HOW TAX CREDITS & CLGS CAN BENEFIT YOUR COMMUNITY

WYOMING STATE Historic Preservation OFFICE

Brian Beadles & Erica Duvic, State Historic Preservation Office

Historic Rehabilitation Tax Incentives

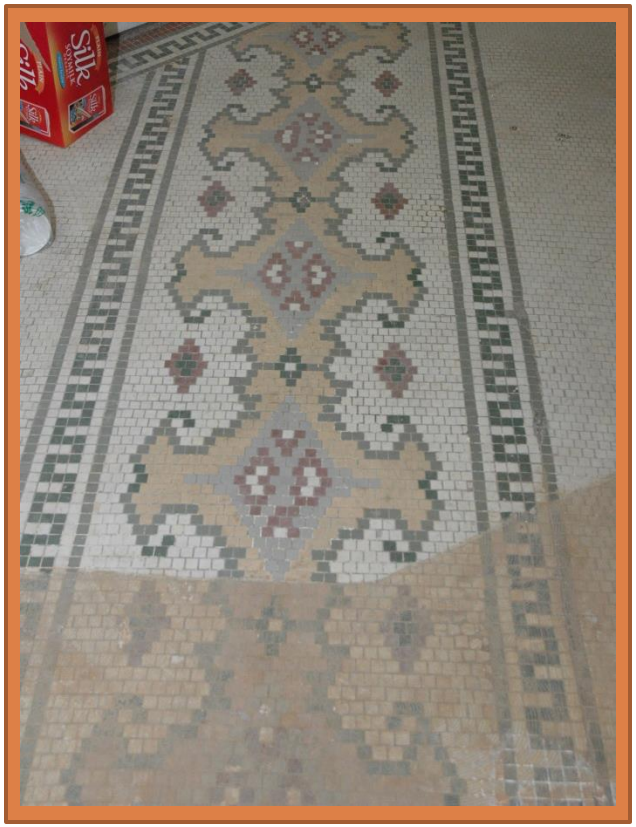
Joint program between:

- State Historic Preservation Office
- National Park Service

  Technical Preservation Services
- Internal Revenue Service

Allowable Rehabilitation Costs Include:

- Construction costs
- Interim financing – loan fees & interest
- Property taxes & insurance during construction
- Architectural, engineering & design fees
- Builder, contractor & developer fees
- Appraisal fees



Tivoli Building, Cheyenne

Allowable Rehabilitation Costs **DO NOT** Include:

- Building acquisition
- Intangible assets that include reserves, permanent loan fees, marketing expenses & some legal & accounting
- Site work including parking lot, sidewalks & landscaping

To qualify for the 20% credit:

- Listed on the National Register of Historic Places
- Property must be used for income producing purposes
- Rehabilitation must meet the *Secretary of the Interior's Standards for Rehabilitation*
- Property must meet the Substantial Rehabilitation Test
- Property must be owned for 5 years to claim the full value of the credit

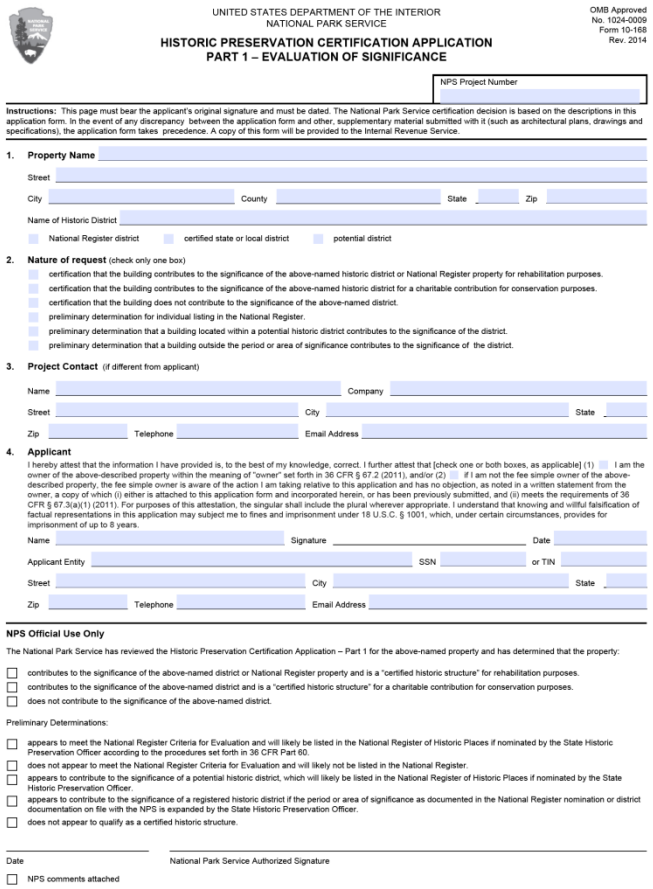
Substantial Rehabilitation Test

Amount of the property	$200,000
- cost of the land	- 40,000
- cost of any depreciation	- 0
= the adjusted basis	$ 160,000

Need to spend more than $160,000 within a 24 month period (or 60 months for a multi-phase project) to partake of the credit

Application

- Part 1: Certifies the building is historic



UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

OMB Approved
No. 1024-0009
Form 10-168
Rev. 2014

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 1 – EVALUATION OF SIGNIFICANCE

NPS Project Number

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

1. **Property Name**

Street

City County State Zip

Name of Historic District

National Register district certified state or local district potential district

2. **Nature of request** (check only one box)

certification that the building contributes to the significance of the above-named historic district or National Register property for rehabilitation purposes.
certification that the building contributes to the significance of the above-named historic district for a charitable contribution for conservation purposes.
certification that the building does not contribute to the significance of the above-named district.
preliminary determination for individual listing in the National Register.
preliminary determination that a building located within a potential historic district contributes to the significance of the district.
preliminary determination that a building outside the period or area of significance contributes to the significance of the district.

3. **Project Contact** (if different from applicant)

Name Company

Street City State

Zip Telephone Email Address

4. **Applicant**

I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that [check one or both boxes, as applicable] (1) I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or (2) if I am not the fee simple owner of the above-described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.3(a)(1) (2011). For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 8 years.

Name Signature Date

Applicant Entity SSN or TIN

Street City State

Zip Telephone Email Address

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application – Part 1 for the above-named property and has determined that the property:

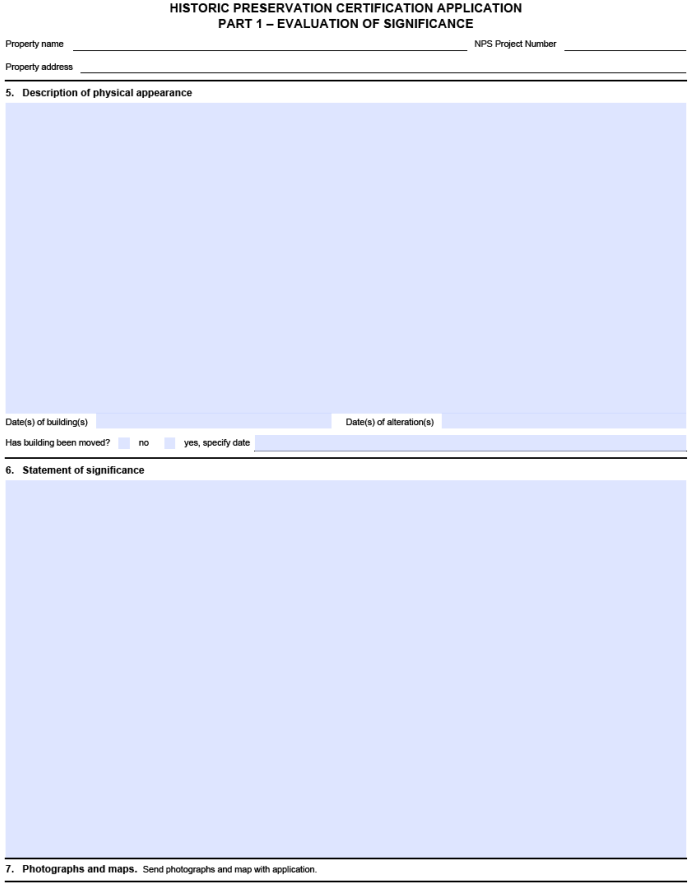
contributes to the significance of the above-named district or National Register property and is a "certified historic structure" for rehabilitation purposes.
contributes to the significance of the above-named district and is a "certified historic structure" for a charitable contribution for conservation purposes.
does not contribute to the significance of the above-named district.

Preliminary Determinations:

appears to meet the National Register Criteria for Evaluation and will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer according to the procedures set forth in 36 CFR Part 60.
does not appear to meet the National Register Criteria for Evaluation and will likely not be listed in the National Register.
appears to contribute to the significance of a potential historic district, which will likely be listed in the National Register of Historic Places if nominated by the State Historic Preservation Officer.
appears to contribute to the significance of a registered historic district if the period or area of significance as documented in the National Register nomination or district documentation on file with the NPS is expanded by the State Historic Preservation Officer.
does not appear to qualify as a certified historic structure.

Date National Park Service Authorized Signature

NPS comments attached



HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 1 – EVALUATION OF SIGNIFICANCE

Property name NPS Project Number

Property address

5. **Description of physical appearance**

Date(s) of building(s) Date(s) of alteration(s)

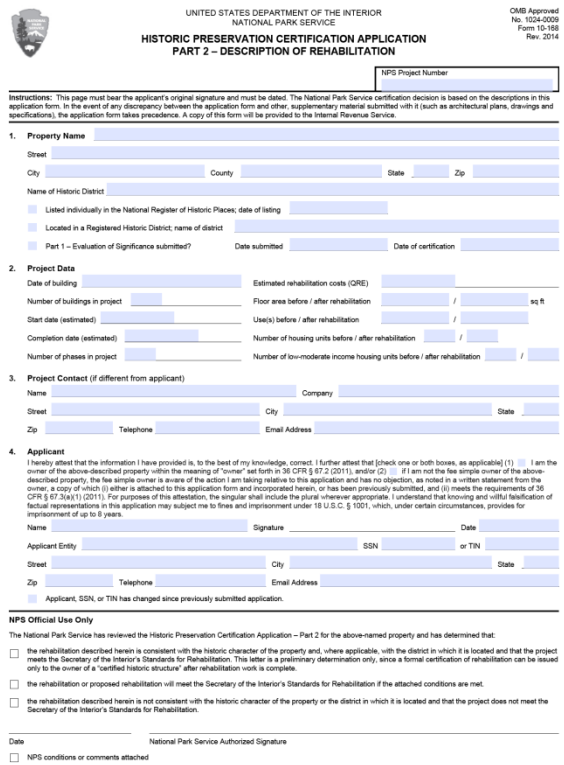
Has building been moved? no yes, specify date

6. **Statement of significance**

7. **Photographs and maps.** Send photographs and map with application.

Application

- Part 2: Describes the rehabilitation
  - 24 months
  - 60 months



UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

OMB Approved
No. 1024-0009
Form 10-168
Rev. 2014

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 2 – DESCRIPTION OF REHABILITATION

NPS Project Number

Instructions: This page must bear the applicant's original signature and must be dated. The National Park Service certification decision is based on the descriptions in this application form. In the event of any discrepancy between the application form and other, supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form takes precedence. A copy of this form will be provided to the Internal Revenue Service.

1. **Property Name**
Street
City County State Zip
Name of Historic District
Listed individually in the National Register of Historic Places; date of listing
Located in a Registered Historic District; name of district
Part 1 – Evaluation of Significance submitted? Date submitted Date of certification

2. **Project Data**
Date of building Estimated rehabilitation costs (QRE)
Number of buildings in project Floor area before / after rehabilitation / sq ft
Start date (estimated) Use(s) before / after rehabilitation /
Completion date (estimated) Number of housing units before / after rehabilitation /
Number of phases in project Number of low-moderate income housing units before / after rehabilitation /

3. **Project Contact** (if different from applicant)
Name Company
Street City State
Zip Telephone Email Address

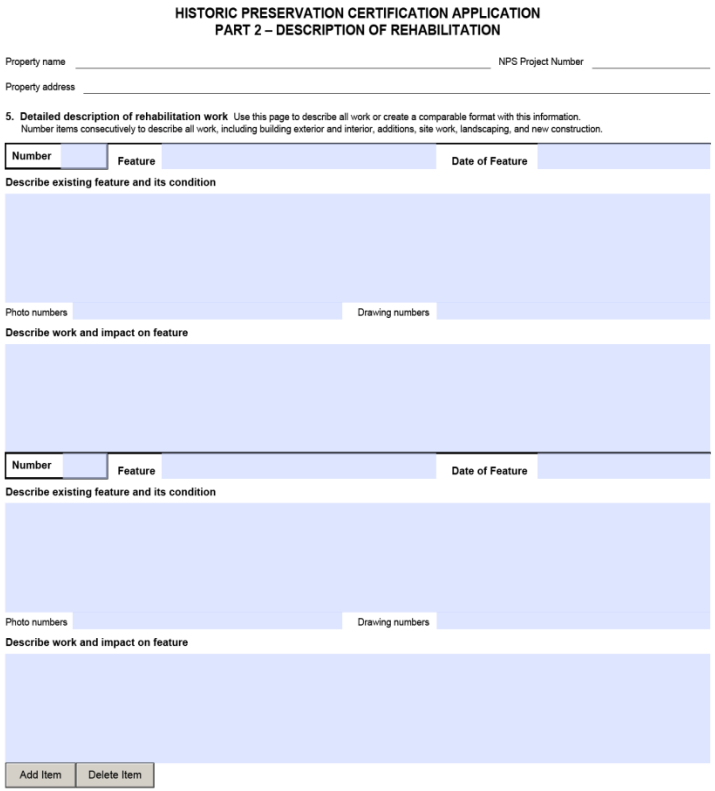
4. **Applicant**
I hereby attest that the information I have provided is, to the best of my knowledge, correct. I further attest that [check one or both boxes, as applicable] (1) I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011), and/or (2) if I am not the fee simple owner of the above-described property, the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which (i) either is attached to this application form and incorporated herein, or has been previously submitted, and (ii) meets the requirements of 36 CFR § 67.3(a)(1) (2011). For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 5 years.
Name Signature Date
Applicant Entity SSN or TIN
Street City State
Zip Telephone Email Address
Applicant, SSN, or TIN has changed since previously submitted application.

NPS Official Use Only
The National Park Service has reviewed the Historic Preservation Certification Application – Part 2 for the above-named property and has determined that:

- the rehabilitation described herein is consistent with the historic character of the property and, where applicable, with the district in which it is located and that the project meets the Secretary of the Interior's Standards for Rehabilitation. This letter is a preliminary determination only, since a formal certification of rehabilitation can be issued only to the owner of a "certified historic structure" after rehabilitation work is complete.
- the rehabilitation or proposed rehabilitation will meet the Secretary of the Interior's Standards for Rehabilitation if the attached conditions are met.
- the rehabilitation described herein is not consistent with the historic character of the property or the district in which it is located and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation.

Date National Park Service Authorized Signature

NPS conditions or comments attached



HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 2 – DESCRIPTION OF REHABILITATION

Property name NPS Project Number
Property address

5. **Detailed description of rehabilitation work** Use this page to describe all work or create a comparable format with this information. Number items consecutively to describe all work, including building exterior and interior, additions, site work, landscaping, and new construction.

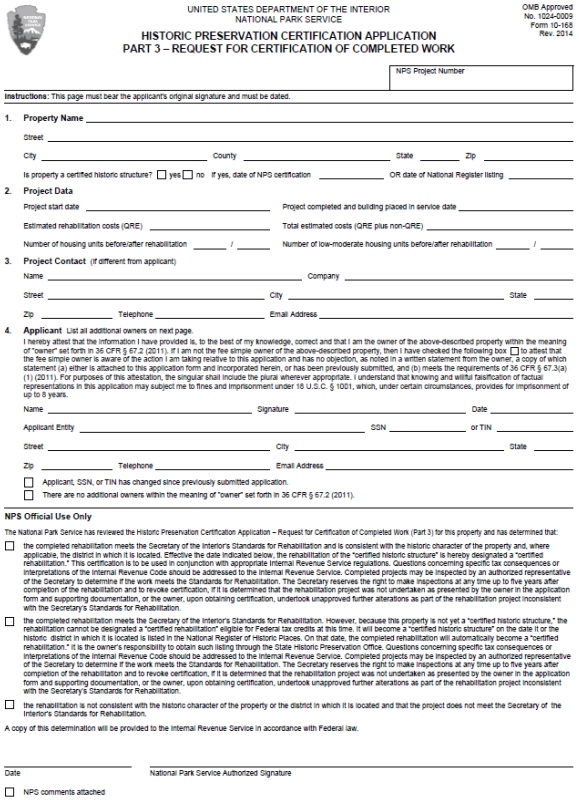
Number Feature Date of Feature
Describe existing feature and its condition
Photo numbers Drawing numbers
Describe work and impact on feature

Number Feature Date of Feature
Describe existing feature and its condition
Photo numbers Drawing numbers
Describe work and impact on feature

Add Item Delete Item

Application

- Part 3 (Request for Certification of Completed Work): Certifies that you did what you said you were going to do



UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

OMB Approved
No. 1024-0009
Form 10-168
Rev. 2014

HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 3 – REQUEST FOR CERTIFICATION OF COMPLETED WORK

NPS Project Number

Instructions: This page must bear the applicant's original signature and must be dated.

1. **Property Name** _____
   Street _____
   City _____ County _____ State _____ Zip _____
   Is property a certified historic structure? ☐ yes ☐ no If yes, date of NPS certification _____ OR date of National Register listing _____
2. **Project Data**
   Project start date _____ Project completed and building placed in service date _____
   Estimated rehabilitation costs (QRE) _____ Total estimated costs (QRE plus non-QRE) _____
   Number of housing units before/after rehabilitation _____ / _____ Number of low-moderate housing units before/after rehabilitation _____ / _____
3. **Project Contact** (if different from applicant)
   Name _____ Company _____
   Street _____ City _____ State _____
   Zip _____ Telephone _____ Email Address _____
4. **Applicant** List all additional owners on next page.
   I hereby attest that the information I have provided is, to the best of my knowledge, correct and that I am the owner of the above-described property within the meaning of "owner" set forth in 36 CFR § 67.2 (2011). If I am not the fee simple owner of the above-described property, then I have checked the following box ☐ to attest that the fee simple owner is aware of the action I am taking relative to this application and has no objection, as noted in a written statement from the owner, a copy of which statement (a) either is attached to this application form and incorporated herein, or has been previously submitted, and (b) meets the requirements of 36 CFR § 67.3(a) (1) (2011). For purposes of this attestation, the singular shall include the plural wherever appropriate. I understand that knowing and willful falsification of factual representations in this application may subject me to fines and imprisonment under 18 U.S.C. § 1001, which, under certain circumstances, provides for imprisonment of up to 8 years.
   Name _____ Signature _____ Date _____
   Applicant Entity _____ SSN _____ or TIN _____
   Street _____ City _____ State _____
   Zip _____ Telephone _____ Email Address _____
   ☐ Applicant, SSN, or TIN has changed since previously submitted application.
   ☐ There are no additional owners within the meaning of "owner" set forth in 36 CFR § 67.2 (2011).

NPS Official Use Only

The National Park Service has reviewed the Historic Preservation Certification Application – Request for Certification of Completed Work (Part 3) for this property and has determined that:

☐ the completed rehabilitation meets the Secretary of the Interior's Standards for Rehabilitation and is consistent with the historic character of the property and, where applicable, the district in which it is located. Effective the date indicated below, the rehabilitation of the "certified historic structure" is hereby designated a "certified rehabilitation." This certification is to be used in conjunction with appropriate Internal Revenue Service regulations. Questions concerning specific tax consequences or interpretations of the Internal Revenue Code should be addressed to the Internal Revenue Service. Completed projects may be inspected by an authorized representative of the Secretary to determine if the work meets the Standards for Rehabilitation. The Secretary reserves the right to make inspections at any time up to five years after completion of the rehabilitation and to revoke certification, if it is determined that the rehabilitation project was not undertaken as presented by the owner in the application form and supporting documentation, or the owner, upon obtaining certification, undertook unapproved further alterations as part of the rehabilitation project inconsistent with the Secretary's Standards for Rehabilitation.

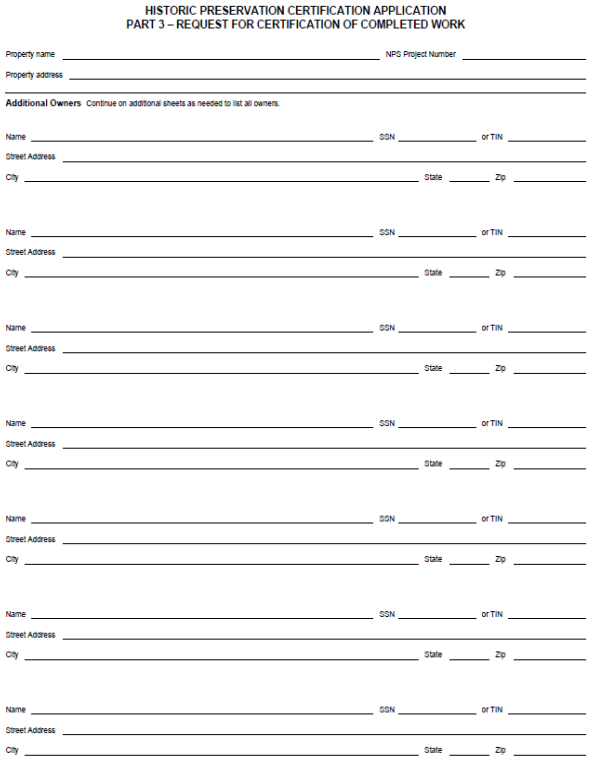
☐ the completed rehabilitation meets the Secretary of the Interior's Standards for Rehabilitation. However, because this property is not yet a "certified historic structure," the rehabilitation cannot be designated a "certified rehabilitation" eligible for Federal tax credits at this time. It will become a "certified historic structure" on the date it or the historic district in which it is located is listed in the National Register of Historic Places. On that date, the completed rehabilitation will automatically become a "certified rehabilitation." It is the owner's responsibility to obtain such listing through the State Historic Preservation Office. Questions concerning specific tax consequences or interpretations of the Internal Revenue Code should be addressed to the Internal Revenue Service. Completed projects may be inspected by an authorized representative of the Secretary to determine if the work meets the Standards for Rehabilitation. The Secretary reserves the right to make inspections at any time up to five years after completion of the rehabilitation and to revoke certification, if it is determined that the rehabilitation project was not undertaken as presented by the owner in the application form and supporting documentation, or the owner, upon obtaining certification, undertook unapproved further alterations as part of the rehabilitation project inconsistent with the Secretary's Standards for Rehabilitation.

☐ the rehabilitation is not consistent with the historic character of the property or the district in which it is located and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation.

A copy of this determination will be provided to the Internal Revenue Service in accordance with Federal law.

_____ _____
Date National Park Service Authorized Signature

☐ NPS comments attached



HISTORIC PRESERVATION CERTIFICATION APPLICATION
PART 3 – REQUEST FOR CERTIFICATION OF COMPLETED WORK

Property name _____ NPS Project Number _____
Property address _____

Additional Owners Continue on additional sheets as needed to list all owners.

Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

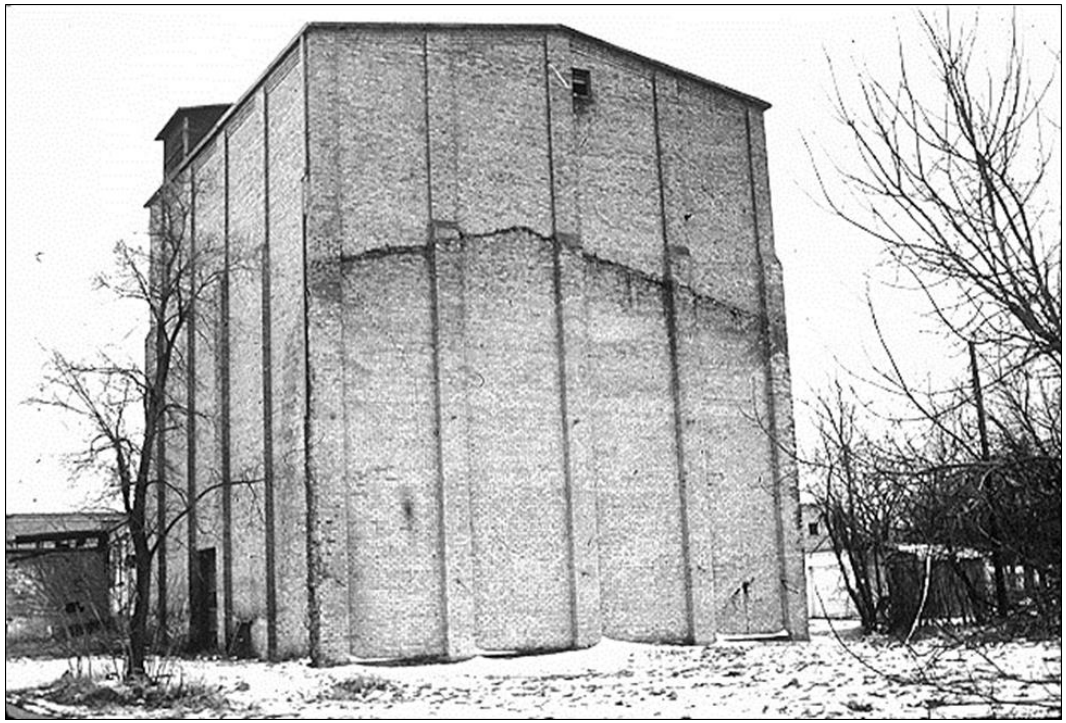
Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

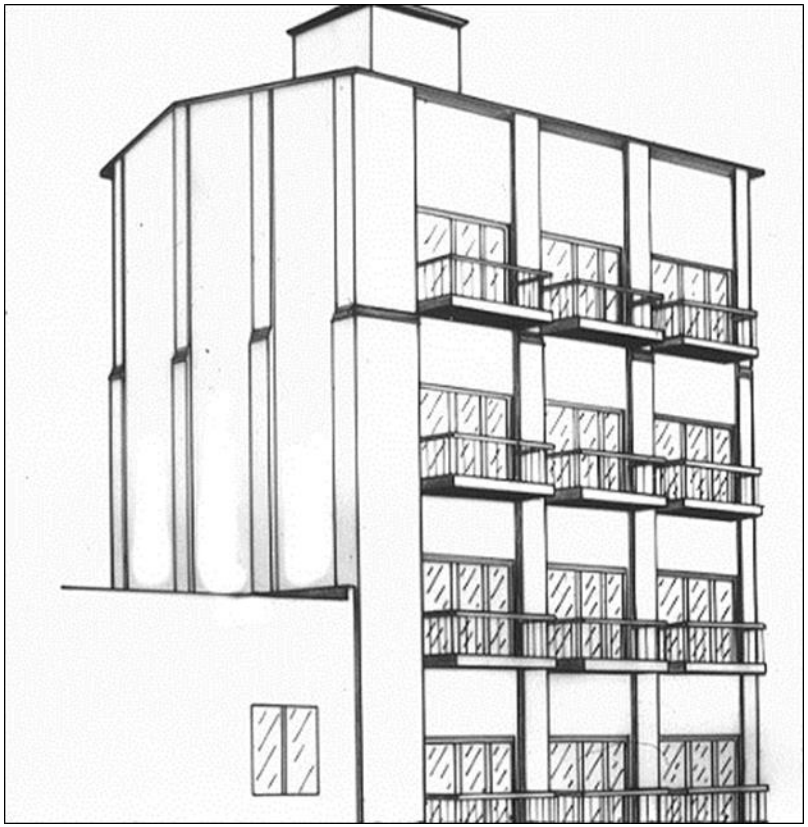
Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

Name _____ SSN _____ or TIN _____
Street Address _____
City _____ State _____ Zip _____

Secretary of Interior's Standards for Rehabilitation

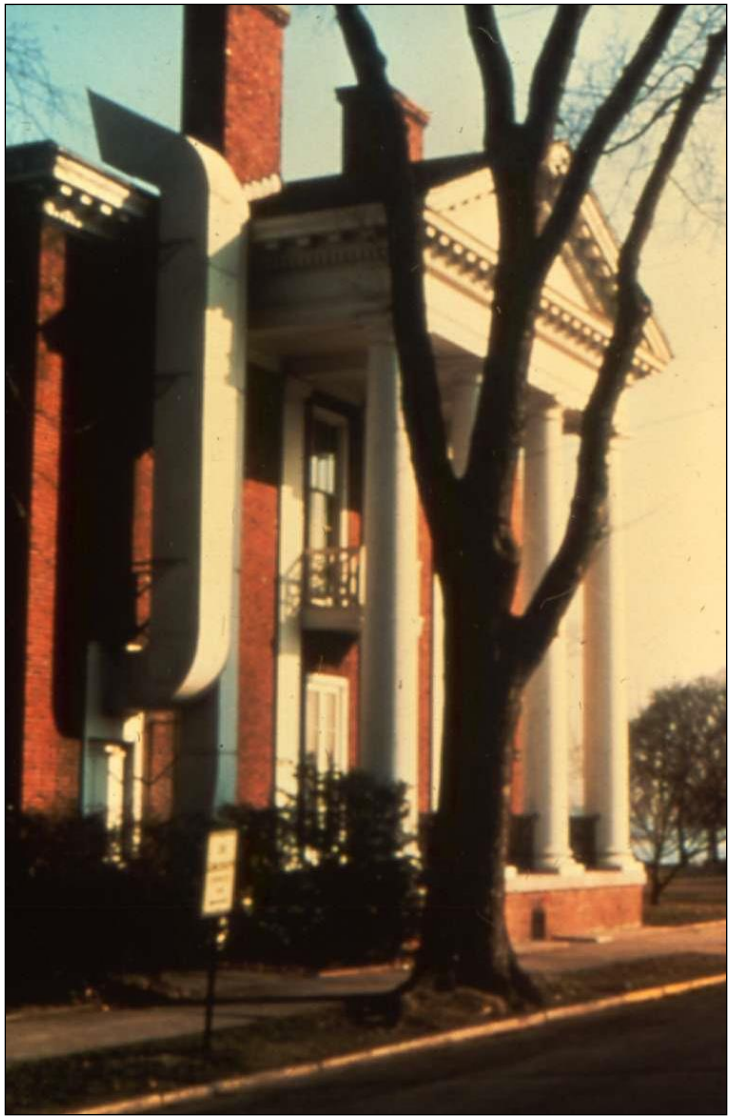
- 1. Appropriate use





Secretary of Interior's Standards for Rehabilitation

- 2. Retention of historic character

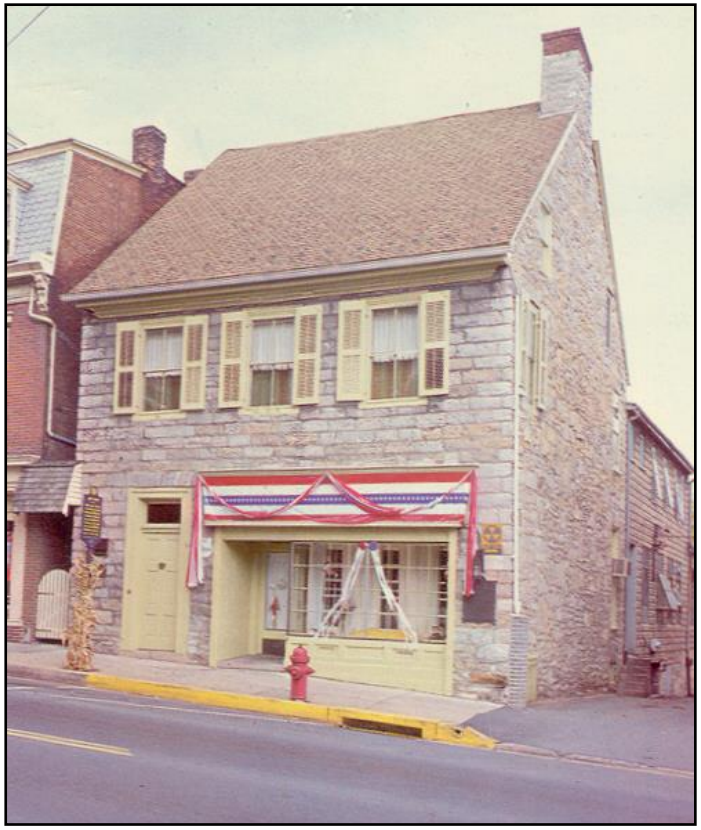


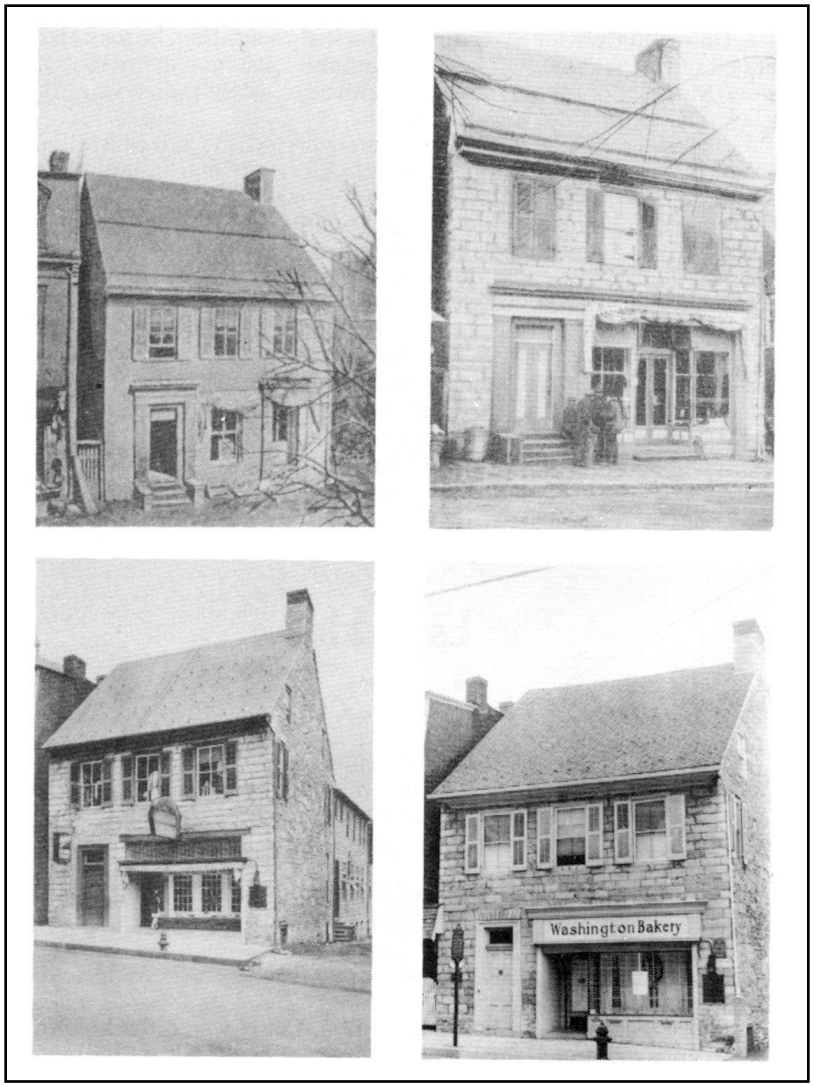
Secretary of Interior's Standards for Rehabilitation

- 3. Recognition of time, place & use – avoiding a false sense of historical development

Secretary of Interior's Standards for Rehabilitation

- 4. Retention of significant changes over time





Secretary of Interior's Standards for Rehabilitation

- 5. Preservation of distinctive features, finishes, construction techniques & craftsmanship

Trail End, Sheridan

Secretary of Interior's Standards for Rehabilitation

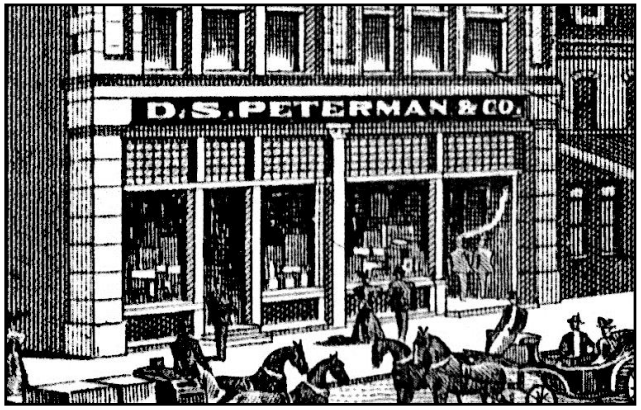
- 6. Retain original

– then repair

– then replace (Replace based on documentary & physical evidence.)

UP Depot, Rawlins

Secretary of Interior's Standards for Rehabilitation



Secretary of Interior's Standards for Rehabilitation

- 7. Use the gentlest chemical or physical treatments possible

Quarters 1, FE Warren AFB

Secretary of Interior's Standards for Rehabilitation

- 8. Protection & preservation of significant archaeological resources

Wold Buffalo Jump Site, Johnson County

Secretary of Interior's Standards for Rehabilitation

- 9. New work should be differentiated from the old *and* compatible

Fire Station, Casper

Secretary of Interior's Standards for Rehabilitation

Secretary of Interior's Standards for Rehabilitation

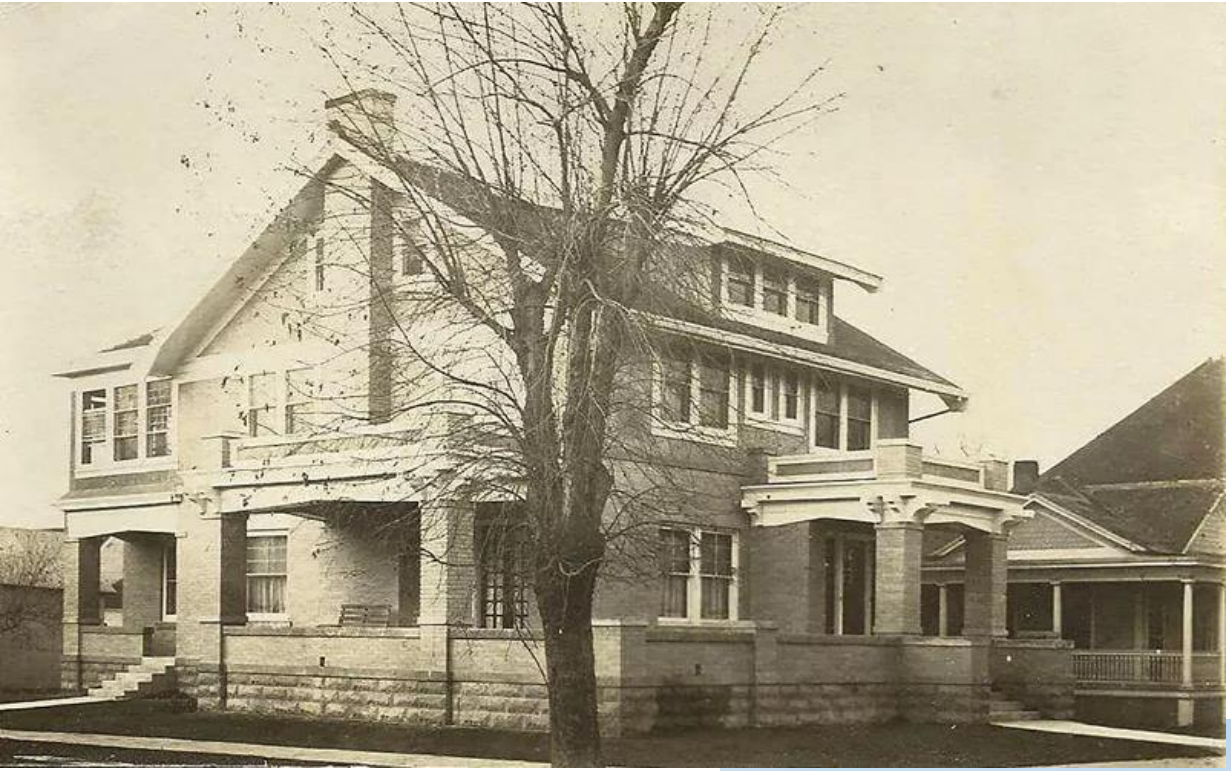
- 10. Reversible new construction

Building 210, F. E. Warren AFB

Case Study: Dinneen Building

GARAGE

Case Study: Dinneen Building



JEFFERSON
ONE WAY
FOR SALE
HERITAGE

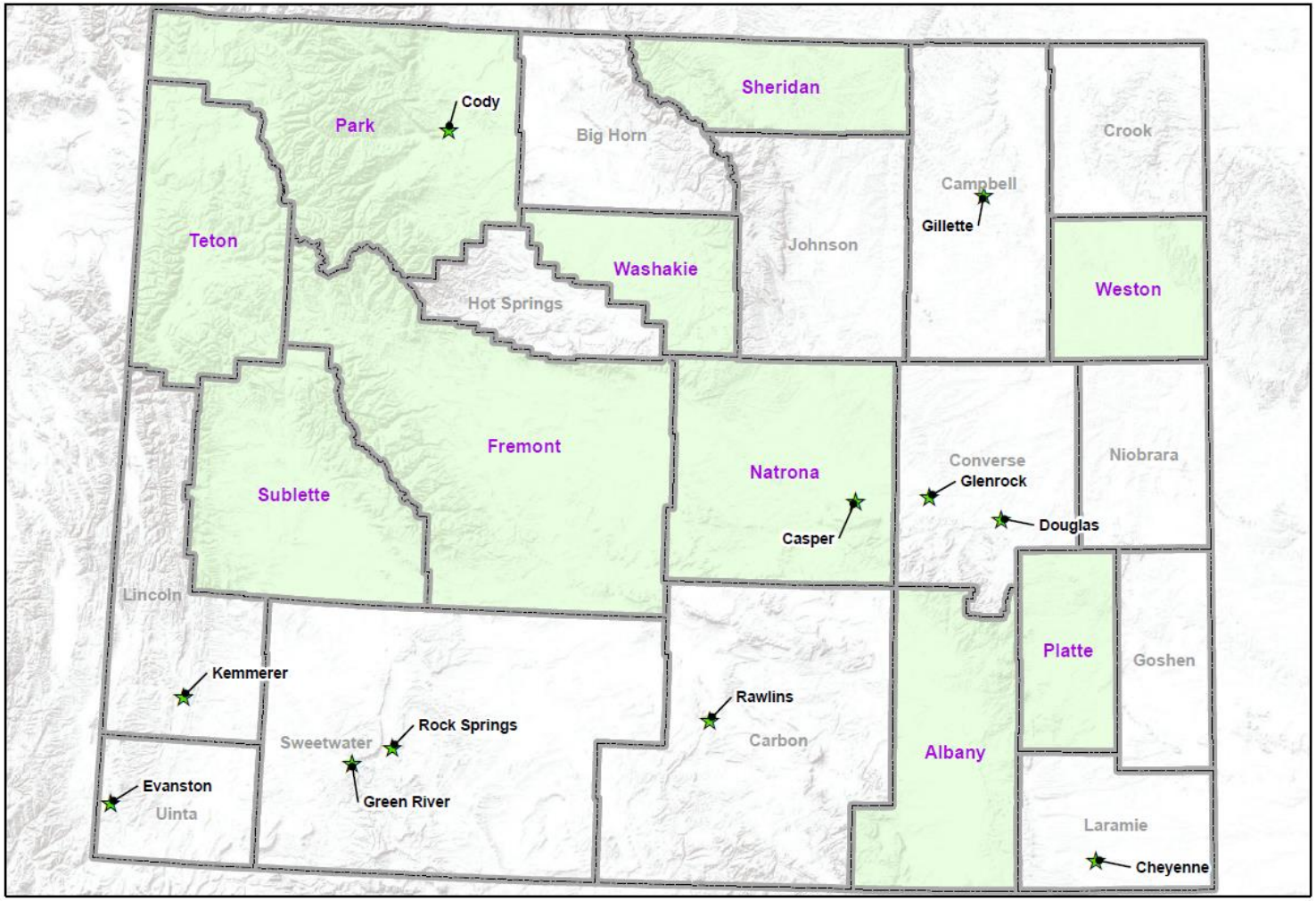
BEFORE

AFTER

What is a CLG?

A city, town, or county that had made a commitment to support historic preservation in their community.

CLGs in Wyoming



How did CLGs come to be?

- National Historic Preservation Act - 1966
  - Created a program between the Federal Government and the States; established a SHPO in each state
  - Based on: identification, evaluation, registration, and protection of historic resources
- Act amended in 1980
  - Added the local partnership - CLGs
  - Local role was to administer local ordinances, maintain surveys, and participate in the National Register program
  - Any unit of government could become certified

Benefits of Certification

- Grant funding
- Technical assistance
- National Register participation
- Training opportunities
- Networking opportunities
- Participation in federal consultation
- State and federal support for preservation in your community

Requirements to Be Certified

- Enforce local legislation for the designation and protection of historic properties
- Establish and maintain an adequate and qualified historic preservation commission
- Maintain a system for the survey and inventory of historic properties
- Provide for public participation in the program
- Attend annual training
- Submit an annual report

Certification Process

1. Pass local ordinance
   - Creates historic preservation commission
   - Provides for the designation/protection of historic properties
2. Recruit commission members
3. Submit application and agreement to SHPO
4. SHPO approves application
5. NPS approves application
6. Local government is certified

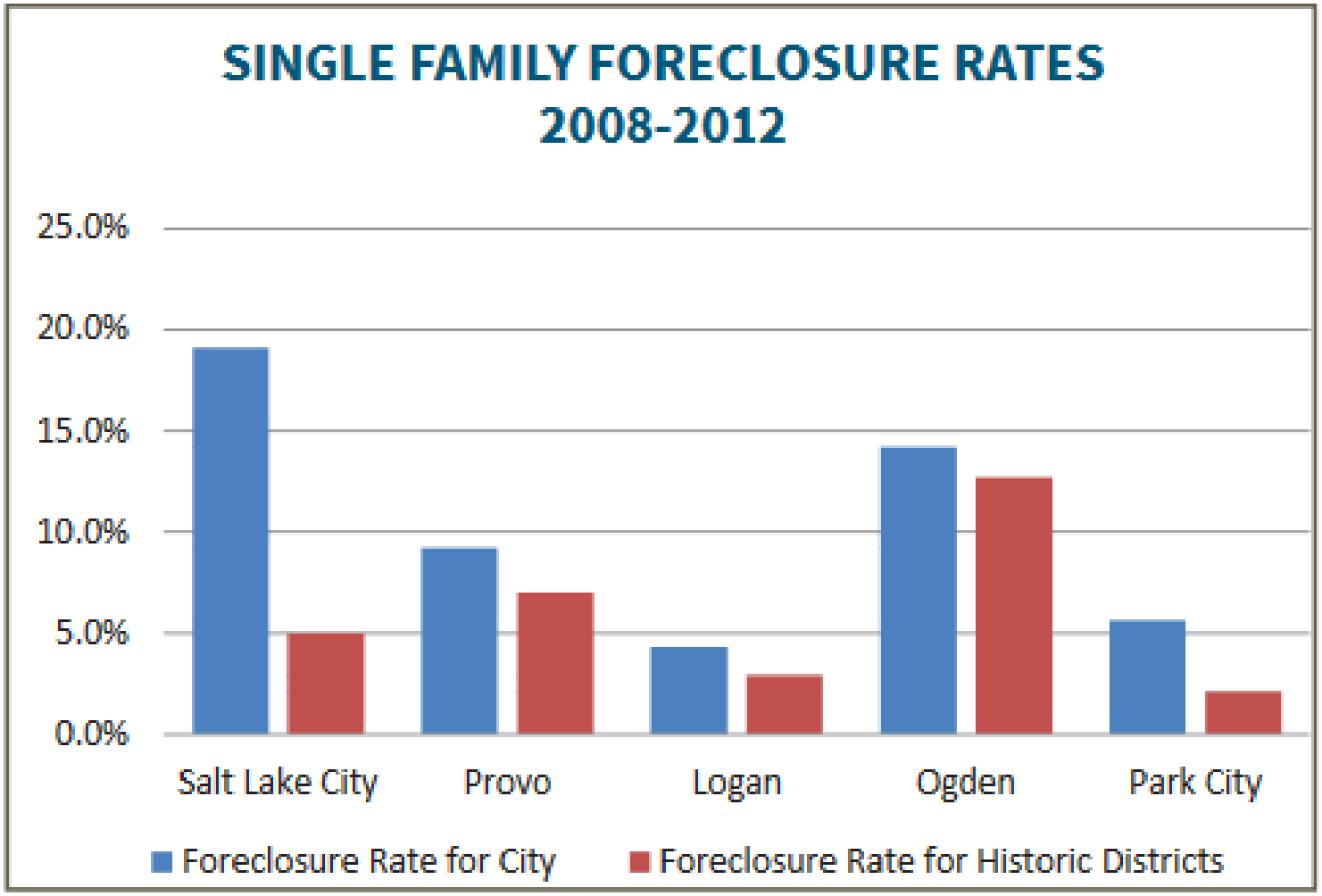
What does a CLG do?

- Survey
- Designation
- Nomination
- Regulation
- Review
- Advocacy
- Public Education

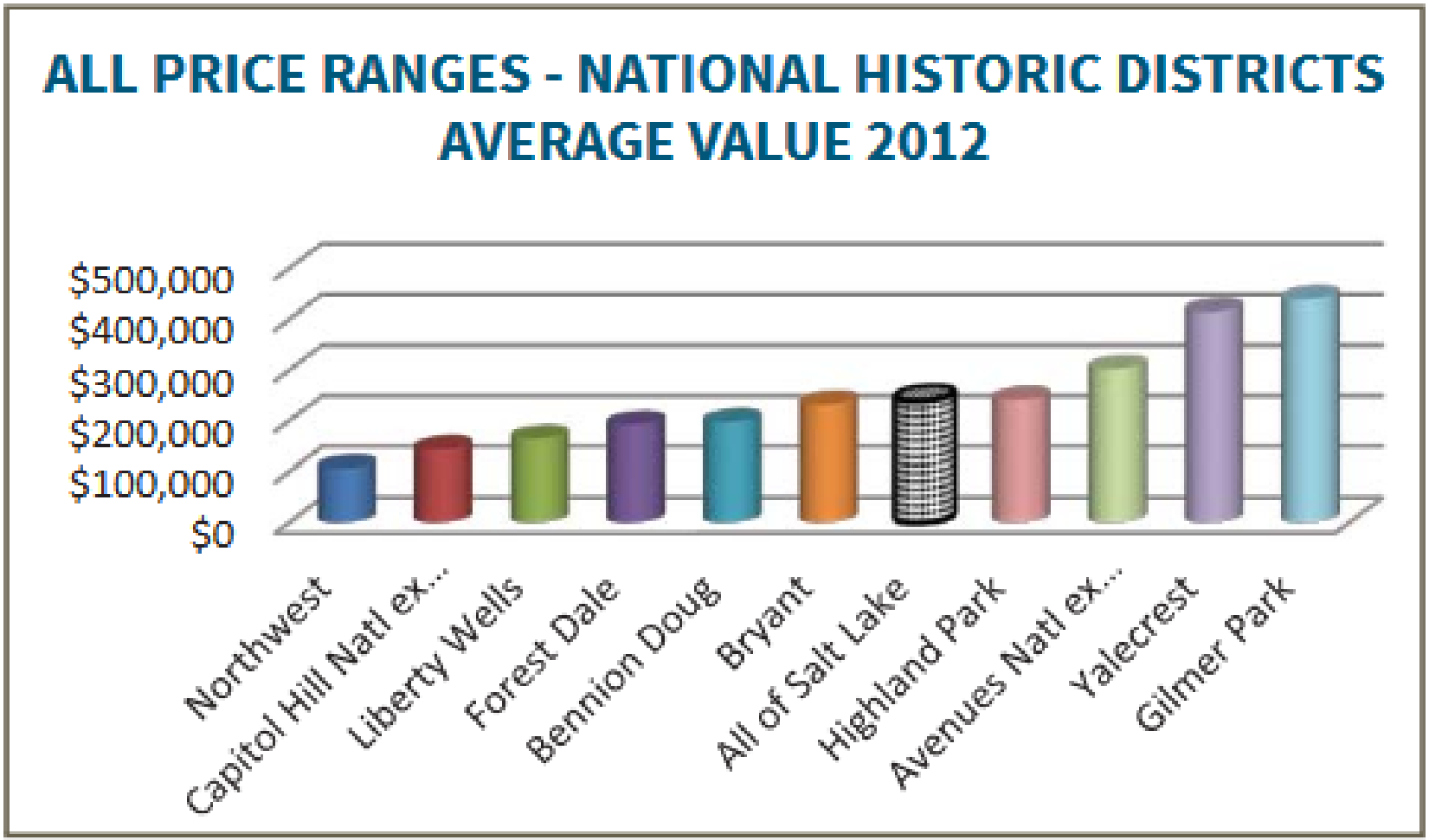
Benefits of Historic Preservation

- Protect historic properties
- Increase property values
- Strengthen communities
- Increase Tourism
- Save history for future generations

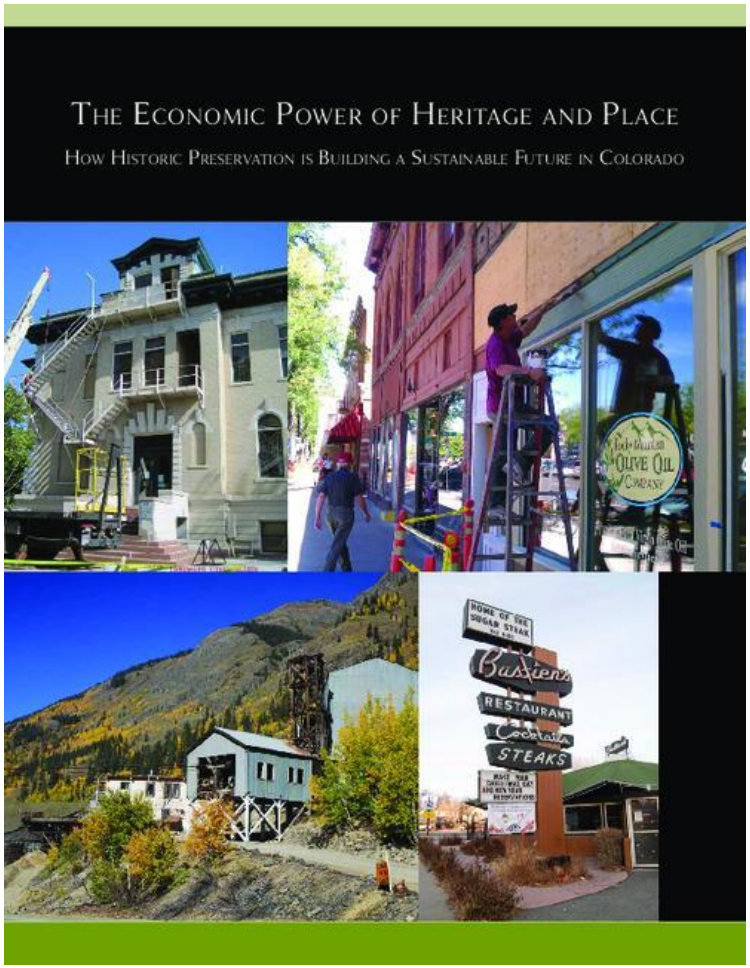
Benefits of Historic Preservation



Benefits of Historic Preservation



Benefits of Historic Preservation



Profits Through Preservation: The Economic Impact of Preservation in Utah (2013)

Preservation at Work for the Nebraska Economy (2007)

The Economic Power of Heritage and Place: How Historic Preservation is Building a Sustainable Future in Colorado (2011)

The Economic Benefits of Historic Preservation in Colorado (2005)