



The City of Lorain, Ohio

Department of Public Service and Safety

200 West Erie Avenue, 7th Floor City Hall
Lorain, OH 44052 (440) 204-2011 Fax (440) 246-2276

Tony Krasienko
Mayor

Service Director
Robert J. Gilchrist

Safety Director
Philip Dore

Chief Deputy S/S Director
Kenneth Shawver

Deputy S/S Director
Chase Ritenauer

February 8, 2010

Re: Settlement and Court Order in CRA Tax Exemption Litigation

Lorain County Board of Commissioners, et al., v. City of Lorain (Case No. 07CV152624)

Dear Lorain Homeowner:

As you may be aware, the City of Lorain, the Lorain County Auditor and several other parties to the above referenced litigation have reached a settlement. The judge in the case has approved the settlement and entered a consent judgment.

The settlement may have a definite benefit for you. To ensure you are included, you must act by February 19, 2010.

If you have paid application fees for participation in the City of Lorain CRA exemption program, you are entitled to a refund.

In order to claim your refund, please come to the first floor of City Hall during scheduled sessions with the Auditor and City Officials between:

10:00 a.m. and 4:00 p.m., Friday, February 12, 2010
10:00 a.m. and 9:00 p.m., Tuesday, February 16, 2010
10:00 a.m. and 9:00 p.m., Wednesday, February 17, 2010

Additionally, the City will offer the following hours:

2:00 p.m. and 9:00 p.m., Thursday, February 11, 2010
10:00 a.m. and 9:00 p.m., Monday, February 15, 2010
10:00 a.m. and 9:00 p.m., Thursday, February 18, 2010

Included is a consent form indicating that you agree with the settlement of the litigation and that you request a refund of your application fees. In order to expedite the process, please complete

the included consent form and W-9 form and bring any documentation of the amount you paid in application fees.

Generally, those homeowners who purchased a home built between April 18, 2006 and December 31, 2008 can expect to receive the 15-year, 100% exemption on their home. Under the terms of the settlement, the county auditor agrees to process these exemptions upon passage of new CRA legislation by city council but **the county auditor cannot process 15-year, 100% exemptions without a signed consent form.**

Those who purchased homes built before 2006 will have received a 1-year, 100% abatement.

Representatives of the Lorain County Auditor's office and the City of Lorain Community Development will be ready to assist you and answer your questions.

Sincerely

A handwritten signature in black ink, appearing to read "Robert J. Gilchrist". The signature is fluid and cursive, with the first name being the most prominent.

Robert J. Gilchrist
Service Director

FORM OF HOMEOWNER CONSENT TO TERMS OF CONSENT ORDER

By executing this Consent to Terms of Consent Order on _____, 2010 (this "Consent"), the undersigned property owners (the "Property Owners") agree as follows:

1. The Property Owners hold title to the property located at _____, Lorain County parcel number _____. That property is located within one of the City's designed Community-Reinvestment Areas ("CRAs").
2. The Property Owners have reviewed a copy of the Consent Judgment and Order (the "Consent Order") executed among the City of Lorain (the "City"), the Lorain County Auditor and various other parties regarding a dispute about the legality of the City's CRA program.
3. The Property Owners acknowledge that they are "Consenting Homeowners" (as defined in the Consent Order), and agree to be bound by, all Terms of the Consent Order, including, but not limited to, the following:

Section 5, which requires Consenting Homeowners to voluntarily dismiss any pending administrative appeals regarding the City's CRA program, and requires Consenting Homeowners to waive any right to file, join in, file amicus briefs in, join or benefit from class-action lawsuits or otherwise participate in CRA-related claims before the City's Housing Officer, Housing Council, the Common Pleas Court, Ohio appeals courts, the Ohio Supreme Court, federal courts, or in any other jurisdiction or forum, judicial, or administrative. This Consent shall serve as the waiver, and the Property Owners agree to provide any other waiver that a court may require;

4. The Property Owners acknowledge that they have been given an opportunity to review the terms of this Consent and the terms of the Consent Order with an attorney and have either reviewed this Consent and the Consent Order with an attorney, or have declined to do so.

IN WITNESS WHEREOF, the Property Owners have caused this Consent to be executed as of the date noted below.

[Property Owner #1]

Signed

Print Name

Date

[Property Owner #2]

Signed

Print Name

Date

Request for Taxpayer Identification Number and Certification

Give form to the
 requester. Do not
 send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name, if different from above	
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ <input type="checkbox"/> Exempt payee <input type="checkbox"/> Other (see instructions) ▶	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number
or
Employer identification number

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here	Signature of U.S. person ▶	Date ▶
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,