Disclosure Summary Sheet

Contract (PO) Number: 6402

Specification Number: 26810

Name of Contractor: MONTCLARE SENIOR RESIDENCES

City Department: DEPARTMENT OF HOUSING

Title of Contract: Interest Subsidy Payments For Affordable Housing

Dollar Amount of Contract (or maximum compensation if a Term Agreement) (DUR):

PO Start Date: 12-21-00

\$4,853 00 **PO End Date:** 12-21-25

Brief Description of Work: Interest Subsidy Payments For Affordable Housing

Procurement Services Contact Person: THOMAS DZIEDZIC

Vendor Number: 50073581

Submission Date:

JUL 1 6 2004

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), the following information is required to be disclosed prior to any City agency, department or City Council action. Please fully complete each statement, with all information current as of the attestation date. Every question must be answered. If a question is not applicable, answer with "N.A." An incomplete EDS shall be returned and any City action shall be interrupted.

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

WHO MUST FILE:

- The Applicant: Any individual or entity (the "Applicant") making an application to the City of Chicago (the "City") for action requiring City Council or other City agency approval must file this EDS. For example, with respect to a City loan or grant, the individual or entity applying for the loan or grant is the "Applicant."
- 2. Entities holding an interest in the Applicant: Whenever an ownership interest in the Applicant (such as shares of stock of the Applicant or a limited partnership interest in the Applicant, for example) is held or owned by a legal entity (such as a corporation or partnership, for example) rather than an individual, each such legal entity must also file an

EDS on its own behalf. If the Applicant is a not-for-profit corporation with members who elect the board of directors, those members who are legal entities and not individuals must also file EDS's on their own behalf. (Individuals who have ownership interests in the Applicant or who are members of a not-for-profit Applicant are not required to file an EDS on their own behalf.) However, if the Applicant is a corporation whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, only legal entities that own 10 percent or more of the Applicant's stock must file EDS's on their own behalf. A legal entity that holds an ownership interest in the Applicant and that is required to file an EDS on its own behalf shall be referred to hereinafter as a "First-Tier Related Entity."

3. Entities holding direct or indirect interest in a First-Tier Related Entity: The same rules described in (2) above also apply to owners of First-Tier Related Entities, owners of such owners, and so on.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

ACKNOWLEDGMENT OF POSSIBLE CREDIT AND OTHER CHECKS: By completing and filing this EDS, the undersigned acknowledges and agrees, on behalf of itself and the individuals named in this EDS, that the City may investigate the creditworthiness of some or all of the individuals named in this EDS.

INFORMATION TO BE KEPT CURRENT: All disclosures must be current as of the date upon which the application is presented to the City Council or other City agency, and shall be maintained current until such time as the City Council or City agency shall take action on the application. This requires (i) the submission of this EDS at the time the initial application is made; and (ii) a recertification of this EDS (a) at the time the related ordinance, if any, is submitted to the City Council if such

submission is more than 60 days following the original execution of this EDS; and (b) upon the closing of the related transaction.

RE-CERTIFYING THIS EDS: Execute the certification on the date of the initial submission of this EDS. You may be asked to re-execute this EDS on the last page as of the date of submission of any related ordinance to the City Council, or as of the date of the closing of your transaction.

	#0606 G1 1 1 ON //
Business	address: 600 Superior Ave., #2626, Cleveland, OH 441
_	e: (216) 875-2626
Fax:	(216) 875-2612
Name of	contact person: Thomas C. Rini
City age	ncy receiving this EDS: Department of Housing
Type of	action requested: Financing
Project	location: 6650 W. Belden Avenue, Chicago, IL 60607
Brief p	coject description: 153 units of affordable housing for
Seniors.	

J.	Description and purpose of requested City assistance:
	Financing through tax exempt bonds with tax credits.
II.	DISCLOSURE OF OWNERSHIP INTERESTS
A.	GENERAL INFORMATION
1.	Indicate whether the undersigned is an individual or legal entity and, if a legal entity, indicate the type of entity below:
	<pre>Individual Business corporation Not-for-profit corporation General partnership Limited partnership Limited liability company Joint venture Sole proprietorship Other entity (please specify)</pre>
2.	State of incorporation or organization, if applicable: Ohio
3.	For corporations, limited partnerships and limited liability companies not organized in the State of Illinois: Is the organization authorized to do business in the State of Illinois as a foreign entity?
	Y Yes O No
В.	ORGANIZATION INFORMATION
1.	FOR CORPORATIONS:

-

	and directors of the corporation.
Name	Title
N/A	
b.	For business corporations with 100 or more shareholders, list below the name, business address and percentage of ownership interest of each shareholder owning shares equal to or in excess of 7.5 percent of the total issued and outstanding shares.
Name	Business Address Percentage Interest
N/A	

a. List below the names and titles of the executive officers

c.	For cusiness corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder.
Name	Business Address Percentage Interest
N/A	
	-
d.	For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."
Name	Business Address Percentage Control
N/A	
2.	FOR PARTNERSHIPS:
busı part	general or limited partnerships: list below the name, ness address and percentage of ownership interest of each ner. For limited partnerships, indicate whether each partner general partner or a limited partner.
Name	Business Address Percentage Interest
N/A	

FOR LIMITED LIABILITY COMPANIES: List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers." Title Name Thomas C. Rini President/Managing Director Jack E. Griffiths Executive Vice President/Managing Director List below the name, business address and percentage of b. ownership interest of each (i) member and (ii) manager. Ιf there are no managers, write "no managers." Name Business Address Percentage Interest (1) Thomas C. Rini 600 Superior Ave. #2626 Cleveland, OH 44114 497 member (1) Jack E. Griffiths 600 Superior Ave. #2626 Cleveland, OH 44114 497 member (11) Thomas C. Rini 600 Superior Ave. #2626 Cleveland, OH 44114 17 manager

1% manager

(ii) Jack E. Griffiths 600 Superior Ave. #2626 Cleveland, OH 44114

4.	FOR LAND IRUSIS, BUSINESS IRUSIS OR ESTATES:
a.	List below the name of each individual or legal entity holding legal title to the property that is the subject of the trust:
N/A	
	•
b.	List below the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held:
Name	Business Address Percentage Interest
N/A	
5.	OTHER OWNERSHIP INTERESTS
a.	Is any ownership interest in the undersigned, as described in (1)(b)-(d), (2), 3(b) or (4)(b) above, held by one or more agents or one or more nominees on behalf of another individual or legal entity?
	□ Yes Ø No
	If so, list below the name, business address and percentage of ownership interest of each principal (whether an individual or legal entity) for whom such agent(s) or nominee(s) are holding their ownership interest(s) in the

undersigned, and identify each principal's agent or nominee.

Principal's

Name	Address	Percentage	Interest	Agent/Nominee
N/A				
	<u>.</u>	·		
				
				-
b.	in (1)(b)-(d)	, (2), 3(b) of ther than three	r (4)(b) a ough an ag	ersigned, as described bove, constructively ent or nominee) by
		Yes AR No	,	
	entity whose controlled, (of ownership	ownership int ii) the name, interest of e ch control, a	erest is d business ach indivi nd (iii) t	ch individual or legal constructively address and percentage dual or legal entity the means by which such
N/A				
	•			:

III. OTHER PROJECT INFORMATION

1 14

A. List below the name and business address of each individual or legal entity currently holding legal title to the

property for which City assistance is being requested (the "Property"):

American National Bank and Trust Company of Chicago, as Trustee under Trust					
No.	52930.				
B.	If title to the Property is held in a land trust, list below the name, business address and percentage of interest of each beneficiary. If all of this information has already been provided in Section II above, indicate that below and do not repeat it here:				
Gra	and Equities, Inc., an Illinois corporation - 1007				
c.	Real estate tax index number(s) for the Property:				
P	IN #1331205061 and PIN #1331205062				
D.	Have all water charges, sewer charges, property taxes and sales taxes, due and payable on or prior to the date hereof and concerning the Property, been paid as of the date of this EDS?				

₩ Yes □ No

If no, describe below the kind and dollar amount of such charges or taxes and indicate by what date full payment

shall be made. Failure to make full payment may halt any requested City action.

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

A. ever been a defendant in any civil or criminal suits or legal actions?

☑ Yes ☐ No

B. ever had any debts discharged, satisfied or settled under the Bankruptcy Act?

☐ Yes 🛣 No

C. ever had a judgment entered against him/her/it?

□ Yes 堀No

D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?

☐ Yes x3 No

NOTE: If the answer to any of the above questions is "yes," attach a separate schedule explaining the circumstances, parties involved and resolution or status. A specific description must be provided for each case.

V. CERTIFICATION OF ENVIRONMENTAL COMPLIANCE

- A. Neither the undersigned nor any "Affiliated Entity" (as defined below) of the undersigned has, during a period of five years prior to the date hereof:
 - (1) violated or engaged in any conduct which violated Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other "Environmental Restriction" (as defined below);
 - (2) received notice of any claim, demand or action, including but not limited to citations and warrants, from the City, the State of Illinois, the federal government, any state or political subdivision thereof, or any agency, court or body of the federal government or any state or political subdivision thereof, exercising executive, legislative, judicial, regulatory or administrative functions, relating to a violation or alleged violation of Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction; or
 - (3) been subject to any fine or penalty of any nature for failure to comply with Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction.

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occurred	within the C	ity or othe	rwise pertain	n to the Cit
				• •
				

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

- C. The undersigned covenants and agrees that the undersigned shall:
 - (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision of Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction;
 - (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.
- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim

relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.

- Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or succontractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.

H. Definitions:

- (1) Entities are "affiliated" if, directly or indirectly, one controls or has the power to control the other, or if a third person controls or has the power to control both entities. Indicia of control include without limitation: interlocking management or ownership identity of interests among family members; shared facilities and equipment; common use of employees; or organization of another business entity using substantially the same management, ownership or principals as the first entity.
- (2) "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directive relating to or imposing liability or standards of conduct concerning the release or threatened release of hazardous materials, special wastes or other contaminants into the environment, and to the generation, use, storage, transportation or disposal of construction debris, bulk waste, refuse, garbage, solid wastes, hazardous materials, special wastes or other contaminants, including but not limited to: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et

seq.); (b) the Hazardous Materials Transportation Act (49 U.S.C. § 1801 et seq.); (c) the Resource Conservation and Recovery Act of 1976 (42 U S.C. § 6901 et seq.); (d) the Clean Water Act (33 U.S.C. § 1251 et seq.); (e) the Clean Air Act (42 U.S.C. § 7401 et seq.); (f) the Toxic Substances Control Act of 1976 (15 U.S.C. § 2601 et seq.); (g) the Safe Drinking Water Act (42 U.S.C. § 300f et seq.); (h) the Occupational Health and Safety Act of 1970 (29 U.S.C. § 651 et seq.), (i) the Emergency Planning and Community Right to Know Act (42 U.S.C. § 11001 et seq.); and (j) the Illinois Environmental Protection Act (415 ILCS 5/1 through 5/56.6).

VI. CHILD SUPPORT OBLIGATIONS

For purposes of this Section VI, "Substantial Owner" means any individual who owns or holds a 10 percent or more "Percentage of Interest" (as defined below) in the undersigned. undersigned is an individual or sole proprietorship, the "Substantial Owner" means that individual or sole proprietor. "Percentage of Interest" includes direct, indirect and beneficial interests in the undersigned. "Indirect or beneficial interest" means that an interest in the undersigned is held by a corporation, joint venture, trust, partnership, association, estate or other legal entity, in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B owns a 20 percent interest in the undersigned, and an individual has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. If Corporation B is held by another entity, then this analysis similarly must be applied to that next entity (and so forth to any additional levels of ownership) to determine whether any individuals indirectly hold a 10 percent or more interest in the undersigned.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) below constitutes an event of default.

Check one:

- X A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations and: (i) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed; or (ii) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed; or both (i) and (ii).
- ____ D. There are no Substantial Owners.

VII. CERTIFICATION

The signatory of the undersigned, being first duly sworn, on oath hereby certifies, deposes and says, under penalty of perjury, as follows:

- A. The signatory is authorized to execute this EDS on behalf of the undersigned; the information disclosed herein is true and complete to the best of his/her knowledge; no disclosures as to economic interest in the Project have been withheld; and no information has been reserved as to the intended use or purpose for which the undersigned (or a related entity) seeks action by the City Council or pertinent City agency.
- В. Except as described in Section III(D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges owed to the City, personally or by any partnership, corporation, joint venture or land trust in which the undersigned has at least a five percent beneficial interest; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
- C. Since the initial date of application, the undersigned has not done or suffered to be done anything that could in any way adversely affect the title to the Property and, except as described herein, no proceedings have been filed by or against the undersigned, nor has any judgment or decree been rendered against the undersigned, nor is there any judgment note or other instrument that can result in a judgment or decree against the undersigned within five days from the date thereof.

- D. The undersigned has either paid in full or settled all outstanding parking violation complaints issued to any vehicle owned or controlled by the undersigned personally, or by any partnership, corporation, joint venture or land trust in which the undersigned has control or an ownership interest exceeding five percent in such entity.
- E. The undersigned and its principals:
 - (1) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - (3) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause (b) above: and
 - (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.
- F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the

undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or been convicted of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.
- G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).
- H. Neither the undersigned nor any employee, official, agent or partner of the undersigned is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;

or (3)	any	simil	ar of.	fense	of.	апу	state	or	οÍ	the	
United	Stat	es of	Amer	ıca w	hich	con	tains	the	e sa	me	
element	is as	s the	offen.	se of	bid	-rıg	ging	or t	oid-	rotat	ing

Į.	If the	undersign	ed is un	able to	certily	to any of the	ne.
	above	statements	in this	Section	VII, th	e undersigne	eà
	shall	explain be	low:				

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
 - (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent

or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;

- (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
- (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.
- C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

- The undersigned certifies that it has not and snall not В. expend any Federal appropriated funds to pay any person for influencing or attempting to influence an officer or employee of any agency, as defined by applicable Federal law, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation. renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization

described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.

F. The undersigned shall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned shall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.
- B. "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.
- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor

will be subject to the equal opportunity clause Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 C.F.R. Part 60 for further information regarding the equal opportunity clause.

D. The undersigned shall forward or cause to be forwarded the following notice to proposed contractors and subcontractors:

NOTICE TO PROSPECTIVE CONTRACTORS/SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities must be submitted before the award of a contract/subcontract under which the contractor/subcontractor will be subject to the Equal Opportunity clause. The certifications may be submitted either for each contract/subcontract or for all contracts/subcontracts during a period (e.g., quarterly, semiannually or annually).

XI. <u>FOUAL EMPLOYMENT OPPORTUNITY</u>

Federal regulations require that the undersigned and proposed contractors/subcontractors submit the following information with their bids or in writing at the outset of negotiations:

A.	Have you developed	and do you have on file affirmative
	action programs pur	suant to applicable federal regulations?
	(See 41 C.F.R. Part	60-2.)
	() Yes	[X] No

B. Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?

[] Yes [x] No

C. If the answer to (B) is yes, have you filed with the Joint Reporting Committee, the Director of OFCC, any federal

agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of these organizations?

[] Yes [] No N/A

XII. RETAINED PARTIES

- A. Definitions and Disclosure Requirements
- 1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.
- 2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.
- 3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B. Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Relationship Fees (indicate
Business (attorney, lobbyist, whether paid
Name Address contractor, etc.) or estimated)

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE
ANTICIPATED TO BE RETAINED:

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

- A. Definitions and Disclosure Requirement
- 1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.
- A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (1) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (11) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not

include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City

3.	C	_	~	-	-	£	•	~	а	t	1	a	n	
D.	`-'	=	_	_	-	-	-	_	u	_	-	v	44	۰

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

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	Ĭ					***************************************						

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

- A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.
- B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

• 7

C. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the undersigned waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS.

AHC Holdings, LLC
(Print or type name of individual or legal entity-this should be the same name as given in Section I(A) hereof)
By: food Alfille.
(sign mere)
Title of signatory: EXECUTIVE VICE PRESIDENT
Print or type
name of signatory: TACK & GRIFFITHS
Date: (144) 18 , 199 3000
Subscribed to before me this 18 day of <u>August</u> . 199 <u>Law</u> at <u>Cook-County</u> , Illinois. CUYAHCGA COUNTY, CHIC
Milanie M Muricoce Notary Public
Notary Public
MELANIE M. MENACORE Notary Public, State of Ohio, Cuy. Cty My Commission Expires Dec. 12, 2001

(Do not write below this line except to recertify prior to submission to City Council or on the date of closing.)

RECERTIFICATION

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby represents, under penalty of perjury, that all certifications and statements contained in this EDS are true, accurate and complete as of the date furnished to the City and continue to be true, accurate and complete as of the date hereof.

(Frint or type name of individual or legal entitythis should be the same name as given in Section I(A) hereof)
By:
(sign here)
Title of signatory:
Print or type name of signatory:
Date:, 199
Subscribed to before me this day of
199 at Cook County, Illinois.
Notary Public
Commission expires:

Response to Question IV A 1 (page 11):

Apollo Housing Capital, L.L.C. was named as a defendant in the following case for which an Agreement and Mutual Release of Claims was executed on February 18, 1998.

McDonald & Company Securities, Inc. Plaintiff

Vs.

Thomas C. Rini, Jack E. Griffiths and Apollo Housing Capital, L.L.C. Defendant

Thomas C. Rini and Jack E. Griffiths, along with three other Apollo Housing Capital employees, were formerly employed in the tax credit investment group of the plaintiff, McDonald & Company. On July 10, 1997, Messrs. Griffiths and Rini announced their resignation from McDonald & Company and, in partnership with LR Development Company, a real estate development company based out of Chicago, Illinois, formed Apollo Housing Capital, L.L.C. Subsequent to their resignations, three (3) other employees from McDonald & Company's tax credit investment group joined Apollo Housing Capital as part of the new venture.

Although none of these former employees of McDonald & Company were subject to any contractual restriction limiting their privilege to compete against their former employer, McDonald & Company sought the aid of the Court of Common Pleas, Cuyahoga County, to suppress lawful and privileged competition. As previously mentioned, an Agreement and Mutual Release of Claims between the two parties was executed on February 18, 1998.

DISCLOSURE AFFIDAVTI FOR BOND. OR ISSUANCE OF OTHER CITY OBLIGATIONS

Any person or entity (the "Affiant") participating with the City of Chicago (the "City") in a transaction requiring action by any City agency or department or the City Council, or any other person or entity who is required by Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code") to disclose ownership interests, must complete this Disclosure Affidavit. For example, with respect to the issuance of debt securities by the City, any underwriter, financial adviser cobond counsel, co-counsel to the underwriters special counsel, bond trustee, bond registrar, paying agent remarketing agent, escrow agent or letter of credit provider is the Affiant. If the Affiant is a joint venture, the joint venture and each of the joint venture partners must submit a completed Disclosure Affidavit.

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages Please indicate the question to which you are responding on any extra pages you attach

For purposes of this Disclosure Affidavit, the term 'iransaction' refers to the issuance of the bonds or other obligations in connection with which you are submitting this Disclosure Affidavit. The transaction is considered to be completed for purposes of this Disclosure Affidavit, when the bonds or other obligations are issued

Please note that this Disclosure Affidavit requires the Affiant to obtain a certification from any subcontractors before the subcontractors may perform any work in connection with the transaction. The terms of the required subcontractor certification are set forth below in Part II

After reviewing the completed Disclosure Affidavit, the Corporation Counsel may require additional information to achieve full disclosure relevant to the transaction

Name of Transaction	Montclare Senior Residence Apartments		
Affiant Business Name	Charity & Associates, P.c.		
Affiant Business Address	20 North Clark, Suite 700, Chicago, I	111inois 60602	
			
[] Office of the [x] Housing [] Aviation [] Planning as	th the Affiant is submitting this form (check on the Chief Financial Officer and Development	ne)	
The undersigne	d, <u>Elvin E. Charity</u>	, as <u>Principal</u>	
and on behalf	(Name of Authorized Officer)	(Title)	
of <u>Charity & Associa</u> (Business Name	tes, P.C. (the "Affiant), having been	duly sworn under oath certifies a	as follows

PART I DISCLOSURE OF OW, ERSHIP INTERESTS

Indicate below whether the Affiant is an individual or a legal entity and, if a legal entity, indicate the type of encomplete Part (A), (B) or (C) below, as applicable All Affiants must complete Part (D)	inty Then
[] Individual [] Limited liability company [] Business corporation [] Partnership [] Not-for-profit corporation [] Joint venture [] Sole proprietorship [x] Other Professional Corporation	_ _
A CORPORATIONS	
1 Incorporated in the State of	
2 List below the name and title of all executive officers of the corporation	
Name Title	
Elvin E. Charity Principal	
3 List below the name and title of all directors of the corporation	
Name Title	
If the corporation's shares are registered on a national securities exchange pursuant to the Securities Excho: 1934 list below the names and business addresses of all shareholders owning shares equal to or in excess of proportionate ownership interest and the percentage of interest of each therein	ange Act 10% of the
Name Business Address Ownership Interest	
N/A	%
	% %
If the corporation's shares are <u>not</u> registered on a national securities exchange pursuant to the Securities I Act of 1934. List below the names and business addresses of all shareholders and the percentage of interest of e	Exchange ach therein.
Name Business Address Ownership Interest	
N/A	%
	% %

B. PARTNER	SHIPS N/4		
List below the n	ame and business address of ea	ch partner and the percentage of	interest of each therein
Name _	Business Ac	ldress	Ownership Interest
		·	
C LIMITED	LIABILITY COMPANIES	N/A	
l List below		cutive officers, if any. If there a	re no executive officers, write "no
Name		Title	
·			
2 List below	the name, business address, and	d percentage of ownership interes	st of each (1) member and (11) manager
Name	Business Ac		Ownership Interest
			%
D ADDITION	NAL INFORMATION		
l Is any owne or legal entity?	ership interest in the Affiant he	ld by one or more agents or nom	nnees on behalf of another individual
[] Yes	[X] No		
lt so list below principal's agent		s address percentage of ownersh	nip interest, and the name of the
Name	Business Address	Ownership Interest	Agent/Nominee
			% %
2 Is the Affia	nt, or any ownership interest in	the Affiant, constructively cont	rolled by another individual or legal
entity, other than	n an agent or nominee disclose	1 above"	
[] Yes	[x] No		

If so, list below the name and business address of each individual or entity possessing constructive control the party whose interest is controlled, and the relationship between the two under which the control is or may be exercised

Name	Business Address	Name of Party Whose Interest is Controlled	Relationship

'3 Is any stock or beneficial interest in the Affiant held by a corporation or other legal entity?

[] Yes [x]No

If so, each such corporation or other legal entity must make all disclosures requested in Parts I and VII of this Disclosure Affidavit and must certify all information provided

NOTE: Pursuant to Section 2-154-020 of the Municipal Code, the information provided in Part I above must be kept current. In the event of material changes, the Affiant must supplement this Disclosure Affidavit, up to the time the transaction for which this Disclosure Affidavit is being submitted is completed.

PART II. CERTIFICATION REGARDING PROHIBITED CONDUCT

A AFFIANT

- The Affiant or any subcontractor to be used by the Affiant in the performance of the transaction, or any affiliated entity, as defined in paragraph (4) below, of the Affiant or any such subcontractor, or any responsible official thereof, or, if acting pursuant to the direction or authorization of a responsible official thereof, any official, agent or employee of the Affiant, any such subcontractor or any such affiliated entity, has not, during a period of three years prior to the date of execution of this Disclosure Affidavit or, if a subcontractor or subcontractor's affiliated entity, during a period of three years prior to the date of award of the subcontract
 - a Bribed or attempted to bribe or been convicted of bribery or attempting to bribe, a public officer or employee of the City—the State of Illinois—any agency of the federal government or any state or local government in the United States, in that officer s or employee s official capacity, or
 - b Agreed or colluded with other bidders or prospective bidders or been a party to any such agreement, or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise or
 - c Made an admission of guilt of any conduct described in 1(a) and (b) above which is a matter of record but has not been prosecuted for such conduct
 - 2 The Affiant and its principals
 - a Are not presently debarred suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal, state or local department or agency.
 - b Have not within a three-year period preceding this Disclosure Affidavit been convicted of a criminal offense or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, a violation of federal or state antitrust statutes, fraud, embezzlement; theft, forgery, bribery, falsification or destruction of records making false statements, or receiving stolen property,

- c. Are not presently indicted to, or otherwise criminally or civilly charged by governmental entity (tederal state or local) with commission of any of the offenses enumerated in paragraph (2)(b) above and
- d Have not within a three-year period preceding the date of this Disclosure Affidavit had one or more public transactions (federal, state or local) terminated for cause or default
- No payment, gratuity or offer of employment has been made in connection with the transaction by or on behalt of a subcontractor to the Afriant, a nigner-tier subcontractor or any person associated therewith as an inducement for the award of a subcontract or order nor shall any such payment, gratuity or ofter of employment be accepted by the Affiant
- Business entities are affiliated if directly or indirectly, one controls or has the power to control the other, or if a third person controls or has the power to control both entities. Indicia of control include without limitation interlocking management or ownership identity of interests among family members, shared facilities and equipment, common use of employees or organization of another business entity using substantially the same management ownership or principals as the first entity.

5 If the Affiant is unable to certify to the statements in paragraphs (1) through (3) above, the Afriant snall explain
below Attach additional pages if necessary	
	[If no explanation appears
or begins on the lines above, it shall be conclusively presumed that the	

B SUBCONTRACTORS

- The Affiant has obtained certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit from all subcontractors that the Affiant presently intends to use in the transaction. As to subcontractors to be used in the transaction who are not yet known by the Affiant, the Affiant will obtain certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit prior to using them as subcontractors
- The Affiant shall not without the prior written consent of the City, use any subcontractors in the transaction if the Affiant based on information contained in the subcontractor certification or any other information known or obtained by the Affiant has reason to believe that, within three years prior to the award of any subcontract, the subcontractor or such subcontractor s affiliated entity or any official, agent, or employee of such subcontractor or subcontractor s affiliated entity has engaged in been convicted of, or made an admission of guilt of any of the conduct listed in Part II(A)(1) or that a payment gratuity or offer of employment was made by or on behalf of the subcontractor in connection with the transaction as an inducement for the award of a subcontract or order or that any of the circumstances set torth in Part II (A)(2) applies to the subcontractor or its principals. Furthermore, the Affiant shall not without the prior written consent of the City, use as a subcontractor any individual, firm, partnership corporation joint venture or other entity from which the Affiant is unable to obtain a certification in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit or which the Affiant has reason to believe cannot provide a truthful certification
- 3 The Affiant shall maintain all subcontractors certifications required by paragraph (1) above for the duration of the transaction and shall make such certifications promptly available to the City upon request

PART III <u>CERTIFICATION REGARDING TAXES FEES. LITIGATION AND FINANCIAL RELATIONSHIPS</u>

A. STATE TAX DELINQUENCAS

- The Affiant is not delinquent in the payment of any tax administered by the Illinois Department of Revenue or if delinquent, the Affiant is contesting its liability for the tax or the amount of the tax in accordance with the procedures established by the appropriate Revenue Act
- Alternatively, the Affiant has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement

B. OTHER TAXES/FEES

The Affiant is not delinquent in paying any fine, fee, tax or other charge owed to the City

C JUDICIAL OR ADMINISTRATIVE PROCEEDINGS

The Affiant is not a party to any pending lawsuits against the City nor has the Affiant been sued by the City or its agents in any judicial or administrative proceeding within the 10 year period preceding execution of this Disclosure Affidavit

D. EXCEPTIONS

If the Affiant is unable to certify to any of the above statements [Part III (A)- (C)], the A In the case of any judicial or administrative proceedings, provide (1) the case name, (2) court in which the action is or was pending and (4) a brief description of each proceeding if necessary	the docket number, (3) the
[If ne	explanation appears or
begins on the lines above, it shall be conclusively presumed that the Affiant certifies to e statements.]	
E FINANCIAL OR BUSINESS RELATIONSHIPS OR ARRANGEMENTS	
The Affiant has reviewed the excerpt from paragraph III C 1 of the Securities and Exch No 33-7049 34-33741. FR-42 File No S7-4-94 dated March 9, 1994, attached hereto respect thereto, discloses the following financial or business relationship or arrangement to disclose write 'NA' N/A	as Schedule I, and with

PART IV CERTIFICATION REGARDING ETHICS AND INSPECTOR GENERAL

The Affiant understands and will abide by all provisions of Chapter 2-56 of the Municipal Code, entitled "Office of Inspector General," and all provisions of Chapter 2-156 of the Municipal Code, entitled "Governmental Ethics"

PART V. CERTIFICATION REGARDING COURT-ORDERED CHILD SUPPORT COMPLIANCE

For purposes of this Part V "Substantial Owner" means any person who owns or holds a 10 percent or more interest in the Affiant. If the Affiant is an individual or sole proprietorship, the Substantial Owner is the individual or sole proprietor. Percentage of interest includes direct, indirect and beneficial interests in the Affiant. An indirect or beneficial interest is an interest in the Affiant held either by a corporation, joint venture, trust, partnership, estate or other legal entity in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B holds or owns a 20 percent interest in the Affiant, and an individual has a

50 percent interest in Corporation B, then such individual indirectly has a 10 perce. Interest in the Affiant and the individual is a Substantial Owner of the Affiant. If Corporation B is held by another entity, then this analysis must be applied to that entity.

If the Affiant's response below is #1 or #2 then all of the Affiant's Substantial Owners must remain in compliance with any such child support obligations until the transaction is completed. Failure of the Affiant's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 constitutes an event of default.

Check one

1 - x No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction
The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issue an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such support owed, and all such Substantial Owners are in compliance with such agreements.
The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issue an order declaring one or more Substantial Owners in arrearage on child support obligations and (a) least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed, or (b) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed, or both (a) and (b)

PART VI CERTIFICATION REGARDING RETAINED PARTIES

A DEFINITIONS AND DISCLOSURE REQUIREMENTS

4 ___ There are no Substantial Owners

- Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys lobbyists, accountants consultants subcontractors and other persons whom the Affiant has retained or expects to retain with respect to the transaction. In particular, the Affiant must disclose the name of each such person his or her business address the nature of the relationship and the amount of fees paid or estimated to be paid. The Affiant is not required to disclose employees who are paid solely through the Affiant's regular payroll
- 2 "Lobbyist' means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action
- 3 If the Affiant is uncertain whether a disclosure is required under this Part of the Disclosure Affidavit or Executive Order 97-1, the Affiant must either ask the City whether disclosure is required or make the disclosure

B. CERTIFICATION

EACH AND EVERY attorney, lobby ist, accountant consultant, subcontractor or other person retained or anticipated to be retained by the Affiant with respect to or in connection with the transaction is listed below (attach additional pages if necessary)

<u>NAME</u>	BUSINESS ADDRESS	RELATIONSHIP (attorney, lobbyist, subcontractor, etc.)	whether paid
N/A			

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED.

PART VII BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

- A Definitions and Disclosure Requirement
- Pursuant to an ordinance approved by the City Council on December 2, 1998, the Affiant must indicate whether it had a "business relationship" with any City elected official in the 12 months prior to the date of execution of this Disclosure Affidavit
- 2 A "business relationship" means any "contractual or other private business dealing" of an official or his or her spouse or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year, provided, however, a financial interest' shall not include (i) any ownership through purchase at fair market value or inneritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended (ii) the authorized compensation paid to an official or employee for his office or employment (iii) any economic benefit provided equally to all residents of the City, (iv) a time or demand deposit in a financial institution or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A 'contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City

B Certification

1 Has the Affiant had, to the best of the knowledge of the undersigned party signing this Disclosure Affidavit on behalf of the Affiant, a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this Disclosure Affidavit?

[X]	No
ſ		1	Yes

'If yes, please identify below the name(s) of such City elected official(s) and describe such relationship(s)
PART VIII. INCORPORATION INTO CONTRACT, COMPLIANCE, PENALTIES AND DISCLOSURE
The Affiant understands and agrees that
A The above certifications [Parts I-VII] shall become part of any contract awarded to the Affiant and are a material inducement to the City's execution of the contract or other action with respect to which this Disclosure Affidavit is being executed and delivered on behalf of the Affiant Furthermore, the Affiant shall comply with these certifications through completion of the transaction
B If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the contract or other transaction, terminate the Affiant's participation in the contract or other transaction, and/or decline to allow the Affiant to participate in other contracts or transactions with the City
C The following civil and criminal penalties, among others, may apply
Making a false statement as to Part III(A) of this certification is a Class A misdemeanor, voids the contract and allows the City to recover all amounts paid to the Affiant under the contract in a civil action 65 ILCS 5/11-42 1-1
D This Disclosure Affidavit, some or all of the information provided herein, and all attachments may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this Disclosure Affidavit, the Affiant waives and releases any possible rights or claims it may have against the City in connection with the public release of any information contained in the completed Disclosure Affidavit and any attachments.
PART IX <u>VERIFICATION</u>
Under penalty of perjury, I certify that I am authorized to execute this Disclosure Affidavit on behalf of the Affiant, that I have personal knowledge of all the certifications made herein, and that the same are complete and true
Principal
Signature of Authorized Offider Title
Elvin E. Charity (312) 849–9000 Name of Authorized Officer (Print or Type) Business Telephone Number
Subscribed and sworn to before me this
2/st day of August . 19 2000. "OFFICIAL SEAL" EVELYN D TURNER Notary Public, State of Illinois My Commission Exp 10/31/2002
Notary Public

Bond Aff - 1/11/99

- An introduction to serve as the guide to the official statement
- * A description of the securities being offered including complete information regarding the purposes of the offering the purpose of the purpose in the security and an interpretation of the provisions standard options original issue or deep discount variable rates and lease purchase agreements.
- Information regarding the nature and extent of any credit e-hancement and financial and business information about the issuer of the enhancement.
- A description of the government issueor enterprise including information about the issuer's range or level of service capacity and demographic factors and in the case of revenue supported offerings, information on the enterprise's organization management revenue structure results of operations and operating plan.
- With respect to obligations of private profit making and nonprofit conduit issuers information regarding the business or other activity including the enterprise s form of organization and management rate-making or pricing policies and historical operations and plan of operation
- A description of the issuer's outstanding debt including the authority to incur debt, limitations on debt, and the prospective debt burden and rate of its retirement.
- A description of the basic documents tion, such as indentures trust agreements and resolutions authorizing the issuance and establishing the rights of the parties.
- Financial information including summary information regarding the issuer's or obligor's financial practices and results of operations and financial statements prepared in conformity with generally accepted accounting principles and all 'ed in accordance with generally accepted auditing standards
- A discussion of legal matters such as pending judicial administrative or regulatory proceedings that may significantly affect the securities offered legal opinions and tax considerations and
- A discussion of miscellaneous matters including ratings and their description and meanings underwriting arrangements arrangements with financial advisors, nicrests of named experts pending regislation and the availability of additional information and documentation.

The guidelines prepared by the GFOA and the NFMA provide a generally comprehensive roadmap for disclosure in offering statements for municipal securities offerings. There are, however, areas that need further improvement in both the context of negotiated and competitively bid underwritings. In addition, implementation of these guidelines needs to be extended to the whole market. For example, while large repeat general obligation issuers usually have comprehensive disclosure documents, small issuers and conduit issuers, particularly in the health care,

housing and industrial development areas do not always provide the same quality of disclosure.

C Areas Where Improvement is Needed

 Conflicts of Interest and Other Relationships or Practices

Information concerning financial and business relationships and arrangements among the parties involved in the issuance of municipal securities may be critical to an evaluation of an offering 35 Recent revelations about practices used n the municipal secunties offening process have highlighted the potential materiality of information concerning financial and business relationships. arrangements or practices, including political contributions, that could influence municipal securities offerings For example, such information could indicate the existence of actual or potential conflicts of interest, breaches of duty, or less than arm's-length transactions Similarly, these matters may reflect upon the qualifications. level of diligence and disinterestedness of financial advisers underwriters. experts and other participants in an offenng Failure to disclose material information concerning such relationships, arrangements or practices may render musleading statements made in connection with the process, including statements in the official statement about the use of proceeds, underwriters' compensation and other expenses of the offenng in addition. investors reasonably expect participants in municipal securities offenings to follow standards and procedures established by such participants, or other governing authorities, to safeguard the integrity of the offering process, accordingly material deviations from those procedures warrant disclosure

Existing rules and voluntary guidelines call for certain specific disclosures by offening participants GFOA guidelines call for offening statement disclosure to anvestors of contingency fees to named experts, including counsel, and any other interest or connection those parties have

⇒ See NASACT Blue Rubbon Committee Report at 1-2 Staff Report at 26 Industry participants generally agreed in testimony before the House of Representatives Suncommittee on Telecommunications and Finance on October 7 1993, that both the greatest cisclosure problems and the greatest risk of default were with unrated hospital housing special distinct and industrial development revenue bonds.

25 See SEC v. Washington County Utility Distinct 676 F.2d 218, 222 (6th Cir. 1982) (. Flagrant violations of antificual provisions arising from failure to disclose use of proceeds to purchase options on property held by lasuer a manager and financial attengements between the manager and the underwriter). with other transaction participants. MSRB rules call for dealer disclosure to issuers and investors of any financial advisory relationship between an issuer and a broker dealer, or municipal securities dealer, under certain curcumstances ³⁷ MSRB rules also call for dealer disclosure to investors of among other things certain fees and expenses in negotiated transactions. **

Beyond existing specific disclosure requirements and guidelines, the range of financial and business relationships. arrangements and practices that need to be disclosed depends on the particular facts and circumstances of each case. If for example, the issuer (or any person acting on its behalfl selects an underwriter, syndicate or selling group member, expert, counsel or other party who has a direct or indirect (for example, through a consultant) financial or business relationship or arrangement with persons connected with the offering process, that relationship or arrangement may be material.39 Areas of particular concern are undisclosed payments to obtain underwriting assignments and undisclosed agreements or arrangements, including iee splitting, between financial advisors and underwriters. " If the adviser is hired to assist the issuer, such relationships, financial or otherwise, may divide loyalties. Similarly, affiliations between sellers of property to be used in a financed project and conduit borrowers ruse questions regarding, among other things, the determination of fair market value of the property and self-dealing.

2 Terms and Risks of Securities

Evolution in the financial markets has led to increasingly complex and sophisticated derivative and other municipal products. While these new

> Section XILD, of the CFOA Guidelizes.

[&]quot; MSRB rule G-23

<sup>MSRB role G-32. See Section 158(c)(1) of the
Exchange Act (15 U S C. 780—4(c)(1)) (requiring
compliance with MSRB relies); MSRB rule G-17.</sup>

MGaspanno, "The Trouble with Comulianie", The Bond Buver (Nov. 16, 1993) at 1. In his testimony before the Subcommittee on Telecommunications and Finance, Andrew Kintzinger on behalf of the National Association of Bond Lawyers ("NABL"), sirred, "[M]embare of the municipal finance bar should work with issuere to develop procurement procedures for state and lecal governments to ensure that all metal financial arrangements between underwriters within the syndicate and between underwriters within the syndicate and possible conflicts of interest between issuers and members of the underwriting syndicate, or other participants be accurately documented and disclosed or, if appropriate, probabiled." NABL. Testimony at 28. See Joint Statement at 2.

⁴⁰ Gesperino, "Several listers Start to Scrutinuse Ties Between Advisors, Benkers," The Bond Buyer (Dec. 27, 1993) at 1, See Section XR.C. of the GPCIA Guidelines, rule G-23 of the MSRB.

DISCLOSURE AFFIDAVIT FOR BONDS OR ISSUANCE OF OTHER CITY OF IGATIONS

Any person or entity (the "Affiant") participating with the City of Chicago (the "City") in a transaction requiring action by any City agency or department or the City Council, or any other person or entity who is required by Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code") to disclose ownership interests, must complete this Disclosure Affidavit. For example, with respect to the issuance of debt securities by the City, any underwriter, financial adviser of bond counsel, co-counsel to the underwriters, special counsel, bond trustee, bond registrar, paying agent, remarketing agent, escrow agent or letter of credit provider is the Affiant. If the Affiant is a joint venture, the joint venture and each of the joint venture partners must submit a completed Disclosure Affidavit.

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

For purposes of this Disclosure Affidavit, the term "transaction" refers to the issuance of the bonds or other obligations is connection with which you are submitting this Disclosure Affidavit. The transaction is considered to be completed, for purposes of this Disclosure Affidavit, when the bonds or other obligations are issued.

Please note that this Disclosure Affidavit requires the Affiant to obtain a certification from any subcontractors before the subcontractors may perform any work in connection with the transaction. The terms of the required subcontractor certification are set forth below in Part II.

After reviewing the completed Disclosure Affidavit, the Corporation Counsel may require additional information to achieve full disclosure relevant to the transaction.

Affiant Business Name: Developers Mortgage Corporation Seri A Affiant Business Address: 221 North LaSalle Street Suite 3333 Chicago, IL 60601	es 2000 and B
Suite 3333	
Chicago, IL 60601	
City department to which the Affiant is submitting this form (check one) [] Office of the Chief Financial Officer [X] Housing [] Aviation [] Planning and Development [] Other:	
The undersigned. Alan R. Cravitz and on behalf (Name of Authorized Officer) (Title)	·
of Developers Mortgage (the "Affiant"), having been duly sworn under oath certifies as follow	'S:

PART I. DISCLOSURE OF OWNERSHIP INTERESTS

Indicate below whether the Afficomplete Part (A), (B) or (C) b	iant is an individual c elow, as applicable.	or a legal entity and, if a legal enti- All Affiants must complete Part (ity, indicate the type of entity. The (D)
[] Individual [X] Business corporation [] Not-for-profit corporation [] Sole proprietorship	[] Limited lia [] Parmership [] Joint ventus [] Other:		
A. CORPORATIONS			
1. Incorporated in the State of	f Illinois		
2. List below the name and to	tie of all executive of	fficers of the corporation:	
Name		Title	
Alan R. Cravitz		President	
Douglas M. Sher		Vice-President/Treas	surer/Secretary
3 List below the name and titl	e of all directors of t	he corporation:	
Name		Title	
Alan R. Cravitz		President/Director	
Bruce Schiff		Director	
4 If the corporation's shares a of 1934, list below the names and proportionate ownership interes.	business addresses of	of all shareholders owning shares	nt to the Securities Exchange Act equal to or in excess of 10% of the
Name	Business Address	_	Ownership Interest
N/A			%
		 	
5. If the corporation's shares at Act of 1934, list below the names Name	re <u>not</u> registered on a and business address Business Address	a national securities exchange pur ses of all shareholders and the per	
Alan R. Cravitz	221 N. LaSal	le St., Chicago, IL	82.5%
Sheldon Baskin	222 N. LaSal	le St., Chicago, IL	<u>15.5</u> %
Young Lee	ZZZ N. LaSal	le St., Chicago, IL	2.0%

Name		Business Address	i		Ownership Interest	
N/A						
						
LIMITED I	LIABILITY CO	MPANIES				
. List below th xecutive officers		es of the executive	officers, if any. If there a	are no ex	ecutive officers, write	"no
lame			Title			
N/A						
						_
			•	_	t (i)bar and (ii) -	
List below the	name, business	address, and perce	ntage of ownership unteres	st of each	n (I) member and (II) II	2013
ame		Business Address	•		Ownership Interest	
ame		Business Address	ntage of ownership interes		Ownership Interest	
ame		Business Address			Ownership Interest	<u>;</u>
ame /A		Business Address			Ownership Interest	<u>;</u>
ame /A		Business Address			Ownership Interest	
ADDITIONAL	. INFORMATION	Business Address ON			Ownership Interest	
ADDITIONAL Is any ownersh legal entity?	INFORMATION IN THE	Business Address ON			Ownership Interest	
ame I/A . ADDITIONAL	INFORMATION IN THE	Business Address ON			Ownership Interest	
ADDITIONAL Is any ownersh legal entity? [] Yes so, list below each	INFORMATION IN INFORM	Business Address ON Affiant held by or		nees on	Ownership Interest	
ADDITIONAL Is any ownersh legal entity? [] Yes	INFORMATION IN INFORM	Business Address ON Affiant held by or ie, business addres	ne or more agents or nomi	nees on	Ownership Interest	
ADDITIONAL Is any ownersh legal entity? [] Yes so, list below each ncipal's agent or i	INFORMATION INFORM	Business Address ON Affiant held by or te, business address ress	ne or more agents or nomi	nees on	Ownership Interest behalf of another individual and the name of the agent/Nominee	
ADDITIONAL Is any ownersh legal entity? [] Yes so, list below each neipal's agent or income	INFORMATION IP INTEREST IN the [X] No In principal's name Information Business Add	Business Address ON Affiant held by or ie, business addres	ne or more agents or nomi	nees on	Ownership Interest	

B. PARTNERSHIPS

[] Yes [X] No

If so, list below the name and business address of each individual or entity nossessing constructive control the party whose interest is controlled, the relationship between the two under will a the control is or may be exercised.

Name	Business Address	Interest is Controlled	Relationship

3. Is any stock or beneficial interest in the Affiant held by a corporation or other legal entity?

[] Yes [X]No

If so, each such corporation or other legal entity must make all disclosures requested in Parts I and VII of this Disclosure Affidavit and must certify all information provided.

NOTE: Pursuant to Section 2-154-020 of the Municipal Code, the information provided in Part I above must be kept current. In the event of material changes, the Affiant must supplement this Disclosure Affidavit, up to the time the transaction for which this Disclosure Affidavit is being submitted is completed.

PART II. CERTIFICATION REGARDING PROHIBITED CONDUCT

A. AFFIANT

- 1. The Affiant or any subcontractor to be used by the Affiant in the performance of the transaction, or any affiliated entity, as defined in paragraph (4) below, of the Affiant or any such subcontractor, or any responsible official thereof, or, if acting pursuant to the direction or authorization of a responsible official thereof, any official, agent or employee of the Affiant, any such subcontractor or any such affiliated entity, has not, during a period of three years prior to the date of execution of this Disclosure Affidavit or, if a subcontractor or subcontractor's affiliated entity, during a period of three years prior to the date of award of the subcontract:
 - a. Bribed or attempted to bribe, or been convicted of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, any agency of the federal government or any state or local government in the United States, in that officer's or employee's official capacity; or
 - b. Agreed or colluded will other bidders or prospective bidders, or been a party to any such agreement, or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
 - c. Made an admission of guilt of any conduct described in 1(a) and (b) above which is a matter of record but has not been prosecuted for such conduct.

2. The Affiant and its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal, state or local department or agency:
- b. Have not within a three-year period preceding this Disclosure Affidavit been convicted of a criminal offense or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;

- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (tederal state or local) with com: ston of any of the offenses enumerated in graph (2)(b) above, and
- d. Have not within a three-year period preceding the date of this Disclosure Affidavit had one or more public transactions (federal, state or local) terminated for cause or default.
- No payment, grantity or offer of employment has been made in connection with the transaction, by or on benalt of a subcontractor to the Affiant, a higher-tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order, nor shall any such payment, grantity or ofter of employment be accepted by the Affiant
- Business enuties are affiliated if, directly or indirectly, one controls or has the power to control the other, or if a third person controls or has the power to control both enuties. Indicts of control include without limitation: interlocking management or ownership identity of interests among family members; shared facilities and equipment; common use of employees: or organization of another business entity using substantially the same management, ownership or principals as the first entity.

If the Affiant is unable to certify to the statement Attach additional pages if necessary.	nts in paragraphs (1) through (3) above, the Affiant shall explain
 	If no explanation appears
gins on the lines above, it shall be conclusively nents.]	presumed that the Affiant certifies to each of the above

B. SUBCONTRACTORS

- The Affiant has obtained certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit from all subcontractors that the Affiant presently intends to use in the transaction. As to subcontractors to be used in the transaction who are not yet known by the Affiant, the Affiant will obtain certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit prior to using them as subcontractors.
- 2. The Affiant shall not, without the prior written consent of the City, use any subcontractors in the transaction if the Affiant, based on information contained in the subcontractor certification or any other information known or obtained by the Affiant, has reason to believe that, within three years prior to the award of any subcontract, the subcontractor or such subcontractor's affiliated entity, or any official, agent, or employee of such subcontractor or subcontractor's affiliated entity, has engaged in been convicted of, or made an admission of guilt of any of the conduct listed in Part II(A)(1), or that a payment, gratuity or offer of employment was made by or on behalf of the subcontractor in connection wit' the transaction as an inducement for the award of a subcontract or order, or that any of the circumstances set forth in Part II (A)(2) applies to the subcontractor or its principals. Furthermore, the Affiant shall not, without the prior written consent of the City, use as a subcontractor any individual, firm, partnership, corporation, joint venture or other entity from which the Affiant is unable to obtain a certification in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit or which the Affiant has reason to believe cannot provide a truthful certification.
- 3. The Affiant shall maintain all subcontractors' certifications required by paragraph (1) above for the duration of the transaction and shall make such certifications promptly available to the City upon request.

PART III. CERTIFICATION REGARDING TAXES, FEES, LITIGATION AND FINANCIAL RELATIONSHIPS

A. STATE TAX DELINQUENCIES

- 1. The Affiant is not delinquent in the payment of any tax administered by the Illinois Department of Revenue or if delinquent, the Affiant is contesting its liability for the tax or the amount of the tax in accordance with the procedures established by the appropriate Revenue Act
- 2. Alternatively, the Affiant has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.

B. OTHER TAXES/FEES

The Affiant is not delinquent in paving any fine, fee, tax or other charge owed to the City

C. JUDICIAL OR ADMINISTRATIVE PROCEEDINGS

The Affiant is not a party to any pending lawsuits against the City nor has the Affiant been sued by the City or its agents in any judicial or administrative proceeding within the 10 year period preceding execution of this Disclosure Affidavit.

D. EXCEPTIONS

PART IV. CERTIFICATION REGARDING ETHICS AND INSPECTOR GENERAL

The Affiant understands and will abide by all provisions of Chapter 2-56 of the Municipal Code, entitled "Office of Inspector General," and all provisions of Chapter 2-156 of the Municipal Code, entitled "Governmental Ethics."

PART V. CERTIFICATION REGARDING COURT-ORDERED CHILD SUPPORT COMPLIANCE

For purposes of this Part V, "Substantial Owner" means any person who owns or holds a 10 percent or more interest in the Affiant. If the Affiant is an individual or sole proprietorship, the Substantial Owner is the individual or sole proprietor. Percentage of interest includes direct, indirect and beneficial interests in the Affiant. An indirect or beneficial interest is an interest in the Affiant held either by a corporation, joint venture, trust, partnership, estate or other legal entity in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B holds or owns a 20 percent interest in the Affiant, and an individual has a

50 percent interest in Corporation B, then such individual indirectly has a 10 percent interest in the Affiant and the individual is a Substantial Ow of the Affiant. If Corporation B is held nother entity, then this analysis must be applied to that entity

If the Affiant's response below is #1 or #2, then all of the Affiant's Substantial Owners must remain in compliance with any such child support obligations until the transaction is completed. Failure of the Affiant's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 constitutes an event of default.

Check one:

- 1 X No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- 2. ___ The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- 3. ___ The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations and (a) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed: or (b) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed; or both (a) and (b).
- 4 ___ There are no Substantial Owners.

PART VI. CERTIFICATION REGARDING RETAINED PARTIES

A. DEFINITIONS AND DISCLOSURE REQUIREMENTS

- 1. Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the Affiant has retained or expects ω retain with respect to the transaction. In particular, the Affiant must disclose the name of each such person, his or her business address, the nature of the relationship, and the amount of fees paid or estimated to be paid. The Affiant is not required to disclose employees who are paid solely through the Affiant's regular payroll.
- 2. "Lobbyist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.
- 3. If the Affiant is uncertain whether a disclosure is required under this Part of the Disclosure Affidavit or Executive Order 97-1, the Affiant must either ask the City whether disclosure is required or make the disclosure.

B. CERTIFICATION

EACH AND EVERY attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anucipated to be retained by the Affiant with respect to or in connection with the transaction is listed below (attach additional pages if necessary)

NAME	BUSINESS ADDRESS	RELATIONSHIP (anomey, lobbyist, subcontractor, etc.)	FEES (indicate whether paid or estimated)

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED: X

PART VII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

- A. Definitions and Disclosure Requirement
- 1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the Affiant must indicate whether it had a "business relationship" with any City elected official in the 12 months prior to the date of execution of this Disclosure Affidavit.
- 2. A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2.500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended; (ii) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B. Certification

1. Has the Affiant had, to the best of the knowledge of the undersigned party signing this Disclosure Affidavit on behalf of the Affiant, a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this Disclosure Affidavit?

[X]No [Yes

If we splease identify below the name(s) of such C	ity elected official(s) and describe such relationships
PART VIII. INCORPORATION INTO CONT	TRACT, COMPLIANCE, PENALTIES AND DISCLUSURE
The Athani understands and agrees that	
material inducement to the City is execution of the o	come part of any contract awarded to the Affian, and are a contract or other action with respect to which this Disclosure of the Affiant Shall comply with these
B — If the City determines that any information proterminate the contract or other transaction, terminal and or decline to allow the Affiant to participate in	rovided herein is false, incomplete or inaccurate—the City may te the Afriant's participation in the contract or other transaction other contracts or transactions with the City
C The following civil and criminal penalties an	nong others may apply
Making a false statement as to Part III(A) of this ce allows the City to recover all amounts paid to the A	rification is a Class A misdemeanor, voids the contract and iffiant under the contract in a civil action 65 ILCS 5 11-42 :-
available to the public on the Internet in response to completing and signing this Disclosure Affidavit th	information provided herein, and all attachments may be made to a Freedom of Information Act request, or otherwise. By the Affiant waives and releases any possible rights or claims it may release of any information contained in the completed Disclosure
PART IX <u>VERIFICATION</u>	
that I have personal knowledge of all the certification	zed to execute this Disclosure Affidavit or behalf of the Affiant on made herein, and that the same are complete and true
nhly	President, Developers Mortgage Corporatio
Signature of Authorized Officer	Title
lan R. Cravitz	312/332-2013
Name of Aumorized Officer (Print or Type	Business Telephone Number
ubscriped and sworn to before me this	·
othday of August XX 2000	
Rosa E. Bailey	
secury Public	

Bono Aff 11 99

"OFFICIAL SEAL"
ROSA E BAILEY
Notary Public, State of Illinois
My Commission Expires 5/6/2002

9

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An introduction to serve as the guide to the official statement

 A description of the securities being offered including complete intornation regarding the purposes of the offering are puln of Luancing the recurry and reperment and the priority of the securities as well as structural coarecteristics, such as call provisions, tender opilions, original issue or deep discount variable rates and lease purchase agreements

 Information regarding the nature and extent of any credit enhancement and financial and business information about the

issuer of the enhancemen.

 A description of the governmen struct or enterprise including information about the termer's range or level of service capacity and demographic factors and in the case of revenue supported offerings information on the enterprise a organization issunagement revenue structure results of operations and operating plan

 With respect to obligations of private profit making and nonprofit conduit issuess information regarding the business or other activity including the enterprise's form of organization and management rate maxing or pricing policies and historical operations and plan of operation

 A description of the issuer's outstanding debt uncluding the authority to incur dest limitations on ochi and the prospect ve debi burdes and rate of its retirement

 A description of the basic documentation, such as moentures trust agreements and resolutions authorizing the issuance and establishing the nights of the

A Financial information including summary information regarding the issuer s or obligor s financial practices and results of operations and financial statements prepared in conformity with generally accepted accounting principles and audited in accordance with generally accepted and time standards

A discussion of legal matters such as pending judicial administrative or regulatory proceedings that may significan iv affect the securities offered legal opinions and the considerations and

A discussion of miscallaneous matters including ratings and their description and elampgaeria pa. דאישטמנו בפתר מבפתי ברספויטה ופוטבברי ולווש מספתים בבברים partners of named expens, pending existence and the availability of additional anustates and documentation.

The guidelines prepared by the GFOA and the NFMA provide a generally comprehensive roadmap for disclosure in offering statements for municipal securities offerings. There are however areas that need further improvement in both the context of negotiated and compenies bid underwhitings. In addition implementation of these guidelines needs to be extended to the whole market. For example, while large repeat general obligation issuers usualiv have comprehensive discionire documents, small usuers and conduit issuers, particularly in the health care

housing and industrial development areas do not always provide the same quality of disciosare "

Coloreas Amere (marovement) is Needed

Lunding sign interest and Other Relationships of Practices

information concerning financial and business relationships and arrangements among the parties involved in the issuance of municipal securities may be critical to an evaluation of an offering 35 Recent reveiations about practices used ~ the municipal securities offening process have bighlighted the potential materiality of information concerning financial and business relationships. arrangements or practices, including political contributions, that could influence municipal secunties offennes. For example, such information could indicate the existence of actual or potential conflicts of interest, breaches or duty or less than arm s-length transactions Similarly these matters may reflect upon the qualifications. level of diligence, and disinterestedness of financial advisers underwriters. expens and other participants in an oftening Failure to disclose material information concerning such relationships Arrangements or practices may render musicating statements made in connection with the process, including statements in the official statement about the use of proceeds. underwriters compensation and other expenses of the offering in addition. investors reasonably expect participants .ಎ ಸಾಬಾಲಾಕಾ! securities offerings to follow standards and procedures established by such participents, or other governing authorities, to safeguard the integrity of the offering process. accordingly material deviations from those procedures warrant disclosure.

Existing rules and voluntary guidelines call for cartain specific disclosures by offering participants CFOA guideunes call for offering statement disclosure to anvestors of contingency less to named experts, including counsel and any other interest of connection those parties have with other navierchop benombetier a VISRB rules call for dealer discionus to issuers and investors of any financial advisory relationship between an issues and a proter dealer or municipal securities dealer, under certain circumstances 37 MSRB rules auto call for dealer disclosure to investors of among other things, certain fees and expenses in negotiated transactions #

Beyond exercing specific disclosure requirements and guidelines, the range of financial and business relationships arrangements and practices that need to be disclosed depends on the particular facts and curcumstances of each case. If for example, the sesuer (or eny person acting on its hebalf) selects an underwriter, syndicate or selling group member, expert, counsel or other party who has a direct or indirect (for example, through a consultant) financial or business relationship or arrangement with persons connected with the offering process, that relationship or arrangement may be meterial. Areas of particular concern are undisclosed payments to obtain underwriting assumments and undisclosed agreements or arrangements, including for splitting, between financial advisors and underwriters to If the advisor is hard to amost the issuer, such relationships, financial or otherwise. may divide loyalties. Similarly, affiliations between sellers of property to be used in a financed project and conduit borrowers ruse quemions regarding, among other things, the determination of fair market value of the property and salf-dealing.

2 Terms and Risks of Securities

Evolution in the financial markets bas led to increasingly complex and sophisticated derivative and other municipal products. While these new

generally agreed in testumony before the House of Верлинения биссопация св To ecommunications and Finance on October 7 1991 - an tota the present disclosure problems and the american risk of default warm with unmited LATTERDAY DOS DAYED IN SOCIETY OF THE PARTY AND THE PARTY Sere-Opinent revenue bonds.

" See SEC v. Westungton County Littlity District. 476 F 2d 218 222 (6th Cur 1962) ("Flagran mert gaterns attainaverg buestrings to see into its lamere to discress use of proceeds to purchase options on property hold by lesset a manager and runcial arrangements between the manager and the unperwriters.

1 assuming at 20. Jumps parts provided to 3. of the Secretizate Ties Bottomer Advance, Backlers." The Secretizate Dies Bottomer Advance, Backlers." The Secretizate Dies 27, 1983) at 1. See Section XR.C. of the GPQA Guidelines rule G-23 of the MSRR.

⁻ See NASACT Base Rubboo Communes Report at 1-2 Staff Report at 28 undustry participants

^{*} Section XILD. of the GFDA Guidelmen.

[&]quot;MSRS rule C-22.

⁼MSRB rate G-32. See Section 15B(cK1) of the Exchange Act (15 U.S.C. 100-4(C)(1)) irrequiring compliance with MSRB raises MSRB ruis G-17

[&]quot; Gamerum, "The Trouble with Committents" The Bond Buyer (Nov. 16, 1693) at 1 in his restumony before the Subcommunities on Telecommunications and Finance. As ex Kintzinger, as benefit of the National American Boad Lawyur ("NABL"), susted. "[Missepare of the municipal finance by should work with beutern develop procurecest procedures for state and it wate to covery that all mercural financial CAPORENTARY DESCRIPTION AND SECURITIES AND SECURITIES. syndicate and hormon underwriters and finencial equitors and members of the negativistic simulativistic states of the negativistic fallows or other participants he accurately discu discissed or if appropriate, prohibmed," MARL. Testimony et 26. See juint Suscessors et 2.

(Business Name)

DISCLOSURE AFFIDAVIT FOR BONDS OR ISSUANCE OF OTHER CITY OBLIGATIONS

Any person or entity (the "Affiant") participating with the City of Chicago (the "City") in a transaction requiring action by any City agency or department or the City Council or any other person or entity who is required by Chapter 2 15- o the Municipal Code of Chicago (the "Municipal Code") to disclose ownership interests, must complete this Disclosure Affidavit. For example, with respect to the issuance of debt securities by the City, any underwriter, financial adviser cobond counsel, co-counsel to the underwriters, special counsel, bond trustee, bond registrar paying agent remarketing agent escrow agent or letter of credit provider is the Affiant. If the Affiant is a joint venture, the joint venture and each of the joint venture partners must submit a completed Disclosure Affidavit.

Please print or type all responses clearly and legibly. It you need additional space for a response, attach extra paces Please indicate the question to which you are responding on any extra pages you attach

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After reviewing the completed Disclosure Affidavit, the Corporation Counsel may require additional information to

achieve rul! disclosure relevant to the transaction City of Chicago Multi-Family Housing Revenue Bonds/Note Name of Transaction (The Montclare Senior Residences Project) Attiant Business Name Ice Miller_ Affiant Business Address 135 South LaSalle Street, Suite 4100 Chicago, Illinois 60603 City department to which the Affiant is submitting this form (check one) [] Office of the Chief Financial Officer | | Housing 1 Aviation [] Planning and Development [X] Other Law The undersigned, Thomas C. Smith as Partner and on behalf (Name of Authorized Officer) (Title) ot <u>Ice Miller</u>

the "Athani" having been duly sworn under oath certifies as follows:

Indicate below whether the Affiant is an individual or a legal entity and, if a legal entity, indicate the type of entity. Then

PART I. DISCLOSURE OF OWNERSHIP INTERESTS

complete Part (A), (B) or	(C) below as applicable 2	All Affiants musi complete Part (ည်
] Individual] Business corporation] Not-for-profit corporation] Sole proprietorship	ation [] Joint venture	• • •	
A. CORPORATIONS			
Incorporated in the S	State of		
2 List helow the name	and title of all executive off	ficers of the corporation:	
Name		Title	
			
3 List below the name;	and title of all directors of th		
	me title of all effectors of th	•	
vame		Title	
			
מדנו אות אסופט ועוד בכבו זי	hares are registered on a na nes and business addresses of iterest and the percentage of	Di ali shareholders owning shares	int to the Securities Exchange Act sequal to or in excess of 10% of the
lame	Business Address		Ownership Interest
If the corporation s sl ici of 1934 list below the	nares are <u>no</u> t registered on a names and business address	a national securities exchange pu ses of all shareholders and the p	irsuant to the Securities Exchange ercentage of interest of each thereis
ame	Business Address		Ownership Interest
			% %

B PARTNERSHIPS		-	
List below the name and	business address of each pa	nner and the percentage of m	nerest of each therein
Name	Business Address	•	Ownership Interest
See Exhibit A			
* No single partne		O% of the partnership	-
C LINITED LIABIL	LITY COMPANIES		
1 List below the name executive officers	is and titles of the executive	officers, if any If there are	no executive officers write ino
Name		Title	
· · · · · · · · · · · · · · · · · · ·			<u> </u>
List below the name	business address and perc	entage of ownership interest	of each (i) member and (ii) manager
Name	Business Address		Ownership Interest
			<u> </u>
ADDITIONAL INFO	ORMATION		
Is any ownership inte	erest in the Attiant held by	one or more agents or nomin	ees on behalf of another individual
[] Yes [X] h	No		
f so list below each print principal s agent or nomin	cipal's name business ader nee	ess percentage of ownership	interest and the name of the
чате Ви	isiness Address	Ownership Interest	Agent/Nominee
			_

2 Is the Afriant or any ownership interest in the Afriant constructively controlled by another individual or legal entity, other than an agent or nominee disclosed above?

[] Yes [X] No

C120410200.#

If so list below the name and business address of each individual or entity possessing constructive control the many whose interest is controlled, and the relationship between the two under which the control is or may be exercised.

Name	Business Address	Name of Party Whose Interest is Controlled	Relationship

3 Is any stock or beneficial interest in the Affiant held by a corporation or other legal entity?

[] Yes [X]No

It so, each such corporation or other legal entity must make all disclosures requested in Parts I and VII of this Disclosure Affidavit and must certify all information provided

NOTE: Pursuant to Section 2-154-020 of the Municipal Code, the information provided in Part I above must be kept current. In the event of material changes, the Affiant must supplement this Disclosure Affidavit, up to the time the transaction for which this Disclosure Affidavit is being submitted is completed.

PART II CERTIFICATION REGARDING PROHIBITED CONDUCT

A AFFIANT

- The Affiant or any subcontractor to be used by the Affiant in the performance of the transaction or any affiliated entity as defined in paragraph (4) below of the Affiant or any such subcontractor, or any responsible official thereof or if acting pursuant to the direction or authorization of a responsible official thereof, any official, agent or employee of the Affiant any such subcontractor or any such affiliated entity, has not, during a period of three years prior to the date of execution of this Disclosure Affidavit or, if a subcontractor or subcontractor s affiliated entity during a period of three years prior to the date of execution of the date of award of the subcontract
 - a Bribed or attempted to bribe or been convicted of bribers or attempting to bribe, a public officer or employee or the City—the State or Illinois—any agency or the federal government or any state or local government in the United States—in that officers or employee's official capacity, or
 - b. Agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise, or
 - c. Made an admission of guilt of any conduct described in 1(a) and (b) above which is a matter of record but has not been prosecuted for such conduct.
- 2 The Affiant and its principals
 - a Are not presently debarred, suspended proposed for debarment, declared ineligible, or voluntarily excluded by any federal state or local department or agency
 - b Have not within a three-year period preceding this Disclosure Affidavit been convicted of a criminal oftense or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction a violation of federal or state antitrust statutes fraud; embezziement, theft; forgery; bribery; talsification or destruction of records making false statements, or receiving stolen property.

- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity redera state or local) with commission of any of the offenses enumerated in paragraph (2)(b) above, and
- d. Have not within a three-year period preceding the date of this Disclosure Affidavit had one or more public transactions (federal, state or local) terminated for cause or default.
- 3 No payment, grantity or offer of employment has been made in connection with the transaction, by or on benalt of a subcontractor to the Affiant, a higher-tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order, nor shall any such payment, grantity or ofter of employment be accepted by the Affiant
- Business entities are affiliated it directly or indirectly, one controls or has the power to control the other, or it a third person controls or has the power to control both entities. Indicia of control include without limitation interlocking management or ownership identity of interests among family members: shared facilities and equipment common use of employees or organization of another business entity using substantially the same management, ownership or principals as the first entity.

pelo~	I the Affiant is unable to certify to Attach additional pages it neces	saryn	paragraphs (1) thr	ough (3) above, the Af	fiant shall explain
or beg	gins on the lines above, it shall be	conclusively pres	umed that the Affic	If no exp nt certifies to each of	lanation appears the above

B SUBCONTRACTORS

- 1 The Affiant has obtained certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit from all subcontractors that the Affiant presently intends to use in the transaction. As to subcontractors to be used in the transaction who are not yet known by the Affiant, the Affiant will obtain certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit prior to using them as subcontractors
- The Affiant shall not without the prior written consent of the City, use any subcontractors in the transaction if the Affiant based on information contained in the subcontractor certification or any other information known or obtained by the Affiant has reason to believe that within three years prior to the award of any subcontract, the subcontractor or such subcontractor is affiliated entity or any official agent, or employee of such subcontractor or subcontractor is affiliated entity, has engaged in been convicted of, or made an admission of guilt of any of the conduct listed in Part II(A)(1), or that a payment gratuity or offer of employment was made by or on behalf of the subcontractor in connection with the transaction as an inducement for the award of a subcontract or order, or that any of the circumstances set forth in Part II (A)(2) applies to the subcontractor or its principals. Furthermore the Affiant shall not without the prior written consent of the City use as a subcontractor any individual, firm partnership corporation, joint venture or other entity from which the Affiant is unable to obtain a certification in form and substance equal to Part II(A)(1) of this Disclosure Affidavit or which the Affiant has reason to believe cannot provide a truthful certification.
- 3 The Afriant shall maintain all subcontractors certifications required by paragraph (1) above for the duration of the transaction and shall make such certifications promptly available to the City upon request

PART III. CERTIFICATION REGARDING TANES, FEES, LITIGATION AND FINANCIAL RELATIONSHIPS

A TO TO TO THE TOTAL CONTRACTO

A. STATE TAX DELINQUENCIES

The Athani is not delinquent in the payment of any tax administered by the Illinois Department of Revenue of delinquent, the Affiant is contesting its liability for the tax or the amount of the tax in accordance with the procedures established by the appropriate Revenue Act

2 Alternatively the Affiant has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement

B. OTHER TAXES/FEES

The Affiant is not delinquent in paving any fine fee tax or other charge owed to the City

C JUDICIAL OR ADVINISTRATIVE PROCEEDINGS

The Affant is not a party to any pending lawsuits against the City nor has the Affant been sued by the City or its agents in any indicial or administrative proceeding within the 10 year period preceding execution of this Disclosure Affadayit

D EXCEPTIONS

If the Atriant is unable to certify to any of the above statements [Part III (A) In the case of any judicial or administrative proceedings, provide (1) the case court in which the action is or was pending, and (4) a brief description of eact management.	se name. (2) the docket number (3) the
1: necessary	
	[If no explanation appears or
begins on the lines above it shall be conclusively presumed that the Affiant statements.)	
E FINANCIAL OR BUSINESS RELATIONSHIPS OR ARRANGEM	ENTS
The Afriant has reviewed the excerpt from paragraph III C.1 of the Securiti No. 33-7(49) 34-33741. FR-42. File No. 57-4-94 dated March 9, 1994, attaitespect thereto, discloses the following financial or business relationship or a to disclose, write. NA. T. N/A.	sched hereto as Schedule 1 and with

PART IN CERTIFICATION REGARDING FTHICS AND INSPECTOR GENERAL

The Afriant understands and will abide by all provisions of Chapter 2-56 of the Municipal Code, entitled "Office of Inspector General," and all provisions of Chapter 2-150 of the Municipal Code, entitled "Governmental Ethics,"

PART \ CERTIFICATION REGARDING COURT-ORDERED CHILD SUPPORT COMPLIANCE

For purposes of this Part V, "Substantial Owner means any person who owns or holds a 10 percent or more interest in the Affiant. If the Affiant is an individual or sole proprietorship, the Substantial Owner is the individual or sole proprietor. Percentage of interest includes direct indirect and beneficial interests in the Affiant. An indirect or heneficial interest is an interest in the Affiant nelle either by a corporation, joint venture, trust, partnership, estate or other legal entity in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B holds or owns a 20 percent interest in the Affiant, and an individual has a

CILUTIULUCIE II I

35 VI 61

50 percent interest in Corporation B, then such individual indirectly has a 10 percent interest in the African and original results and substantial Owner of the Affiant. If Corporation B is held by another entity, then this analysis must be applied to that entity.

If the Affiant's response below is #1 or #2, then all or the Affiant's Substantial Owners must remain in combinance with any such child support obligations until the transaction is completed. Failure of the Affiant's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 constitutes an event of default.

Check one

- 1 ____ No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction
- The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners however have entered into court-approved agreements for the payment of all such child support owed. and all such Substantial Owners are in compliance with such agreements.
- The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations and (a) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed or (b) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed or both (a) and (b)
- 4 X There are no Substantial Owners

PART VI CERTIFICATION REGARDING RETAINED PARTIES

A DEFINITIONS AND DISCLOSURE REQUIREMENTS

- Pursuant to Executive Order 97-1 every City contract and lease must be accompanied by a statement disclosing certain information about attorneys lobbyists accountants consultants subcontractors and other persons whom the Affiant has retained or expects to retain with respect to the transaction. In particular, the Affiant must disclose the name of each such person, his or her business address, the nature of the relationship, and the amount of lees paid or estimated to be paid. The Affiant is not required to disclose employees who are paid solely through the Affiant's regular payroll.
- 2 "Lobbvist" means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.
- 3 If the Affiant is uncertain whether a disclosure is required under this Part of the Disclosure Affidavit or Executive Order 97-1, the Affiant must either ask the City whether disclosure is required or make the disclosure

B CERTIFICATION

EACH AND EVERY attorney, lobbyist accountant consultant subcontractor or other person retained or anticipated to be retained by the Affiant with respect to or in connection with the transaction is listed below (attach additional pages if necessary)

NAME	BUSINESS ADDRESS	RELATIONSHIP (attorney, lobbyist, subcontractor, etc.)	

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED: X

PART VII BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

- A Definitions and Disclosure Requirement
- Pursuant to an ordinance approved by the City Council on December 2, 1998, the Affiant must indicate whether it had a "business relationship" with any City elected official in the 12 months prior to the date of execution of this Disclosure Affidavit
- 2. A "business relationship" means any contractual or other private business dealing" of an official, or his or her spouse or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year provided however, a financial interest" shall not include (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof regardless of the value of or dividends on such shares, if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended (ii) the authorized compensation paid to an official or employee for his office or employment (iii) any economic benefit provided equally to all residents of the City (iv) a time or demand deposit in a financial institution, or (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A contractual or other private business dealing shall not include any employment relationship of an official s spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City.

B Certification

1. Has the Afriant had to the best of the knowledge of the undersigned party signing this Disclosure Affidavit on behalf of the Afriant, a "business relationship, with any City elected officials in the 12 months prior to the date of execution of this Disclosure Affidavit?"

[x | \0

It was please identify below the name(s) of such City	elected official(s) and describe such relationship(s)
PART VIII. INCORPORATION INTO CONTR	ACT, COMPLIANCE, PENALTIES AND DISCLOSURE
The Atfiant understands and agrees that.	
material inducement to the City's execution of the con	me part of any contract awarded to the Affiant and are a stract or other action with respect to which this Disclosure the Affiant. Furthermore, the Affiant shall comply with these
B If the City determines that any information provierminate the contract or other transaction, terminate and/or decline to allow the Affiant to participate in other	the Affiant's participation in the contract or other transaction, ther contracts or transactions with the City
C The following civil and criminal penalties amon	ng others, may apply.
	fication is a Class A misdemeanor, voids the contract and iant under the contract in a civil action 65 ILCS 5/11-42 1-1
available to the public on the Intertiet, in response to a completing and signing this Disclosure Affidavit, the	formation provided herein, and all attachments may be made a Freedom of Information Act request, or otherwise. By Affiant waives and releases any possible rights or claims it may lease of any information contained in the completed Disclosure
PART IX VERIFICATION	
Under penalty of perjury. I certify that I am authorize that I have personal knowledge of all the certifications	d to execute this Disclosure Affidavit on behalf of the Affiant in made herein, and that the same are complete and true
M-11 14 ()	Partner
Signature of Authorized Officer	Title
Thomas C. Smith	(312) 726-8105
Name or Authorized Officer (Print or Type	business Telephone Number
Subscribed and sworn to before me this That of Award 12000 Olary Profic	
OFFICIAL SEAL JAMES L. BEBLEY NOTARY PUBLIC, STATE OF ILLINOIS MY COMMISSION EXPIRES 7-17-2001	

1.14100 00111130 0

SCHEDULE I

Federal Register / Vol. 59 No 52 / Thursday, March 17, 1994 / Rules and Regulations

tions 📆

 An introduction to serve as the guide to the official statement.

A description of the securit es being offered, including complete information regarding the purposes of the offering meganding the purposes of the offering meganding the purposes of the offering meganding the security and representation, and the principle of the security and the security as well as structural characteristics, such as call provisions, tender options original issue or deep discount variable rates and lease purchase agreements.

 Information regarding the nature and extent of any credit enhancement and financial and business information about the

issuer of the enhancement

 A description of the government issuer or enterprise, including information about the issuer's range or level of service capacity and demographic factors and in the case of revenue supported offerings information on the enterprise's organization management revenue structure results of operations and operating plan.

With respect to obligations of private pmfu making and nonprofit conduit issuers information regarding the business or other activity including the enterprise s form of organization and management rate making or pricing policies, and historical operations

and plan of operation

 A description of the issuer's outstanding debt including the authority to incur debt limitations on debt, and the prospective debt burden and rate of its retirement.

 A description of the basic documentation, such as indentures trust egreements and resolutions authorizing the issuance and establishing the rights of the parties.

 Financial information including summary information regarding the issuer's or obligor's financial practices and results of operations and financial statements.
 prepared in conformity with generally accepted accounting practiples and audited in accordance with generally accepted auditing standards.

A discussion of legal matters such as pending judicial acromistrative or regulatory proceedings that may significantly affect the securities offered legal opinions and the considerations and

A discussion of miscellaneous mattern including ratings and their description and meanings underwriting arrangements arrangements with financial advisors interests of named experts pending feasistion and the availability of additional information and documentation.

The guidelines prepared by the GFOA and the NFMA provide a generally comprehensive roadmap for disclosure in offering statements for municipal securities offerings. There are, however, areas that need further improvement in both the context of negotiated and competitively bid underwinings. In addition, implementation of these guidelines needs to be extended to the whole market. For example, while large repeat general obligation issuers usually have comprehensive disclosure documents, small issuers and conduit issuers, perturbarily in the health care.

housing and industrial development areas do not always provide the same quality of disciosure 14

C Areas A here Improvement Is Needed

. Cumilions of Interest and Other Relationships or Practices

information concerning financial and business relationships and arrangements among the parties involved in the issuance of municipal securities may be critical to an evaluation of an offering to Recent reveiations about practices used a the municipe) securities offering process have highlighted the potential materiality of information concerning financial and business relationships. arrangements or practices, including political contributions, that could influence municipal securities offerings. For example such information could indicate the existence of actual or potential conflicts of interest, breaches of duty or less than arm s-langth transactions Similarly, these matters may reflect upon the qualifications. sevel of diligence and disinterestedness of financial advisers, underwriters. expens and other participants in an offering. Failure to disclose material rule are source and such relationships arrangements of practices may render trusiceding statements made in connection with the process. including statements in the official statement about the use of proceeds, underwriters compensation and other expenses of the offering in addition, investors reasonably expect participants ar regarded securities offerings to follow standards and procedures established by such perucipants, or other governing authorities, to safeguard the integrity of the offering process; accordingly material deviations from

those procedures warrant disclosure.
Existing rules and voluntary
guidelines call for certain specific
disclosures by offering participants.
GFOA guidelines call for offering
statement disclosure to anvestors of
contingency fees to named experts,
including counsel and any other
discress or connection those parties has

"Teleging counsel and any other caterest or connection those parties have "See "ASACT Bive Ribbon Commines Report at 1-2 Staff Report in testimony before the House of Rapresentatives Sectionally the House of Representatives Sectionally and Telecommunications and Finance on October 7 1993 that both the greenet disclosure problems and

1993 that both the greetest disclosure problems and the greetest risk of default were with unrated cosp to bouning special distinct and industrial necessionment revenue bonds.

"See SEC v. Washington County Utility Distinct.

"See SEC v Washington County Utility District, 676 F.2d.218. 222.16th Cir. 1942) ("Flagman" orsions of antifraud provisions arising from latter to disclose use of precede to purchase options on property held by lesuer's manager and francial artengements between the manager and the uncerwitter.

with other transaction participants, as MSRB rules call for dealer disclosure to issuers and investors of any financial advisory relationship between an issuer and a broker, dealer, or municipal securities dealer, under carrain circumstances 37 MSRB rules also call for dealer disclosure to investors of, among other things, carsain less and expenses in negotiated transactions. 20

Beyond existing specific disclosure requirements and guidalines, the range of financial and business relationships. arrangements and practices that need to be disclosed depends on the particular facts and curcumstances of each case. If, for example, the issuer (or any person acting on its behalf) selects an underwriter, syndicate or selling group member, expert, counsel or other party who has a direct or indirect (for example, through a consultant) financial or business relationship or strangement with persons connected with the offering process, that relationship or arrangement may be meterral.39 Areas of perucular concern are undisclosed payments to obtain underwriting assignments and undisclosed agreements or arrangements, including fee splitting, between financial advisors and underwriters, = If the adviser is hard to senst the assuer, such relationships, financial or otherwise. may divide lovalues. Similarly, affiliations between sullers of property to be used in a financed project und conduit bossowers ruse questions regarding, among other things, the determination of fair market value of the property and self-dealing.

2. Terms and Risks of Securities

Evolution in the financial markets has led to increasingly complex and sophisticated derivative and other municipal products. While these new

"Gasperine, "Several leasers that in Scrittment Ties Between Advisors, Bankers," The Bond Burer (Dec. 27, 1963) at 1. See Section XX.C. of the CPDA' Guidelines; rule G-23 of the MSRB.

> Section XII.D. of the GFOA Guadaltimes.

[&]quot;MSRB rule G-Z1

MISTR rule G-32. See Section 158(c)(1) of the Exchange Act (15 U.S.C. 780—4(c)(1)) (requiring compliance with MSRB rules); MSRB rule G-17

Pichaparina, "The Trouble with Committanis", The Band Suyar Oton, 14, 1983) at 1 in has testimony testimony testimony testimons and Finance, Andrew Kintinger, on behalf of the Notional Association of Bond Lawyers ("NABLI"), satest "full-miners of the musicipal finance has absolute with testimones of the musicipal finance has absolute with testimones and head governments to souther that all meterial financial strangentials between underwriters within law syndicate and between underwriters and financial advisors and possible conflicts of estimate the water and possible conflicts of estimate between issues and members of the underwriting syndicate or other participants be accurately documented and discussed or, if appropriate, probabeted." NASI.

Testimonly at 25. See jeint Streament at 2.

EXHIBIT A

Phillip L Bayt Mark Barnes Michael A Blickman Michael H Boldt

S R Born Mary Beth Braitman Cory S Brundage Ralph A Cohen Ronald S Cope* James S Cunning Terri A Czajka Gary J Dankert

Joseph E DeGroff Thomas K Downs Berkley W Duck III

Henry A Efroymson Lucy A Emison Sherry Fabrina-Abney

James R Fisher Bonnie L Gallivan Philip L Genetos Alan H Goldstein Harry L Gonso

Doreen J Gridley Stephen J Hackman Jane N Herndon Richard R Hilliard

Brenda S Horn Steven K Humke Lacy M Johnson Arthur P Kalleres

G Daniel Kelley Jr James D Kemper Martin J Klaper

Kevin R Knight Mary N Larimore Michael J Lewinski

Jeffrey O Lewis Karen A Lloyd David J Mallon

Michael D Marine David M Mattingly

Curtis W McCauley Debra H Miller

Thomas E Mixdorf Terry A M Mumford

Byron L Myers

Timothy E Ochs Judith S Okenfuss E Van Olson

Richard E Parker Gregory L Pemberton

Antie C Petersen James L Petersen Thomas W Peterson Bruce A Polizotto

Dominic F Polizzotto Todd W Ponder John F Prescott Jr

Melissa P Reese Mark J. Richards William R Riggs Susan B Rivas Thomas H Ristine Phillip R Scaletta

Marc W. Sciscoe Rebecca J Seamands

Мута С Selby James A Shanahan* Paul H Sinclair Richard A Smikle Elizabeth A Smith Thomas C Smith* Donald M Snemis Jack R Snyder Barton T Sprunger

Dale E Stackhouse Lisa A Stone Susan B Tabler Jay G Taylor

John R Thornburgh Richard J Thrapp Michael L Tooley Zeff A Weiss L Alan Whaley Philip A Whistler Joseph E Whitsett Michael A Wilkins Charles E Wilson Gordon D Wishard

Kevin C Woodhouse Michael A Wukmer

Patricia A Zelmer

^{*}Business address of 135 South LaSalle Street, Suite 4100, Chicago, Illinois 60603, all other partners have a business address of One American Square, Box 82001, Indianapolis, Indiana 46282.

DISCLOSURE AFFIDAVIT FOR BONDS OR ISSUANCE OF OTHER CITY OBLIGATIONS

Any person or entity (the "Affiant") participating with the City of Chicago (the "City") in a transaction requiring action by any City agency or department or the City Council or any other person or entity who is required by Chapter 2-15-6 the Municipal Code of Chicago (the "Municipal Code") to disclose ownership interests must complete this Disclosure Affidavit. For example, with respect to the issuance of debt securities by the City any underwriter, financial adviser cobond counsel co-counsel to the underwriters special counsel, bond trustee, bond registrar paying agent, remarketing agent, escrow agent or letter of credit provider is the Affiant. If the Affiant is a joint venture, the joint venture and each of the joint venture partners must submit a completed Disclosure Affidavit.

Please print or type all responses clearly and legibly. It you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

For purposes of this Disclosure Affidavit, the term "transaction" refers to the issuance of the bonds or other obligations in connection with which you are submitting this Disclosure Affidavit. The transaction is considered to be completed for purposes of this Disclosure Affidavit, when the bonds or other obligations are issued.

Please note that this Disclosure Affidavit requires the Affiant to obtain a certification from any subcontractors before the subcontractors may perform any work in connection with the transaction. The terms of the required subcontractor certification are set forth below in Part II

After reviewing the completed Disciosure Affidavii the Corporation Counsel may require additional information to achieve full disciosure relevant to the transaction

Name of Transaction	Montclare Senior Residence Apa	artments
Affiant Business Name	TRI Capital Corporation	
Affiant Business Address	100 Pine Street, 16th Floor	
	San Francisco, CA 94111	
[] Office of the [X] Housing [] Aviation	the Affiani is submitting this form (check one Chief Financial Officer	: 1
	i Developmen:	-
The undersigned	W. Thomas Booher	, Executive Vice President
and on behalf	(Name of Authorized Officer)	(Title)
of TRI Capital Co	rporation (the "Affiant") having been	duly sworn under oath certifies as tollows

PART I. DISCLOSURE OF OWNERSHIP INTERESTS

Indicate below whether the Affi complete Part (A), (B) or (C) be	ant is an individual or clow as applicable 🐧	a legal entity and if a legal entity II Affiants must complete Part (I	y, indicate the type of entity. Then
Individual] Limited liabi] Partnership] Joint venture] Other	•	
A. CORPORATIONS			
I Incorporated in the State of	California		
2 List below the name and to	the of all executive off	icers of the corporation:	
Name		Title	
See Exhibit A			
3 List below the name and tit	le or all directors of th	e corporation	
Name		Tule	
See Exhibit B			
			
4 If the corporation s shares of 1934 list below the names an proportionate ownership interest	id business addresses c	of all shareholders owning shares	int to the Securities Exchange Act equal to or in excess of 10% of the
Name	Business Address		Ownership Interest
			<u> </u>
5 If the corporation's shares Act of 1934 list below the name	are <u>no</u> s registered on a es and business addres	a national securities exchange pu ses of all shareholders and the po	rsuant to the Securities Exchange ercentage of interest of each therein:
Name	Business Address		Ownership Interest
See Exhibit C	<u> </u>		
	-		%

Name		Business Address			Ownership loieres:	
		· 				
LINOTE	D LIABILITY CO	NPANIES				
List belove ecutive office		es of the executive of	ficers, if any If there	tre no exe	cutive officers write	-nc
ame		-	Γnle			
List below	the name husaness	address and percent	age of ownership intere	st of each	(i) member and (ii) n	nan:
	air name onstitess		•			
	are name outsitess	Business Address			Ownership Interest	
unc	ur same ousness	Business Address			Ownership Interest	
unc		Business Address			Ownership Interest	
ame		Business Address			Ownership Interest	
ADDITIO	NAL INFORMAT	Business Address			Ownership Interest	
ADDITIO is any own legal entity?	NAL INFORMAT	Business Address			Ownership Interest	
ADDITIO is any own legal entity? [] Ye	NAL INFORMAT ership interest in th s {X} No each principal s na	Business Address ION e Affiant held by one		inees on b	Ownership Interest	ridu
ADDITIO is any own legal entity [] Ye so list below notical s agent	NAL INFORMAT ership interest in th s {X} No each principal s na	Business Address ION e Affiant held by one me business address	or more agents or nom	inees on b	Ownership Interest	ridu
ADDITIO is any own legal enuity? [] Ye	ership interest in the [X] No each principal s nate or nominee	Business Address ION e Affiant held by one me business address dress	or more agents or nom percentage of ownersh Ownership Interest	inees on b	Ownership Interest	ridu

If so, list below the name and business address of each individual or entity possessing constructive control, in, have whose interest is controlled, and the relationship between the two under which the control is or may be executed.

Name	Business Address	Name of Party Whose Interest is Controlled	Relationship
			
			

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[] Yes [X]No

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A AFFIANT

- The Affiant or any subcontractor to be used by the Affiant in the performance of the transaction, or any affiliated entity as defined in paragraph (4) below of the Affiant or any such subcontractor, or any responsible official thereof or if acting pursuant to the direction or authorization of a responsible official thereof, any official agent or employee of the Affiant any such subcontractor or any such affiliated entity, has not, during a period of three years prior to the date of execution of this Disclosure Affidavit or, if a subcontractor or subcontractor s affiliated entity during a period of three years prior to the date of award of the subcontract
 - a Bribed or attempted to bribe or been convicted of bribers or attempting to bribe, a public officer or employee of the City the State of Illinois any agency of the federal government or any state or local government in the United States in that officer's or employee's official capacity, or
 - b. Agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise, or
 - c. Made an admission of guilt of any conduct described in 1(a) and (b) above which is a matter of record but has not been prosecuted for such conduct.
- 2 The Affiant and its principals
 - a Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any federal, state or local department or agency
 - b Have not within a three-year period preceding this Disclosure Affidavit been convicted of a criminal offense or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction a violation of tederal or state antitrust statutes, fraud; embezziement; theft; forgery; bribery; talsification or destruction of records making false statements or receiving stolen property.

- c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity rederastate or local) with commission of any of the offenses enumerated in paragraph (2)(b) above, and
- d. Have not within a three-year period preceding the date of this Disclosure Affidavit had one or more public transactions (federal, state or local) terminated for cause or default.
- 3 No payment granuty or offer of employment has been made in connection with the transaction, by or on behalf of a subcontractor to the Affiant, a higher-tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order, nor shall any such payment, granuty or ofter of employment be accepted by the Affiant.
- Business entities are affiliated if directly or indirectly one controls or has the power to control the other or if a third person controls or has the power to control both entities. Indicas of control include without limitation interlocking management or ownership identity of interests among family members: shared facilities and equipment common use or employees or organization of another business entity using substantially the same management ownership or principals as the first entity.

5 li belou	the Affiant is unabl Aitach additional p	e to certify to the statements in paragraphs	(1) through (3) above, the Affiant shall explai
or beg		e it shall be conclusively presumed that t	[If no explanation appears the Affiant certifies to each of the above

B. SUBCONTRACTORS

- 1 The Affiant has obtained certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavi, from all subcontractors that the Affiant presently intends to use in the transaction. As to subcontractors to be used in the transaction who are not yet known by the Affiant, the Affiant will obtain certifications in form and substance equal to Part II(A)(1)-(3) of this Disclosure Affidavit prior to using them as subcontractors
- The Affant shall not without the prior written consent of the City, use any subcontractors in the transaction if the Affant based on information contained in the subcontractor certification or any other information known or obtained by the Affant has reason to believe that within three years prior to the award of any subcontract, the subcontractor or such subcontractor is affiliated entity or any official agent, or employee of such subcontractor or subcontractor is affiliated entity, has engaged in been convicted of, or made an admission of guilt of any of the conduct listed in Part II(A)(1), or that a payment gratuity or offer of employment was made by or on behalf of the subcontractor in connection with the transaction as an inducement for the award of a subcontract or order or that any of the circumstances set forth in Part II (A)(2) applies to the subcontractor or its principals. Furthermore, the Affant shall not without the prior written consent of the City, use as a subcontractor any individual firm partnership corporation joint venture or other entity from which the Affant is unable to obtain a certification in form and substance equal to Part II(A)(1) (3) of this Disclosure Affidavit or which the Affant has reason to believe cannot provide a truthful certification.
- 5 The Afriant shall maintain all subcontractors certifications required by paragraph (1) above for the duration of the transaction and shall make such certifications promptly available to the City upon request

PART III. CERTIFICATION REGARDING TANES, FEES, LITIGATION AND FINANCIAL RELATIONSHIPS

A STATE TAX DELINQUENCIES

- The Affiant is not delinquent in the payment of any tax administered by the Illinois Department of Revenue of delinquent, the Affiant is contesting its liability for the tax or the amount of the tax in accordance with the procedures established by the appropriate Revenue Act
- 2 Alternatively the Affiant has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.

B OTHER TAXES/FEES

The Affiant is not delinquent in paying any fine, fee tax or other charge owed to the City

C JUDICIAL OR ADVINISTRATIVE PROCEEDINGS

The Arriant is not a party to any pending lawsuits against the City nor has the Affiant been sued by the City or its agents in any judicial or administrative proceeding within the 10 year period preceding execution of this Disclosure Affidavit

D ENCEPTIONS

If the Attiant is tinable to certify to any of the above statements [Part III (A)- (C) in the case of any indicial or administrative proceedings, provide (1) the case natiourt in which the action is or was pending, and (4) a brief description of each pitt necessary.	mc (2) the	docker number (3) the
begins on the lines above, it shall be conclusively presumed that the Affiant certificatements.]	[If no ex fies to each	planation appears or of the above

E FINANCIAL OR BUSINESS RELATIONSHIPS OR ARRANGEMENTS

The Affiant has reviewed the excerpt from paragraph III C 1 of the Securities and Exchange Commission Release No. 33-7049, 34-33741. FR-42. File No. 57-49- dated March 9, 1994, attached hereto as Schedule 1, and with respect thereto, discloses the following financial or business relationship or arrangement. If the Affiant has nothing to disclose, write TNA.

PART IV CERTIFICATION REGARDING ETHICS AND INSPECTOR GENERAL

The Affiant understands and will abide by all provisions of Chapter 2-56 of the Municipal Code, entitled "Office of Inspector General" and all provisions of Chapter 2-156 of the Municipal Code, entitled "Governmental Ethics"

PART V CERTIFICATION REGARDING COURT-ORDERED CHILD SUPPORT COMPLIANCE

For purposes of this Part V, "Substantial Owner" means any person who owns or holds a 10 percent or more interest in the Affiant. If the Affiant is an individual or sole proprietorship, the Substantial Owner is the individual or sole proprietor. Percentage of interest includes direct indirect and beneficial interests in the Affiant. An indirect or beneficial interest is an interest in the Affiant help either by a corporation, joint venture, trust, partnership, estate or other legal entity in which the individual holds ar interest or by agent(s) or nomineets) on behalf of an individual or entity. For example, if Corporation B holds or owns a 20 percent interest in the Affiant, and an individual has a

50 percent interest in Corporation B, then such individual indirectly has a 10 percent interest in the Ar law and individual is a Substantial Owner of the Affiant. If Corporation B is held by another entity, then this analysis was be applied to that entity

If the Affiant's response below is #1 or #2, then all of the Affiant's Substantial Owners must remain in combinance with any such child support obligations until the transaction is completed. Failure of the Affiant's Substantia. Owners to remain in compliance with their child support obligations in the manner set forth in either #1 or #2 consulties an event of default.

Check one

- 1 X No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction
- The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations. All such Substantial Owners however, have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on child support obligations and (a) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed or (b) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed, or both (a) and (b)
- 4 ___ There are no Substantial Owners

PART VI. CERTIFICATION REGARDING RETAINED PARTIES

A DEFINITIONS AND DISCLOSURE REQUIREMENTS

- Pursuant to Executive Order 97-1 every City contract and lease must be accompanied by a statement disclosing certain information about attorneys lobbyists accountants consultants, subcontractors and other persons whom the Affiant has retained or expects to retain with respect to the transaction—in particular, the Affiant must disclose the name of each such person—his or her business address—the nature of the relationship, and the amount of tees paid or estimated to be paid. The Affiant is not required to disclose employees who are paid solely through the Affiant's regular payroll.
- Lobbvist means any person (i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action
- 3 If the Affiant is uncertain whether a disclosure is required under this Part of the Disclosure Affidavit or Executive Order 97-1, the Affiant must either ask the City whether disclosure is required or make the disclosure

B CERTIFICATION

EACH AND EVERY attorney, lobbyist accountant consultant subcontractor or other person retained or anticipated to be retained by the Affiant with respect to or in connection with the transaction is listed below (attach additional pages if necessary).

NAME	BUSINESS ADDRESS	RELATIONSHIP (autorney, lobbyist, subcontractor, etc.)	

CHECK HERE IF NO SUCH PERSONS HAVE BEEN RETAINED OR ARE ANTICIPATED TO BE RETAINED X

PART VII BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

- A Definitions and Disclosure Requirement
- Pursuant to an ordinance approved by the City Council on December 2, 1998, the Affiant must indicate whether it had a business relationship with any City ejected official in the 12 months prior to the date of execution of this Disclosure Affidavit.
- 2. A business relationship means any contractual or other private business dealing of an official, or his or her spouse or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year provided however a financial interest shall not include (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation or any corporate subsidiary, parent or affiliate thereof regardless of the value of or dividends on such shares if such shares are registered on a securities exchange pursuant to the Securities Exchange Act of 1934 as amended (ii) the authorized compensation paid to an official or employee for his office or employment (iii) any economic benefit provided equally to all residents of the City (iv) a time or demand deposit in a financial institution of (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A contractual or other private business dealing shall not include any employment relationship of an official s spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City

B Certification

1. Has the Affiant had, to the best of the knowledge of the undersigned party signing this Disclosure Affidavit on behalf of the Affiant, a "business relationship, with any City elected officials in the 12 months prior to the date of execution of this Disclosure Affidavit"

[X] \0 [] \es

If was please identify below the name(s) of such City	elected official(s) and describe such relationship(s)	
PART VIII. INCORPORATION INTO CONTR	ACT, COMPLIANCE, PENALTIES AND DISCLOSURE	
The Affiant understands and agrees that		
COS CONTRACTOR OF THE COST	me part of any contract awarded to the Affiant and are a stract or other action with respect to which this Disclosure the Affiant Furthermore, the Affiant shall comply with these	
B If the City determines that any information provierminate the contract or other transaction, terminate and or decline to allow the Affiant to participate in other transactions.	the Affiant's participation in the contract or other transaction her contracts or transactions with the City	
C The following civil and criminal penalties amo	ng others may apply	
Making a false statement as to Part III(A) or this certifallows the City to recover all amounts paid to the Aff	ification is a Class A misdemeanor, voids the contract and fant under the contract in a civil action 65 ILCS 5/11-42 1 1	
D. This Disclosure Affidavit some or all of the information provided herein, and all attachments may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this Disclosure Affidavit the Affiant waives and releases any possible rights or claims it may have against the City in connection with the public release of any information contained in the completed Disclosure Affidavit and any attachments.		
PART IX VERIFICATION		
Under penalty of periury, I certify that I am authorize that I have personal knowledge of all the certification	ed to execute this Disclosure Affidavit on behalf of the Affiant is made herein, and that the same are complete and true	
	Executive Vice President	
Signature of Authorized Officer	Time	
W. Thomas Booher	415-733-1515	
Name of Authorized Officer (Print or Type	Business Telephone Number	
Subscribed and sworn to before me this		
11 than of Ciance 19 ice	S MANGIAMELI Comm # 1247270 HOTARY PUBLIC CALIFORNIA (I)	
Notary Public City & County of San Francisco My Comm Expires Dec 28, 2003		
Bonc 431 1 99		



- An introduction to serve as the guide to the official statement
- 4 description of the securities being offered including complete information regarding the purposes of the offering the purposes of the offering the plan of financing the excurity and the repayment, and the profity of the securities as shuttural characteristics, such as call provisions, tender options, original issue or deep discount variable rates, and lease purchase agreements.

 Information regarding the nature and extent of any credit enhancement and financial and business information apout the issuer of the aphancement.

A description of the government "suer or enterprise including information about the usuar a range or level of service capacity and demographic factors and in the case of revenue supported offerings information on the enterprise a organization, management revenue structure results of operations and operating plan.

• With respect to obligations of private profit making and nonprofit conduit issuers informenon regarding the business or other activity including the enterprise s form of organization and management rate making or pricing policies and historical operations and plan of operation

 A description of the issuer's outstanding debt including the authority to incur deal limitations on debt, and the prospective debt burden and rate of its retirement

 A description of the basic documentation, such as indentured trust agreements and resolutions authorizing the issuance and establishing the rights of the

 Financial information including summary information regarding the issuer s or obligor a financial practices and results of operations and financial statements, prepared in conformity with generally accepted eccounting principles and audited in accordance with generally accepted auditing standards

A discussion of legal matters such as pending judicial administrative or regulatory proceedings that may significantly affect the securities offered legal opinions and tax considerations, and

 A discussion of miscellaneous matters including ratings and their description and meanings underwriting arrangements arrangements with financial edvisors interests of named experts pending leastston, and the availability of additional

ipformation and documentation.

The guidelines prepared by the GFOA and the NFMA provide a generally comprehensive roadmap for disclosure to offering statements for municipal securities offerings. There are, however areas that need further improvement in both the context of negotiated and competitively bid uncerwinings. In addition, implementation of these guidelines needs to be extended to the whole market For example while large repeat general obligation issuers usually have comprehensive disclosure documents, small issuers and conduct issuers, particularly in the health care

housing and industrial development areas do not always provide the same quality of discrosure 4

C Preas A here Improvement is Needed

Cutaics of interest and Other Relationships or Practices

information concerning financial and business relationships and arrangements among the parties involved in the issuance of municipal securities may be critical to an evaluation of the offering >> Recent reveiauons about practices used - the municipal securities offering process have highlighted the potential materiality of information concerning financial and business relationships. arrangements or practices, including political contributions, that could influence municipal securities offerings. For example such information could indicate the existence of actual or potential conflicts of unterest, breaches of duty or less than arm's-length transactions Similarly, these matters may reflect upon the qualifications, ievel of diligence, and districtedness of financial advisers, underwriters. expens and other participants in an offenng Failure to disclose material information concerning such relationships arrangements or practices may render musiceding statements made in connection with the process, including statements in the official statement about the use of proceeds, underwriters compensation and other expenses of the offenng. In addition, investors reasonably expect participants in municipal securities offerings to follow standards and procedures established by such participants, or other governing authorities, to safeguard the integrity of the offering process: accordingly, material deviations from those procedures warrant disclosure.

Existing rules and voluntary guidelines call for certain specific disclosures by offering participants. CFOA guidelines call for offering statement disclosure to anyestors of contingency fees to named experts, including counsel and any other interest or connection those parties have

with other transaction participants. A VISRB rules call for dealer disclosure to issue and investors of any financial advisory relationship between an issues and a broker, dealer, or municipal securities dealer, under certain currumstances. 37 MSRB rules also call for dealer disclosure to investors of among other things, certain less and expenses in negotiated transactions. 38

Beyond existing specific disclosure requirements and guidelines, the range of financial and business relationships. arrangements and practices that need to be disclosed depends on the perucular facts and corrumstances of each case. If for example, the sesser (or any person acting on its behalf) selects an underwriter, syndicate or selling group member, expert, counsel or other party who has a direct or indirect (for example, through a consultant) financial or business relationship or errangement with persons connected with the offering process, that relationship or arrangement may be meterial. Areas of particular concern are undisclosed payments to obtain underwriting assignments and undisclosed agreements or arrangements, maduding ice splitting, between financial advisors and underwriters. 4 If the adviser is hired to essent the server, such relationships, financial or otherwise may divide loyalties. Similarly, affiliations between sellers of property to be used in a financed project and conduit borrowers ruse questions regarding, among other things, the determination of lair market value of the property and self-dealing.

2. Terms and Risks of Securities

Evolution in the financial markets has led to increasingly complex and sophisticated derivative and other municipal products. While these new

Representatives Supplementalities on October 7
Telecommunications and Finance on October 7
1913, the best use greatest successive problems and
the present risk of default were with unread
tespital beweing special district and industrial
newscoproper revenue bands.

secretive or and in inclusiony before the House

¹¹ See SEC v. treaturgeen County Utility District. 616 F.2d 218 222 (6th Car. 1982) ["Flagrant v. elections of antifroid provisions arising from feature in discress use of proceeds to purchase options on property held by issues's manager and from tool attemperature between the manager and the underwriter.

Secure XXI.D. of the GPDA Guidelman.

MISRE NIN G-11.

m MSRIB rule G-32. See Section 15B(cli1) of the Exchange Act 115 U.S.C. 79m-4(cli1) (requiring compliance with MSRIB rules), MSRIB rule G-17.

Pichaparina, "The Trouble with Committants"
The Sand Super Dive: 16, 1973) at 1, in has treatment on Telepostamusculars on Telepostamusculars and Pinnary, Andrew Kantzanger, on technic of the Hetistad Association of Sand Lewyser ("NASL"), attent, "Unlimitate of the municipal finance has should work with insurence develop procurement presidents for each and head governments between underwriters within the syndicate and between underwriters within the syndicate and breaken underwriters and financial advisors and pranche multitle of interest between issues and machine of the underwriting syndicate, or other participants to accuracyly discussed and the control of properties. Technology of 26. See joint Struggerie et 2.

[&]quot;Gesperses, "Soveral beauth Start to Scretchin Ties Between Advisors, Bashara," The Band Doper (Dec. 27, 1986) et 1, See Section XR.C. of the GPDA-Cuidelines, rule G-23 of the MSRR.

EXHIBIT A

Names Office

John T Sweazey Chairman of the Board & President

James H Reid, Jr, Executive Vice President & Chief Financial Officer William E. Szymczak Executive Vice President & Chief Underwriter

Mark S Ragsdale Senior Vice President
Thomas Booher ExecutiveVice President

Kathleen S Reilly Secretary

Kathy J Ratliff First Vice President & Assistant Secretary

Paul A Renno Vice President & General Counsel

Robert W Raybould

James Suekama

Michael Sapuppo

B J Rogers

Dale Ashlock

Karla Ferguson

Vice President

Todd Marans Senior Vice President

EXHIBIT B

Board of Directors

John T. Sweazey
James H. Reid, Jr.,
William E. Szymczak
Robert W. Raybouid
William J. Rosetti

TRI Capital Corporation Ownership Percentages

	Shareholder Name	Shares Owned as of December 31, 1999	Current Percent
1	John T Sweazey	80,979	70.36%
2	James H Reid, Jr	9,274	8 06%
3	Robert Raybould	11,837	10 28%
4	William E Szymczak	3,000	2.61%
5	Russell B Flynn	1,000	0 87%
6	D R Stephens	1,000	0.87%
7	Chesley Davies	1,000	0.87%
8	Ralph J Litton	1,000	0 87%
9	James Lum	500	0.43%
10	Rex W Williams	500	0 43%
11	Sylvan F Seely	1,000	0 87%
12	Jackson W Allred	1,000	0.87%
13	Mırıam Smith	500	0 43%
14	Clyde W Haws	500	0 43%
15	Thomas K Baker	500	0 43%
16	Clyde G. Seely	1,000	0.87%
17	Paul M Ginsburg	500	0.43%
	Shares issued and outstanding	115,090	100.00%

JFM1. 'ETS.2 .. 98 FRM

CITY OF CHICAGO

ECONOMIC DISCLOSURE STATEMENT AND AFFIDAVIT

(Economic Development/Housing Transactions)

Pursuant to Chapter 2-154 of the Municipal Code of Chicago (the "Municipal Code"), the following information is required to be disclosed prior to any City agency, department or City Council action. Please fully complete each statement, with all information current as of the attestation date. Every question must be answered. If a question is not applicable, answer with "N.A." An incomplete EDS shall be returned and any City action shall be interrupted.

Please print or type all responses clearly and legibly. If you need additional space for a response, attach extra pages. Please indicate the question to which you are responding on any extra pages you attach.

Please note that this Economic Disclosure Statement and Affidavit (the "EDS") requires you to obtain various certifications from certain other parties before they may perform any work in connection with the project. The terms of the required certifications are set forth below in Sections V, VII, VIII, IX and X.

WHO MUST FILE:

- The Applicant: Any individual or entity (the "Applicant") making an application to the City of Chicago (the "City") for action requiring City Council or other City agency approval must file this EDS. For example, with respect to a City loan or grant, the individual or entity applying for the loan or grant is the "Applicant."
- 2. Entities holding an interest in the Applicant: Whenever an ownership interest in the Applicant (such as shares of stock of the Applicant or a limited partnership interest in the Applicant, for example) is held or owned by a legal entity (such as a corporation or partnership, for example) rather than an individual, each such legal entity must also file an

EDS on its own behalf. If the Applicant is a not-for-profit corporation with members who elect the board of directors, those members who are legal entities and not individuals must also file EDS's on their own behalf. (Individuals who nave ownership interests in the Applicant or who are members of a not-for-profit Applicant are not required to file an EDS on their own behalf.) However, if the Applicant is a corporation whose shares are registered on a national securities exchange pursuant to the Securities Exchange Act of 1934, only legal entities that own 10 percent or more of the Applicant's stock must file EDS's on their own behalf. A legal entity that holds an ownership interest in the Applicant and that is required to file an EDS on its own behalf shall be referred to hereinafter as a "First-Tier Related Entity."

3. Entities holding direct or indirect interest in a First-Tier Related Entity: The same rules described in (2) above also apply to owners of First-Tier Related Entities, owners of such owners, and so on.

The individual or legal entity completing this EDS shall be referred to as the "undersigned" throughout this EDS. If the party completing this EDS is not an individual but is a legal entity (such as, for example, a corporation or partnership), the person signing this EDS on behalf of such party shall be referred to as the "signatory of the undersigned."

ACKNOWLEDGMENT OF POSSIBLE CREDIT AND OTHER CHECKS: By completing and filing this EDS, the undersigned acknowledges and agrees, on behalf of itself and the individuals named in this EDS, that the City may investigate the creditworthiness of some or all of the individuals named in this EDS.

INFORMATION TO BE KEPT CURRENT: All disclosures must be current as of the date upon which the application is presented to the City Council or other City agency, and shall be maintained current until such time as the City Council or City agency shall take action on the application. This requires (i) the submission of this EDS at the time the initial application is made; and (ii) a recertification of this EDS (a) at the time the related ordinance, if any, is submitted to the City Council if such

V . . .

submission is more than 60 days following the original execution of this EDS; and (b) upon the closing of the related transaction

RE-CERTIFYING THIS EDS: Execute the certification on the date of the initial submission of this EDS. You may be asked to re-execute this EDS on the last page as of the date of submission of any related ordinance to the City Council, or as of the date of the closing of your transaction.

GENERAL	INFORMATION
Exact le	egal name of undersigned: Prism Financial Incorporated
Business	address. 400 North Orleans, Chicago, IL 60610
Telephor	ne: (312) 494-0020
Fax:	(312) 494-1481
Name of	contact person: Mark Filler
City ag	ency receiving this EDS: Department of Housing.
Type of	action requested: Financing.
Project	location: 6650 W. Belden Avenue, Chicago, IL 60607
Brief p	roject description: 153 units of affordable housing for
Seni	ors.

J.	Description and purpose of requested City assistance:
	Financing through tax exempt bonds with tax credits.
II.	DISCLOSURE OF OWNERSHIP INTERESTS
Α.	GENERAL INFORMATION
1.	Indicate whether the undersigned is an individual or legal entity and, if a legal entity, indicate the type of entity below:
	<pre>Individual Business corporation Not-for-profit corporation General partnership Limited partnership Limited liability company Joint venture Sole proprietorship</pre>
	Other entity (please specify)
2.	State of incorporation or organization, if applicable:
	Delaware
3.	For corporations, limited partnerships and limited liability companies not organized in the State of Illinois: Is the organization authorized to do business in the State of Illinois as a foreign entity?
	¥ Yes □ No
В.	ORGANIZATION INFORMATION

1. FOR CORPORATIONS:

a List below the names and titles of the executive officers and directors of the corporation

Name	Title
Mark Filler Prism Fiancial Corp.	President, CEO
Terry Markus - Prism Financial Corp	p. President of Prism, Illinois
James T. Rager - Royal Bank	Vice Chairman
Peter W. Currie Royal Bank	Vice Chairman & CFO
Janice R. Fukakusa - Royal Bank	Executive Vice President
Shauneen E. Bruder - Rowal Bank	Sr. Vice President
list below the name, business ownership interest of each sha to or in excess of 7 5 percent outstanding shares.	areholder owning shares equal
Name Business Address	Percentage Interest
 	

С	For rusiness corporations with fewer than 100 shareholders, list below the name, business address and percentage of ownership interest of each shareholder
Name	Business Address Percentage Interest
Roya	1 Bank of Canada 200 Bay St., 8th Floor 100%
	Toronto, Ontario, Canada M5J 2J5
đ	For not-for-profit corporations, list below the name, business address and percentage of control of each member. If there are no members, write "no members."
Name	Business Address Percentage Control
N/A	
	
2.	FOR PARTNERSHIPS:
busı part	general or limited partnerships: list below the name, ness address and percentage of ownership interest of each ner. For limited partnerships, indicate whether each partner general partner or a limited partner.
Name	Business Address Percentage Interest
N/A	

_	
3	FOR LIMITED LIABILITY COMPANIES:
a.	List below the names and titles of the executive officers, if any, of the limited liability company. If there are no officers, write "no officers."
Name	Title
N/A	
_	
b.	List below the name, business address and percentage of ownership interest of each (i) member and (ii) manager. If there are no managers, write "no managers."
Name	Business Address Percentage Interest
N/A	
	

4	FOR LAND TRUSTS, BUSINESS TRUSTS OR ESTATES:
ā.	List below the name of each individual or legal entity holding legal title to the property that is the subject of the trust:
N/A	
<u></u>	
b.	List below the name, business address and percentage of beneficial interest of each beneficiary on whose behalf title is held:
Name	Business Address Percentage Interest
N/A	

<u> </u>	
5.	OTHER OWNERSHIP INTERESTS
a.	Is any ownership interest in the undersigned, as described in (1)(b)-(d), (2), 3(b) or (4)(b) above, held by one or more agents or one or more nominees on behalf of another individual or legal entity?
	□ Yes 🎞 No
	If so, list below the name, business address and percentage of ownership interest of each principal (whether an individual or legal entity) for whom such agent(s) or nominee(s) are holding their ownership interest(s) in the

undersigned, and identify each principal's agent or nominee

	Principal	<u>.'s</u>		
Name	Address	Percentage	Interest	Agent/Nominee
۵.	in (1)(b)-(d),	(2), 3(b) on the change of the	r (4)(b) ab ough an age	rsigned, as described ove, constructively ont or nominee) by
	<u> </u>	(es ₫ No		
	entity whose of controlled, (so of ownership s	ownership int 1) the name, nterest of e ch control, a	erest is co business a ach individ nd (111) th	th individual or legal enstructively address and percentage dual or legal entity see means by which such
			 	
			•	

III. OTHER PROJECT INFORMATION

1 1 1

A. List below the name and business address of each individual or legal entity currently holding legal title to the

property for which City assistance is being requested (the "Property"):

No.	52930.
3.	If title to the Property is held in a land trust, list below the name, business address and percentage of interest of each beneficiary. If all of this information has already been provided in Section II above, indicate that below and do not repeat it here:
Gra	and Equities, Inc., an Illinois corporation - 100Z
∵. •••	Real estate tax index number(s) for the Property:
	W \$1331203001 and 11k \$1331203002
D.	Have all water charges, sewer charges, property taxes and sales taxes, due and payable on or prior to the date hereof and concerning the Property, been paid as of the date of

₩ Yes □ No

this EDS?

If no, describe below the kind and dollar amount of such charges or taxes and indicate by what date full payment

requested	City	action

shall be made. Failure to make full payment may halt any

IV. ADDITIONAL INFORMATION

Has the undersigned or any member, partner, beneficiary or owner of the undersigned:

- A. ever been a defendant in any civil-or criminal suits or legal actions?
 - ☐ Yes XX No
- B. ever had any debts discharged, satisfied or settled under the Bankruptcy Act?
 - ☐ Yes ₩ No
- C. ever had a judgment entered against him/her/it?
 - □ Yes 🏗 No
- D. ever been a party to a foreclosure, a deed in lieu of foreclosure, a loan default or loan "workout" situation?
 - □ Yes ¥ No

NOTE: If the answer to any of the above questions is "yes," attach a separate schedule explaining the circumstances, parties involved and resolution or status. A specific description must be provided for each case.

V. CERTIFICATION OF ENVIRONMENTAL COMPLIANCE

- A. Neither the undersigned nor any "Affiliated Entity" (as defined below) of the undersigned has, during a period of five years prior to the date hereof:
 - (1) violated or engaged in any conduct which violated Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other "Environmental Restriction" (as defined below);
 - (2) received notice of any claim, demand or action, including but not limited to citations and warrants, from the City, the State of Illinois, the federal government, any state or political subdivision thereof, or any agency, court or body of the federal government or any state or political subdivision thereof, exercising executive, legislative, judicial, regulatory or administrative functions, relating to a violation or alleged violation of Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction; or
 - (3) been subject to any fine or penalty of any nature for failure to comply with Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction.

occurred within the City or otherwise pertain to the	all exceptions and	indicate whet	-	xception
	occurred within th	e City or othe	erwise pertain	to the C
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				•

[If no explanation appears or begins on the lines above, it small be conclusively presumed that the undersigned certifies to each of the above statements]

- C. The undersigned covenants and agrees that the undersigned shall.
 - (1) prior to completion of the project to which this EDS pertains (the "Project"), not violate any provision of Sections 7-28-440 or 11-4-1500 or Article XIV of Chapter 11-4 or Chapters 7-28 or 11-4 of the Municipal Code or any other Environmental Restriction;
 - (2) not use any facility on the United States Environmental Protection Agency's List of Violating Facilities (the "List") in connection with the Project for the duration of time that the facility remains on the List; and
 - (3) immediately notify any federal agency which is awarding funds in connection with the Project if a facility that the undersigned intends to use is on the List or if the undersigned knows that any such facility has been recommended to be placed on the List.
- D. The undersigned has obtained certifications in form and substance equal to Section V(A)-(B) of this EDS from all contractors or subcontractors that the undersigned presently intends to use in connection with the Project. As to contractors or subcontractors to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section V(A)-(B) of this EDS from all such parties prior to using them in connection with the Project.
- E. The undersigned shall not, without the prior written consent of the City, use any contractor or subcontractor in connection with the Project if the undersigned, based on information contained in such party's certification or any other information known or obtained by the undersigned, has reason to believe that such contractor or subcontractor has, within the preceding five years, been in violation of any Environmental Restriction, received notice of any claim

relating to a violation of an Environmental Restriction, or been subject to any fine or penalty for a violation of an Environmental Restriction.

- Further, the undersigned shall not, without the prior written consent of the City, use as a contractor or supportractor in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section V(A)-(B) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- G. The undersigned shall maintain for the duration of the requested City assistance all certifications of all contractors and subcontractors required by Section V(D) above, and shall make such certifications promptly available to the City upon request.

H. Definitions:

- (1) Entitles are "affiliated" if, directly or indirectly, one controls or has the power to control the other, or if a third person controls or has the power to control both entitles. Indicia of control include without limitation: interlocking management or ownership identity of interests among family members; shared facilities and equipment; common use of employees; or organization of another business entity using substantially the same management, ownership or principals as the first entity.
- "Environmental Restriction" means any statute, ordinance, rule, regulation, permit, permit condition, order or directive relating to or imposing liability or standards of conduct concerning the release or threatened release of hazardous materials, special wastes or other contaminants into the environment, and to the generation, use, storage, transportation or disposal of construction debris, bulk waste, refuse, garbage, solid wastes, hazardous materials, special wastes or other contaminants, including but not limited to: (a) the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. § 9601 et

seq.), (b) the Hazardous Materials Transportation Act
(49 U S.C § 1801 et seq.), (c) the Resource
Conservation and Recovery Act of 1976 (42 U S C. § 6901
et seq.), (d) the Clean Water Act (33 U S C § 1251 et
seq.), (e) the Clean Air Act (42 U.S C § 7401 et
seq.), (f) the Toxic Substances Control Act of 1976 (15
U.S.C. § 2601 et seq.), (g) the Safe Drinking Water Act
(42 U.S.C. § 300f et seq.), (n) the Occupational Health
and Safety Act of 1970 (29 U.S.C. § 651 et seq.), (i)
the Emergency Planning and Community Right to Know Act
(42 U.S.C. § 11001 et seq.); and (j) the Illinois
Environmental Protection Act (415 ILCS 5/1 through
5/56.6)

VI. CHILD SUPPORT OBLIGATIONS

For purposes of this Section VI, "Substantial Owner" means any individual who owns or holds a 10 percent or more "Percentage of Interest" (as defined below) in the undersigned. undersigned is an individual or sole proprietorship, the "Substantial Owner" means that individual or sole proprietor. "Percentage of Interest" includes direct, indirect and beneficial interests in the undersigned. "Indirect or beneficial interest" means that an interest in the undersigned is held by a corporation, joint venture, trust, partnership, association, estate or other legal entity, in which the individual holds an interest, or by agent(s) or nominee(s) on behalf of an individual or entity. For example, if Corporation B owns a 20 percent interest in the undersigned, and an individual has a 50 percent percentage of interest in Corporation B, then such individual indirectly has a 10 percent percentage of interest in the undersigned and is a Substantial Owner. If Corporation B is held by another entity, then this analysis similarly must be applied to that next entity (and so forth to any additional levels of ownership) to determine whether any individuals indirectly hold a 10 percent or more interest in the undersigned.

If the undersigned's response below is (A) or (B), than all of the undersigned's Substantial Owners must remain in compliance with any such child support obligations (i) throughout the term of the requested City assistance to which this EDS pertains, or (ii) until completion of the undersigned's obligations to the City in connection with the Project, whichever is later. Failure of the undersigned's Substantial Owners to remain in compliance with their child support obligations in the manner set forth in either (A) or (B) pelow constitutes an event of default.

Check one:

- X A. No Substantial Owner has been declared in arrearage on any child support obligations by the Circuit Court of Cook County or by another Illinois court of competent jurisdiction.
- B. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations. All such Substantial Owners, however, have entered into court-approved agreements for the payment of all such child support owed, and all such Substantial Owners are in compliance with such agreements.
- C. The Circuit Court of Cook County or another Illinois court of competent jurisdiction has issued an order declaring one or more Substantial Owners in arrearage on their child support obligations and: (i) at least one such Substantial Owner has not entered into a court-approved agreement for the payment of all such child support owed; or (ii) at least one such Substantial Owner is not in compliance with a court-approved agreement for the payment of all such child support owed; or both (i) and (ii).
- D. There are no Substantial Owners.

VII. CERTIFICATION

The signatory of the undersigned, being first duly sworn, on oath hereby certifies, deposes and says, under penalty of perjury, as follows:

- A The signatory is authorized to execute this EDS on benalf of the undersigned, the information disclosed herein is true and complete to the best of his/her knowledge; no disclosures as to economic interest in the Project have been withheld; and no information has been reserved as to the intended use or purpose for which the undersigned (or a related entity) seeks action by the City Council or pertinent City agency.
- В. Except as described in Section III(D) hereof, if applicable, the undersigned is (a) not in default or in arrears on any outstanding commercial loans, water charges, sewer charges, property taxes, sales taxes or other fines, fees, taxes, assessments or charges owed to the City, personally or by any partnership, corporation, joint venture or land trust in which the undersigned has at least a five percent beneficial interest; and (b) not delinquent in the payment of any tax administered by the Illinois Department of Revenue, or if delinquent, the undersigned is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for such tax or the amount of such tax, or the undersigned has entered into an agreement with the Illinois Department of Revenue for the payment of all such taxes that are due and is in compliance with such agreement.
- C. Since the initial date of application, the undersigned has not done or suffered to be done anything that could in any way adversely affect the title to the Property and, except as described herein, no proceedings have been filed by or against the undersigned, nor has any judgment or decree been rendered against the undersigned, nor is there any judgment note or other instrument that can result in a judgment or decree against the undersigned within five days from the date thereof.

- D The undersigned has either paid in full or settled all outstanding parking violation complaints issued to any vehicle owned or controlled by the undersigned personally, or by any partnership, corporation, joint venture or land trust in which the undersigned has control or an ownership interest exceeding five percent in such entity
- E The undersigned and its principals:
 - (1) are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from any transactions by any federal, state or local unit of government;-
 - (2) have not within a three-year period preceding the date hereof been convicted of a criminal offense or had a civil judgment rendered against them in connection with: obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; a violation of federal or state antitrust statutes; fraud; embezzlement; theft; forgery; bribery; falsification or destruction of records; making false statements; or receiving stolen property;
 - (3) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in clause (b) above; and
 - (4) have not within a three-year period preceding the date hereof had one or more public transactions (federal, state or local) terminated for cause or default.
- F. The undersigned, or any party to be used in the performance of the Project (an "Applicable Party"), or any Affiliated Entity of either the undersigned or any Applicable Party, or any responsible official thereof, or any other official, agent or employee of the

undersigned, any Applicable Party or any Affiliated Entity, acting pursuant to the direction or authorization of a responsible official thereof, has not, during the three years prior to the date hereof or, with respect to an Applicable Party or any Affiliated Entity thereof, during the three years prior to the date of such Applicable Party's contract in connection with the Project:

- (1) bribed or attempted to bribe, or been convicted of bribery or attempting to bribe, a public officer or employee of the City, the State of Illinois, or any agency of the federal government or of any state or local government in the United States of America, in that officer's or employee's official capacity;
- (2) agreed or colluded with other bidders or prospective bidders, or been a party to any such agreement, or been convicted of agreement or collusion among bidders or prospective bidders, in restraint of freedom of competition by agreement to bid a fixed price or otherwise; or
- (3) made an admission of such conduct described in (1) or (2) above which is a matter of record, but has not been prosecuted for such conduct.
- G. The undersigned understands and shall comply with (1) the applicable requirements of the Governmental Ethics Ordinance of the City, Title 2, Chapter 2-156 of the Municipal Code; and (2) all the applicable provisions of Chapter 2-56 of the Municipal Code (Office of the Inspector General).
- H. Neither the undersigned nor any employee, official, agent or partner of the undersigned is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of (1) bid-rigging in violation of 720 ILCS 5/33E-3, as amended, supplemented and restated from time to time; (2) bid-rotating in violation of 720 ILCS 5/33E-4, as amended, supplemented and restated from time to time;

or (3) any similar offense of any state or of the United States of America which contains the same elements as the offense of bid-rigging or bid-rotating

I	If the	e undersign	ed 1s	unapie	to cer	crit to	any of :	ine
	above	statements	in th	hıs Sec	tion VI	I, the	undersigi	ned
	shall	explain be	low:					

[If no explanation appears or begins on the lines above, it shall be conclusively presumed that the undersigned certifies to each of the above statements.]

VIII. APPLICABLE PARTIES

- A. The undersigned has obtained certifications in form and substance equal to Section VII(E)-(I) of this EDS from all Applicable Parties that the undersigned presently intends to use in connection with the Project. As to Applicable Parties to be used in connection with the Project who are not yet known to the undersigned, the undersigned shall obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS from all such Applicable Parties prior to using them in connection with the Project.
- B. The undersigned shall not, without the prior written consent of the City, use any Applicable Party in connection with the Project if the undersigned, based on information contained in such Applicable Party's certification or any other information known or obtained by the undersigned, has reason to believe that:
 - (1) during the three years prior to the date of such Applicable Party's contract in connection with the Project, such Applicable Party, such Applicable Party's Affiliated Entity, or any official, agent

- or employee of such Applicable Party or Affiliated Entity has engaged in, been convicted of, or made an admission of guilt of any of the conduct listed in Section VII(F) above;
- (2) such Applicable Party or any official, agent, partner or employee of such Applicable Party is barred from contracting with any unit of state or local government as a result of engaging in or being convicted of bid-rigging, bid-rotating, or any similar offense of any state or of the United States of America which contains the same elements as bid-rigging or bid-rotating; or
- (3) any of the circumstances described in Section VII(H) above applies to such Applicable Party or its principals.
- C. Further, the undersigned shall not, without the prior written consent of the City, use in connection with the Project any person or entity from which the undersigned is unable to obtain certifications in form and substance equal to Section VII(E)-(I) of this EDS or which the undersigned has reason to believe cannot provide truthful certifications.
- D. For all Applicable Parties, the undersigned shall maintain for the duration of the requested City assistance all certifications of all Applicable Parties required by Section VIII(A) above, and the undersigned shall make such certifications promptly available to the City upon request.

IX. RESTRICTION ON LOBBYING

A. List below the names of all persons registered under the Lobbying Disclosure Act of 1995, 2 U.S.C. § 1601 et seq. (the "Disclosure Act"), who have made lobbying contacts on behalf of the undersigned with respect to the transaction to which this EDS pertains (the "Transaction"). If there are no such persons, write "none."

None.	· · · · · · · · · · · · · · · · · · ·		 		
	<u> </u>	 _	 		
			 		

- The undersigned certifies that it has not and small not В. expend any Federal appropriated funds to pay any person for influencing or attempting to influence an officer or employee of any agency, as defined by applicable Federal law, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement. Accordingly, the undersigned has not used any Federal appropriated funds to pay any person listed in Section IX(A) above for his/her lobbying activities in connection with the Transaction.
- C. The undersigned shall submit an updated certification at the end of each calendar quarter in which there occurs any event that materially affect the accuracy of the statements and information set forth in paragraphs (A) and (B) above.
- D. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Transaction, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- E. Either (1) the undersigned is not an organization described in Section 501(c)(4) of the Internal Revenue Code of 1986; or (2) the undersigned is an organization

V . . .

described in Section 501(c)(4) of the Internal Revenue Code of 1986 but has not engaged and shall not engage in "lobbying activities," as defined in the Disclosure Act.

F. The undersigned snall obtain certifications equal in form and substance to paragraphs (A) through (E) above from all contractors and subcontractors prior to the award of any contract/subcontract with such parties in connection with the Transaction. The undersigned snall maintain all such certifications of such parties for the duration of the Transaction and shall make such certifications promptly available to the City upon request.

X. NONSEGREGATED FACILITIES

- A. The undersigned certifies that it does not and shall not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and shall not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity clause.
- "Segregated facilities," as used in this provision, means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion or national origin because of habit, local custom or otherwise.
- C. The undersigned further agrees that it shall obtain or cause to be obtained identical certifications from proposed contractors or subcontractors in connection with the Project before the award of contracts or subcontracts under which the contractor/subcontractor

will be subject to the equal opportunity clause Contracts and subcontracts exceeding \$10,000, or having an aggregate value exceeding \$10,000 in any 12-month period, are generally subject to the equal opportunity clause. See 41 C F.R Part 60 for further information regarding the equal opportunity clause

D The undersigned shall forward or cause to be forwarded the following notice to proposed contractors and subcontractors:

NOTICE TO PROSPECTIVE CONTRACTORS/SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certification of Nonsegregated Facilities must be submitted before the award of a contract/subcontract under which the contractor/subcontractor will be subject to the Equal Opportunity clause. The certifications may be submitted either for each contract/subcontract or for all contracts/subcontracts during a period (e.g., quarterly, semiannually or annually).

XI. EOUAL EMPLOYMENT OPPORTUNITY

Federal regulations require that the undersigned and proposed contractors/subcontractors submit the following information with their bids or in writing at the outset of negotiations:

Α.	Have you developed and do you have on file affirmative action programs pursuant to applicable federal regulations? (See 41 C.F.R. Part 60-2.)
	[] Yes [x] No
В.	Have you participated in any previous contracts or subcontracts subject to the equal opportunity clause?
	[] Yes [X] No

C. If the answer to (B) is yes, have you filed with the Joint Reporting Committee, the Director of OFCC, any federal

agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements of these organizations?

[] Yes [] No N/A

XII. RETAINED PARTIES

- A. Definitions and Disclosure Requirements
- 1 Pursuant to Executive Order 97-1, every City contract and lease must be accompanied by a statement disclosing certain information about attorneys, lobbyists, accountants, consultants, subcontractors and other persons whom the undersigned has retained or expects to retain in connection with the contract or lease. In particular, the undersigned must disclose the name of each such person, his/her business address, the nature of the relationship, and the amount of the fees paid or estimated to be paid. The undersigned is not required to disclose employees who are paid solely through the undersigned's regular payroll.
- 2. "Lobbyist" means any person (1) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action, or (ii) any part of whose duty as an employee of another includes undertaking to influence any legislative or administrative action.
- 3. If the undersigned is uncertain whether a disclosure is required under this Section XII, the undersigned must either ask the City whether disclosure is required or make the disclosure.

B Certification

Each and every attorney, lobbyist, accountant, consultant, subcontractor or other person retained or anticipated to be retained by the undersigned with respect to or in connection with the City assistance to which this EDS pertains is listed below:

Name	Business Address	-	y, lobbyis		ther paid	
	HERE IF NO SUC			RETAINED (OR ARE	

Fees (indicate

XIII. BUSINESS RELATIONSHIPS WITH CITY ELECTED OFFICIALS

Relationship

- A. Definitions and Disclosure Requirement
- 1. Pursuant to an ordinance approved by the City Council on December 2, 1998, the undersigned must indicate whether it had a "business relationship" with a City elected official in the 12 months prior to the date of execution of this EDS.
- A "business relationship" means any "contractual or other private business dealing" of an official, or his or her spouse, or of any entity in which an official or his or her spouse has a "financial interest," with a person or entity which entitles an official to compensation or payment in the amount of \$2,500 or more in a calendar year; provided, however, a "financial interest" shall not include: (i) any ownership through purchase at fair market value or inheritance of less than one percent of the shares of a corporation, or any corporate subsidiary, parent or affiliate thereof, regardless of the value of or dividends on such shares, if such shares registered on a securities exchange pursuant to the Securities Exchange Act of 1934, as amended, (11) the authorized compensation paid to an official or employee for his office or employment; (iii) any economic benefit provided equally to all residents of the City; (iv) a time or demand deposit in a financial institution; (v) an endowment or insurance policy or annuity contract purchased from an insurance company. A "contractual or other private business dealing" shall not

include any employment relationship of an official's spouse with an entity when such spouse has no discretion concerning or input relating to the relationship between that entity and the City

B. Certification

1. Has the undersigned had a "business relationship" with any City elected officials in the 12 months prior to the date of execution of this EDS?

exec	истс	on Or Ci	iis EDS:			-		
	[] Yes		[x]	No			
					the name(s)		City el	ected
N/.	<u>A</u>			· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·			

XIV. CONTRACT INCORPORATION, COMPLIANCE, PENALTIES, DISCLOSURE

The undersigned understands and agrees that:

- A. The certifications contained in this EDS shall become part of any contract awarded to the undersigned by the City in connection with the City assistance to which this EDS pertains, and are a material inducement to the City's execution of such contract or other action with respect to which this EDS is being executed and delivered on behalf of the undersigned. Furthermore, the undersigned shall comply with the certifications contained herein during the term and/or performance of the contract or completion of the Transaction.
- B. If the City determines that any information provided herein is false, incomplete or inaccurate, the City may terminate the Transaction, terminate the undersigned's participation in the Transaction, and/or decline to allow the undersigned to participate in other contracts or transactions with the City.

C. Some or all of the information provided on this EDS and any attachments to this EDS may be made available to the public on the Internet, in response to a Freedom of Information Act request, or otherwise. By completing and signing this EDS, the undersigned waives and releases any possible rights or claims which it may have against the City in connection with the public release of information contained in this EDS.

Prism Financial Colporation	
(Print or type name of individual or legal	
entitythis should be the same name as given in Section I (A) thereof	
By:	-
(sign here)	
Title of signatory: TRSident Cto	
Print or type	
name of signatory: IY WOV H THE	
Date: 800	
Subscribed to before me this and day of Augusta at Cook County, Illinois.	St.
	"OFFICIAL SEAL" ISA Marie Vorkapic Stary Public, State of Illinois
Commission expires: 7/0/3007 \$ Myo	No 468672 Commission Expires 7/6/2002