

COUNTY OF SANTA CLARA
Mortgage Credit Certificate Program
2310 N. First Street, #100
San José, CA 95131
(408) 441-4323

SELLER AFFIDAVIT

THERE ARE LEGAL CONSEQUENCES TO THIS LEGAL AFFIDAVIT; READ IT CAREFULLY BEFORE SIGNING.

I (We), the undersigned, an essential participant in the application for a Mortgage Credit Certificate ("MCC") to be issued by Santa Clara County ("County") and/or the City of _____ pursuant to the Mortgage Credit Certificate Program (the "Program"), being submitted by _____ (the "BUYER"), in connection with the Buyer's purchase from the undersigned of a single-family home (the "Residence"), being first duly sworn, hereby state the following:

1. I (we) certify that (I) am (We) are the SELLER of the Residence.

I (We) certify that the total amount paid to me [us] (or to anyone related to me [us], or acting on my [our] behalf), in connection with the purchase of the Residence and any other property being acquired contemporaneously with the Residence, including all money to be paid to me and the full value of the goods or services to be provided to me, is \$ _____ (Sales Price), excluding all usual and reasonable settlement or financial costs, including title transfer costs, title insurance, survey fees, credit reference fees, legal fees, appraisal expenses and "points" that are paid by the Buyer.

2. The RESIDENCE is located in the City of _____, Santa Clara County, at the following Address:

(Complete each of the following statements as applicable. If a statement is NOT applicable, state "not applicable" in the blanks therein.)

3. I (We) certify that:

a. The total amount of payments made to date to me (or to anyone related to me or acting on my behalf) for the purchase of the Residence by the BUYER is \$ _____ (amount of deposit in escrow).

b. For new construction, as of the date of this Affidavit, the Residence has not been completely constructed, and my estimate of the reasonable cost of the Residence by the Buyer is \$ _____.

4. I (We) have entered into NO contract or agreement, either expressed or implied, with the Buyer of the Residence to perform additional construction on the Residence or to transfer any additional property for additional cost other than personal property contained in the Sales Agreement submitted with the Initial Reservation Request and made a part of this Affidavit.

5. The Residence is a single-family home, condominium, townhouse or mobile home defined as a housing unit intended and used for occupancy by one household.

6. I (We) acknowledge and understand that this affidavit will be relied upon for purposes of determining the Buyer's eligibility for an MCC. I (We) acknowledge that a material misstatement negligently made in this affidavit or in any other statement made by me (us) in connection with the Buyer's MCC will constitute a federal violation punishable by a fine; and a misstatement fraudulently made in this affidavit or in any other statement made by me (us) in connection with the Buyer's application for an MCC will constitute a federal violation punishable by a fine and revocation of the certificate, which will be in addition to any criminal penalty imposed by law.

7. In addition, I (We) hereby acknowledge and understand that any false statement or representation, or the fraudulent use of any instrument, facility, article or other valuable thing or service pursuant to participation in any County program, is punishable by imprisonment or by a fine.

Date: _____

Signature of Seller(s): _____

Signature of Seller(s): _____

This document must be notarized.

Certificate of Acknowledgement

STATE OF CALIFORNIA } SS
COUNTY OF Santa Clara

On _____ before me, _____ personally appeared

_____ ,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (seal)

Name: _____
(typed or printed)

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