requires property to be held by a non-profit organization, a society as defined in the *Agricultural Societies Act* or a community association for the property to be exempt from taxation, the property is not exempt unless

- (a) the organization, society or association is the owner of the property and the property is not subject to a lease, licence or permit, or
- (b) the organization, society or association holds the property under a lease, licence or permit.

Non-profit organization

6 When section 362(1)(n)(i) to (v) of the Act or Part 3 of this Regulation requires property to be held by a non-profit organization, community association or residents association as

defined in section 13 for the property to be exempt from taxation, the property is not exempt unless

- (a) the organization or association is a society incorporated under the *Societies Act*, or
- (b) the organization or association is
 - (i) a corporation incorporated in any jurisdiction, or
 - (ii) any other entity established under a federal law or law of Alberta

that is prohibited, by the laws of the jurisdiction governing its formation or establishment, from distributing income or property to its shareholders or members during its existence.

AR 281/98 s6;204/2011

Meaning of restricted

7(1) In this Regulation, a reference to the use of property being restricted means, subject to subsections (2) and (3), that individuals are restricted from using the property on any basis, including a restriction based on

- (a) race, culture, ethnic origin or religious belief,
- (b) the ownership of property,
- (c) the requirement to pay fees of any kind, other than minor entrance or service fees, or
- (d) the requirement to become a member of an organization.

(2) The requirement to become a member of an organization does not make the use of the property restricted so long as

- (a) membership in the organization is not restricted on any basis, other than the requirement to fill out an application and pay a minor membership fee, and
- (b) membership occurs within a short period of time after any application or minor fee requirement is satisfied.

(3) Not permitting an individual to use a property for safety or liability reasons or because the individual's use of the property would contravene a law does not make the use of the property restricted.

Gaming and liquor licences

8(1) For the purposes of section 365(2) of the Act, property described in section 362(1)(n) of the Act and Part 3 of this Regulation in respect of which a bingo licence, casino licence, pull ticket licence, Class C liquor licence or a special event licence is issued under the *Gaming, Liquor and Cannabis Regulation* (AR 143/96) is exempt from taxation if the requirements of section 362(1)(n) and this Regulation in respect of the property are met.

(2) Despite subsection (1), property in respect of which a casino facility licence is issued is not exempt from taxation.

AR 281/1998 s8;56/2019;295/2020

Part 2

Qualifications for Exemptions Under Section 362(1)(n)(ii) to (v)

Exemption under section 362(1)(n)(ii) of the Act

9(1) The following property is not exempt from taxation under section 362(1)(n)(ii) of the Act:

- (a) property to the extent that it is used in the operation of a professional sports franchise;
- (b) property that is used solely for community games, sports, athletics or recreation if, for more than 40% of the time that the property is in use, the majority of those participating in the activities held on the property are 18 years of age or older.

(2) Property is not exempt from taxation under section 362(1)(n)(ii) of the Act if, for more than 30% of the time that the property is in use, the use of the property is restricted within the meaning of section 7 as modified by subsection (3).

(3) For the purposes of subsection (2), limiting the participation in activities held on a property to persons of a certain age does not make the use of the property restricted.

Exemption under section 362(1)(n)(iii) of the Act

10(1) Property referred to in section 362(1)(n)(iii) of the Act is not exempt from taxation unless

- (a) the charitable or benevolent purpose for which the property is primarily used is a purpose that benefits the general public in the municipality in which the property is located, and

- (b) the resources of the non-profit organization that holds the property are devoted chiefly to the charitable or benevolent purpose for which the property is used.

(2) Property is not exempt from taxation under section 362(1)(n)(iii) of the Act if, for more than 30% of the time that the property is in use, the use of the property is restricted within the meaning of section 7.

AR 281/98 s10;182/2008

Exemption under section 362(1)(n)(iv) of the Act

11 Property referred to in section 362(1)(n)(iv) of the Act is not exempt from taxation unless the accommodation provided to senior citizens is subsidized accommodation.

AR 281/98 s11;182/2008

Exemption under section 362(1)(n)(v) of the Act

12(1) The following property is not exempt from taxation under section 362(1)(n)(v) of the Act:

- (a) property to the extent that it is used in the operation of a professional sports franchise;
- (b) property if, for more than 40% of the time that the property is in use, the majority of those participating in the activities held on the property are 18 years of age or older;
- (c) property in Calgary or Edmonton that is held by and used in connection with a community association if the association is not a member of the Federation of Calgary Communities or the Edmonton Federation of Community Leagues.

(1.1) Notwithstanding subsection (1)(c), property held by a community association referred to in that provision is exempt from taxation under section 362(1)(n)(v) of the Act where that community association was a member of the Federation of Calgary Communities or the Edmonton Federation of Community Leagues on January 1, 1999 but cancelled its membership after that date.

(1.2) Subsection (1.1) applies with respect to 2004 and subsequent years.

(2) Property is not exempt from taxation under section 362(1)(n)(v) of the Act if, for more than 30% of the time that the property is in use, the use of the property is restricted within the meaning of section 7 as modified by subsection (3).

(3) For the purposes of subsection (2), limiting the participation in activities held on a property to persons of a certain age does not make the use of the property restricted.

AR 281/98 s12;283/2003

Part 3

Other Property Exempt Under Section 362(1)(n)

Definitions

13 In this Part,

- (a) “arts” means theatre, literature, music, painting, sculpture or graphic arts and includes any other similar creative or interpretive activity;
- (b) “chamber of commerce” means a chamber of commerce that is a non-profit organization and is a member of the Alberta Chamber of Commerce;
- (c) “ethno-cultural association” means an organization formed for the purpose of serving the interests of a community defined in terms of the racial, cultural, ethnic, national or linguistic origins or interests of its members;
- (d) “linguistic organization” means an organization formed for the purpose of promoting the use of English or French in Alberta;
- (e) “museum” means a facility that is established for the purpose of conserving, studying, interpreting, assembling and exhibiting, for the instruction and enjoyment of the general public, art, objects or specimens of educational and cultural value or historical, technological, anthropological, scientific or philosophical inventions, instruments, models or designs;
- (e.1) “residents association” means a non-profit organization that requires membership for residential property owners in a specific development area, that secures its membership fees by a caveat or encumbrance on each residential property title and that is established for the purpose of
 - (i) managing and maintaining the common property, facilities and amenities of the development area for the benefit of the residents of the development area,
 - (ii) enhancing the quality of life for residents of the development area or enhancing the programs, public

facilities or services provided to the residents of the development area, or

- (iii) providing non-profit sporting, educational, social, recreational or other activities to the residents of the development area;
- (f) “retail commercial area” means property used to sell food, beverages, merchandise or services;
- (g) “sheltered workshop” means a facility designed to provide an occupation for and to promote the adjustment and rehabilitation of persons who would otherwise have difficulty obtaining employment because of physical, mental or developmental disabilities;
- (h) “thrift shop” means a retail outlet operated for a charitable or benevolent purpose that sells donated clothing, appliances, furniture, household items and other items of value at a nominal cost to people in need.

AR 281/98 s13;283/2003;204/2011

Exemption for other property

14 This Part describes property that is exempt from taxation under section 362(1)(n) of the Act that is not exempt under section 362(1)(n)(i) to (v) of the Act.

Property of residents association

14.1(1) Property that is owned and held by and used in connection with a residents association is exempt from taxation.

(2) Despite subsection (1), the following property owned and held by and used in connection with a residents association is not exempt from taxation under section 362(1)(n) of the Act:

- (a) property to the extent that it is used in the operation of a professional sports franchise;
- (b) property if, for more than 40% of the time that the property is in use, the majority of those participating in the activities held on the property are 18 years of age or older;
- (c) property if, for more than 30% of the time that the property is in use, the use of the property is restricted within the meaning of section 7 as modified by subsection (3).

(3) For the purposes of subsection (2)(c), limiting the participation in activities held on a property to persons of a certain age does not make the use of the property restricted.

AR 204/2011 s4

Day cares, museums and other facilities

15 A non-profit organization that holds property on which any of the following facilities are operated may apply to the municipality within whose area the property is located for an exemption from taxation:

- (a) a facility used for sports or recreation to the extent that the facility is not used in the operation of a professional sports franchise;
- (b) a facility used for fairs or exhibitions, including agricultural exhibitions;
- (c) a facility used for the arts or a museum;
- (d) a program premises as defined in the *Child Care Licensing Regulation* (AR 143/2008);
- (e) a facility used by a linguistic organization if
 - (i) the use of the property by the general public is actively encouraged, and
 - (ii) a sign is prominently posted in the facility, or information is available online, indicating the hours that the whole or part of the facility is accessible to the public;
- (f) a facility used by an ethno-cultural association for sports, recreation or education or for charitable or other benevolent purposes if
 - (i) the use of the property by the general public is actively encouraged, and
 - (ii) a sign is prominently posted in the facility, or information is available online, indicating the hours that the whole or part of the facility is accessible to the public;
- (g) a facility in a municipality operated and used by an organization for a charitable or benevolent purpose where the majority of the organization's beneficiaries do not reside in the municipality;
- (h) a facility used as a thrift shop;

- (i) a facility used as a sheltered workshop;
- (j) a facility operated and used by a chamber of commerce;
- (k) a facility used for a charitable or benevolent purpose that is for the benefit of the general public if
 - (i) the charitable or benevolent purpose for which the facility is primarily used is a purpose that benefits the general public in the municipality in which the facility is located, and
 - (ii) the resources of the non-profit organization that holds the facility are devoted chiefly to the charitable or benevolent purpose for which the facility is used.

AR 281/98 s15;283/2003;182/2008;77/2010;152/2023

Conditions for exemption

16(1) A municipality must grant a non-profit organization an exemption from taxation in a taxation year in respect of a property referred to in section 15 that is held by the organization if

- (a) the non-profit organization, subject to subsection (1.1),
 - (i) makes an application for an exemption to the municipality by September 30 of the year preceding the taxation year, and
 - (ii) supplies the municipality with the following by November 30 of the year preceding the taxation year:
 - (A) any information the municipality requires to determine if the organization meets the conditions for the exemption;
 - (B) a description of any retail commercial areas in the facility on the property,
- (b) the facility on the property is one of the facilities described in section 15 and the non-profit organization operates the facility on a non-profit basis,
- (c) the funds of the non-profit organization are chiefly used for the purposes of the organization and not for the benefit of the organization's directors and employees,
- (d) the property is not disqualified by virtue of subsection (2) or (3), and
- (e) the requirements of subsections (4) and (5), if applicable, are met.

- (1.1)** For the purpose of subsection (1)(a), the municipality
- (a) may specify other dates for a non-profit organization to make an application and supply the information and description referred to in subsection (1)(a), and
 - (b) must advertise the dates referred to in clause (a) in accordance with section 606 of the Act.
- (2)** Property referred to in section 15(a), (b), (c), (e), (f), (j) or (k) is not exempt from taxation if, for more than 30% of the time that the property is in use, the use of the property is restricted within the meaning of section 7.
- (3)** Property referred to in section 15(d) or (g) to (i) is not exempt from taxation if an individual is not permitted to use the property because of the individual's race, culture, ethnic origin or religious belief.
- (4)** Before granting an exemption under this section in respect of a property that is held by a non-profit organization, the municipality may require that an agreement between the organization and the municipality be in force that sets out that
- (a) the organization will provide the municipality with a report by a time and in a manner specified in the agreement that sets out the information the municipality requires to determine if the organization met the conditions for the exemption during the taxation year, and
 - (b) if the organization does not comply with the provisions referred to in clause (a), the organization will pay the municipality an amount equivalent to the property taxes that would be payable in respect of the property for the taxation year if the property was not exempt.
- (5)** Before granting an exemption under this section in respect of a property that is owned by a non-profit organization, the municipality may require that an agreement between the organization and the municipality be in force that sets out that
- (a) no disposition of the property may be made without the approval of the municipality, and
 - (b) if the organization is being wound-up and dissolved, the organization must, if required by the municipality, transfer the property to the municipality.
- (6)** If a municipality grants an exemption to a non-profit organization and later determines that the organization did not meet the conditions that applied to the organization for the exemption for

all or part of the taxation year, the municipality may in the taxation year cancel the exemption for all or part of the taxation year, as the case may be, and require the organization to pay property tax in respect of the property for the period that the exemption is cancelled.

AR 281/98 s16;4/2010;77/2010;152/2023

Waiver of application requirement

17(1) If a municipality has granted a non-profit organization an exemption from taxation under section 16 in respect of a property, the municipality may grant the non-profit organization an exemption from taxation in the following taxation year under section 16 in respect of the property without requiring the organization to apply for the exemption.

(2) A municipality that has waived an application requirement under subsection (1) in respect of a property for a taxation year may

- (a) require the non-profit organization that holds the property to provide any information that the organization may be required to provide if it was applying for an exemption, and
- (b) if the non-profit organization does not provide the information, cancel in that taxation year the exemption for all or part of that taxation year and require the organization to pay property tax in respect of the property for the period that the exemption is cancelled.

(3) A municipality may not waive the application requirement under subsection (1) in respect of a property for more than 3 consecutive taxation years.

Retail commercial areas

18(1) In this section, “exempt facility” means a facility or part of a facility

- (a) that is held by a non-profit organization, a society as defined in the *Agricultural Societies Act* or a community association and that is exempt from taxation under section 362(1)(n)(i) to (v) of the Act or section 16 of this Regulation, or
- (b) that is owned and held by a residents association and that is exempt from taxation under section 362(1)(n) of the Act.

- (2) A retail commercial area that is located within an exempt facility is exempt from taxation if
- (a) the non-profit organization, society as defined in the *Agricultural Societies Act*, community association or residents association that holds the exempt facility also holds and operates the retail commercial area, and
 - (b) the net income from the retail commercial area is used
 - (i) to pay all or part of the operational or capital costs of the exempt facility, or
 - (ii) to pay all or part of the operational or capital costs of any other facility that is held by the non-profit organization, society, community association or residents association and that is exempt from taxation under section 362(1)(n) of the Act or section 16 of this Regulation.

AR 281/98 s18;204/2011

Part 4 Repealed AR 283/2003 s5.

Part 5 Repeal and Review

Repeal

22(1) The *Community Organization 1998 Property Tax Exemption Regulation* (AR 289/97) is repealed.

(2) Repealed AR 182/2008 s6.

AR 281/98 s22;182/2008

Expiry

23 For the purpose of ensuring that this Regulation is reviewed for ongoing relevancy and necessity, with the option that it may be repressed in its present or an amended form following a review, this Regulation expires on December 31, 2030.

AR 281/98 s23;283/2003;182/2008;4/2010;9/2015;
257/2017;220/2018;152/2023;162/2025



Printed on Recycled Paper 

Application for Property Tax Exemption Non Profit Organization

**Application deadline September 30th of
the year preceding the taxation year**

FOR OFFICE USE ONLY									
Property Roll Identifier						Taxation Year		Date	
Legal Description	<i>Lot</i>	<i>Block</i>	<i>Plan</i>	<i>Part</i>	<i>Sec.</i>	<i>Township</i>	<i>Range</i>	<i>Mer.</i>	
Municipal Property Address									
Total Assessment			Land Assessment			Building Assessment			

PART 1 – PROPERTY INFORMATION <i>(Required by November 30th of the year preceding the taxation year)</i>		
Name of property owner	Telephone Number (Bus)	Telephone Number (Res)
Address of property owner	Postal Code	Fax Number
Address of property for which exemption is requested		
Portion/Area of the property held by the organization <input type="checkbox"/> All <input type="checkbox"/> Part Area Occupied is:		
Is there an agreement in place that confirms the portion of the property held by the organization?	<input type="checkbox"/> Yes If yes, provide expiry date _____ (mm / dd / yyyy)	Date organization took occupancy (mm / dd / yyyy)
<input type="checkbox"/> No		

PART 2 – ORGANIZATION INFORMATION		
Name of organization operating the facility	Telephone Number (Bus)	Fax Number
Act under which organization is registered as a non-profit organization	Registration Number	
Organization's objectives/purposes		
1.		
2.		
3.		
4.		
5.		
a) Are the resources of this organization devoted to the above objectives/purposes?	<input type="checkbox"/> Yes <input type="checkbox"/> No If No, attach explanation	
b) Are there any monetary gains or benefits received by the organization as a result of its provision of services?	<input type="checkbox"/> Yes If Yes, attach explanation <input type="checkbox"/> No	
c) Does your organization expect to move from this property during the following year(s)?	<input type="checkbox"/> Yes If Yes, attach explanation <input type="checkbox"/> No	
d) Is any income or profits from the organization paid to a member or shareholder of the organization other than as wages?	<input type="checkbox"/> Yes If Yes, attach explanation <input type="checkbox"/> No	
e) Are the organization's services similar to any other organization and /or business?	<input type="checkbox"/> Yes If Yes, attach a sheet providing the organization/business name(s) <input type="checkbox"/> No	

This information is being collected for property tax exemption purposes in accordance with the Municipal Government Act and Community Organization Property Tax Exemption Regulation (AR281/98) and s.33(c) of the Freedom of Information and Protection of Privacy Act. All personal information will be managed in compliance with the provisions of the FOIP Act. Questions about the collection of this information can be directed to _____
(Municipality Contact Information)

PART 3 – RETAIL COMMERCIAL OR LICENSED AREADoes the organization have a retail commercial area at this location? Yes NoIf yes, do you operate this area? Yes No

What goods or services are sold at the retail commercial area?

For what purpose is the net income from the retail commercial area used?

Has an area within the facility been issued a gaming/liquor license? Yes If yes, enclose copy No

Class

Area (Sq.Ft)

PART 4 – PROPERTY USE INFORMATION specific to a non profit organization

What facilities are on the property?

- 1.
- 2.
- 3.
- 4.

What times are they accessible to the general public?

What are the membership requirements including fees?

Describe the purpose for which the facility is used.

Describe the typical beneficiary and where they reside.

Are there any restrictions in place preventing anyone from using the facility? Yes No

If there are restrictions, explain

Are the services provided by the organization advertised and promoted to the general public, or primarily to members? General Public Members**PART 5 – CONTACT INFORMATION**

Contact Name	Position with Organization	Telephone Number (Bus)	Telephone Number (Res)
Mailing Address for non profit organization		Postal Code	Fax Number
President of Organization	Telephone Number (Bus)	Telephone Number (Res)	Fax Number
Treasurer of Organization	Telephone Number (Bus)	Telephone Number (Res)	Fax Number

PART 6 – REQUIRED INFORMATION – *please ensure the following are submitted as attachments*

- 1) Certificate of Incorporation, current confirmation that the organization is registered in good standing and the Memorandum of Association and the Articles of Association, if any.
- 2) Copies of:
 - The organizations most current financial statements,
 - Certificate of Title (if applicable),
 - The current lease agreement with the property owner (if applicable),
 - A plan showing the area leased.
- 3) If applicable, a letter from the property owner confirming that he/she is aware of this exemption application and understands that the municipality will estimate taxes on the area occupied by the organization based on methodology that may be different from that used by the landlord.
- 4) Any available brochures, newsletters or other pertinent information relative to the organization.
- 5) Any other information that the Assessment Department may deem necessary.

I certify that I am authorized to submit this application on behalf of the organization, and that the information provided on this application form, and as attachments to this form, is true and accurate in every respect, and that all information required under Part 6 of this application is included.

Name (Please Print)

Date

Position

Signature