**[Name of Municipality]**

**[Name of District]**

**District Improvement Financing**

[Date]

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# Introduction

The [Name of Municipality] (the ”[City OR Town]”) designates the [Name of District] Development District and Invested Revenue District (the “DIF District”) and the accompanying [Name of District] Development Program and Invested Revenue District Development Program (the “Development Program”) for the DIF District, as enabled by Massachusetts General Laws Chapter 40Q.

This *[Name of District]* *District Improvement Financing* report (the “Report”) describes the process by which the DIF District and Development Program will be established, together with the projects to be supported, the expected revenues and financing plans, and the ongoing management of the DIF District. With this Report and the legislative actions undertaken and included in Appendix B, the following are established:

* The [Name of District] Development District, which identifies the part of the municipality in which projects will be implemented; and
* The [Name of District] Invested Revenue District, which identifies the part of the municipality in which the Tax Increment will be calculated and from which tax revenues will be captured, and which is coterminous with the Development District.[[1]](#footnote-1)
* The [Name of District] Development Program, which will describe the capital plan including the type and cost of projects to be undertaken by the municipality, and the type and costs of projects expected to be undertaken by private entities as a result of the public investments made by the municipality in the DIF District; and
* The [Name of District] Invested Revenue District Development Program, which provides details of the financial plan including the expectations for the generation and collection of revenue from the Tax Increment, the percentage anticipated to be captured and used for projects in the DIF District, and expectations for borrowing.

This *Introduction* first describes the uses of Development Districts and Development Programs, the statutory authority of municipalities to enter into them, and key provisions that must be satisfied. It then sets forth the steps taken to authorize the DIF District and, when it is complete, the accompanying Development Program.

In *Part I:* [Name of District] *Development District*, this report describes the Development District boundaries, including the boundaries of the Invested Revenue District. It provides information about the parcels to be included. Improvements and activities will be implemented within the DIF District to generate economic growth and further strategic goals.

In *Part II:* [Name of District] *Development Program*, the report presents the proposed Development Program which is being created to implement the development goals within the DIF District. It presents a general description of the projects, the operation and maintenance plan, and the financial plan.

## About District Improvement Financing

Through DIF, a town or a city can establish a funding stream for economic development activities that is linked to, and derived from, the results of economic development.

DIF achieves this by setting up a process through which a municipality can identify and capture tax revenues that result from new private investment in a specific area, such as an expanding business or a new multifamily housing project. These tax revenues are generated by the increase in assessed value that results from the private investment, not from tax rate increases, special assessments, or real estate market factors.

The municipality can then direct this stream of incremental tax revenues toward public improvement and economic development projects, which can range from critical infrastructure needs such as traffic mitigation, to essential supporting activities such as planning studies or workforce training.

**This section provides detail about the legislation that enacted DIF, the tasks required to be undertaken by a community to comply with the legislative requirements, and the defined terms that are used in the legislation and throughout this *DIF* *Template*.**

### Legislative Requirements

Massachusetts General Laws Chapter 40Q (the “DIF Statute”) authorizes towns and cities to use DIF. The DIF Statute sets forth activities that must be undertaken, such as identifying tax revenues to be captured, describing projects to be implemented, and designating parcels of property to be included within the DIF District. Municipalities enact local legislation through the ordinary processes of a City Council, Town Meeting, or Town Council. The DIF Statute does not provide specific language that must be incorporated into local legislation.

The DIF Statute does not set forth specific legislative review or public hearing requirements. A town or city will follow its established legislative rules. If the town or city wishes to amend an element of its DIF, it must follow the same legislative process it used to adopt the original legislation, for example a vote of Town Meeting.

The DIF Statute does not require review and approval by the Economic Assistance Coordinating Council or other state agency, and no reports need to be prepared for or submitted to any state agencies once DIF has been implemented.

### Identifying the Tax Increment and Capturing Tax Revenue

DIF enables communities to identify and capture tax revenues generated by the incremental increases to the assessed value of real property that result from new private investment, such as building or renovation. These increases, the “Tax Increment” as defined by the DIF Statute,[[2]](#footnote-2) may occur on residential or commercial property, but must arise from new private investment. Increases to assessed value as a result of market factors or revaluation are not eligible, and tax revenues generated by these increases may not be captured through the use of DIF.

The Tax Increment is calculated as the difference between the assessed value of the property as of a Base Date[[3]](#footnote-3), with assessed value as of the Base Date defined as the Original Assessed Value,[[4]](#footnote-4) and the assessed value as of each subsequent assessment date for the duration of the DIF. The Base Date will always be the January 1 prior to the adoption of legislation establishing DIF.

Identifying the Tax Increment is done through a municipality’s normal assessment process and on the same schedule. The calculation and collection of tax revenues also follows the customary procedures for the entire community. DIF governs how to calculate, capture, and spend a designated portion of the tax revenues once they are collected. In this *DIF Guide*, the portion of the tax revenues that is identified and captured through the establishment of DIF is referred to as the “DIF Revenues.”[[5]](#footnote-5)

The Tax Increment is cumulative once DIF is established and is always the difference between the Original Assessed Value and the portion of a new assessed value that, through ordinary assessment processes, is attributed to new private investment. If the increase over the Original Assessed Value is $5 million per year for five years, the Tax Increment grows to $25 million over that same five year period. All tax revenues generated by the Tax Increment, up to 100%, are eligible for capture through the use of DIF, and each town or city identifies, through the legislation it uses to establish DIF, how much of the revenue will be captured and how it will be used.

The following is a sample timetable based on a community’s assessment calendar and fiscal years. Legislation may be adopted at any time of the year and November is shown as an example only.

Note that there will be a lag of at least one year between the adoption of legislation and the availability of revenues. This is a result of the assessment calendar, not of the use of DIF.

1. November 15, 2019: Legislation is adopted to establish DIF, with a Base Date of January 1, 2019 for assessed values. The Original Assessed Value is established as of January 1, 2019.
2. January 1, 2020: Assessed values are determined for each parcel in the community as of this date, although actual new assessed values may not be finalized until later in the year. Increases to assessed value that are attributable to new private investment are identified for the entire community.[[6]](#footnote-6) The Tax Increment is identified.
3. July 1, 2020 – June 30, 2021: First fiscal year in which tax revenues are collected using values established as of January 1, 2020. These are the first tax revenues from which a portion may be identified and captured through the use of DIF, and Fiscal Year 2021 is therefore the first Fiscal Year of the DIF.
4. July 1, 2021 – Duration of the DIF: Assessed values are determined each year and the Tax Increment is recalculated to reflect the cumulative impact of new private investment since the Base Date. Tax revenues generated by the Tax Increment are eligible for capture through the use of DIF.

The revenues generated by the Tax Increment will also increase to the extent permitted by Mass. Gen. Laws Ch. 59 § 21c (f), which governs the total tax levy in a municipality.

### Components of DIF

The DIF Statute requires that municipalities adopt four components which together enable the activities and benefits of DIF as an economic development tool:

|  |  |
| --- | --- |
| Development District | Invested Revenue District |
| Development Program | Invested Revenue Development Program |

A community may adopt all four components at once, or the Development District may be established first and the other components at later dates through the same legislative process.

The DIF Statute sets forth specific requirements for each component as described below.

#### Development District

A Development District, (DIF District) is the part of the municipality in which projects will be implemented. The community defines the boundaries and identifies the parcels within the DIF District.

A community may establish multiple DIF Districts, but the aggregate area of all DIF Districts may not exceed 25% of the area of the community. The Assessor must certify the area of each DIF District and confirm compliance with the 25% limit.

Projects that are to be funded with DIF Revenues must be implemented within the DIF District. Exceptions are certain components of water and sewer infrastructure that must be constructed outside of the DIF District because of the design of the system.

A DIF District does not need to be contiguous.

Commercial and residential properties, municipal properties, vacant or undeveloped land, and property owned by tax-exempt entities may all be included in a DIF District.

#### Invested Revenue District

An Invested Revenue District (IRD), identifies the portion of the DIF District in which the Tax Increment will be calculated and from which DIF Revenues will be generated. It must be either coterminous with the DIF District, having the same boundaries and parcels, or a subset that is wholly within it. No parcels may be included in an IRD if they are not also within the DIF District.

#### Development Program

A Development Program describes the activities expected to be undertaken within the DIF District. It must describe all of the following[[7]](#footnote-7) *but* if one or more of the activities are not expected, such as displacing and relocating persons, then the Development Program should clearly state that the activity will not be undertaken.

1. A finding, or statement, that the designation of the DIF District is consistent with the requirements of Mass. Gen. Laws Ch. 40Q §2 and “will further the public purpose of encouraging increased residential, industrial, and commercial activity in the Commonwealth.”[[8]](#footnote-8) In essence, this is a statement of the community’s goals.
2. A Financial Plan[[9]](#footnote-9) that describes the costs of the anticipated projects, expected sources of revenue, the amount of indebtedness to be incurred, and anticipated sources of capital;
3. A list of the public facilities to be constructed and any other projects expected to be paid for in whole or in part with DIF Revenues. *If new projects are later identified, the Development Program must be amended. This includes public facilities and other eligible projects.*
4. The use of private property;
5. Plans for the relocation of persons displaced by the development activities;
6. Plans, if any, for the development of housing, both affordable and market rate;
7. The proposed regulations and facilities to improve transportation; and
8. The proposed operation of the district after the improvements are completed;

*Optional: t*he Development Program *may* also designate an entity that will administer activities related to the DIF and describe the proposed operation of the DIF.[[10]](#footnote-10)

1. The duration of the Development Program. This may not exceed 30 years. The 30 year count may begin either at the date of the designation of the DIF District, or at a “Project Stabilization”[[11]](#footnote-11) date defined by the community in the Development Program.

#### Invested Revenue District Development Program

An Invested Revenue District Development Program(IRDDP) is required in order to calculate the Tax Increment and the, capture the tax revenues from that Tax Increment to be used as DIF Revenues to pay for projects within the DIF District. In essence, it directs the capture and use of tax revenues collected from the IRD. It is required to include:

1. Estimates of the tax revenues to be derived from the IRD;
2. A projection of the tax revenues to be derived from the IRD if no Development Program were to be adopted and implemented (with presumably less new private investment than is expected to occur as a result of the Development Program);
3. Statement of whether any bonds issued as part of the DIF will be General Obligation or Special Obligation Bonds;
4. The percentage, dollar amount, or formula directing the amount of tax revenues collected from the Tax Increment that will be captured to pay for projects in the Development Program; and
5. A statement of the estimated impact of tax increment financing on all taxing jurisdictions in the DIF District.[[12]](#footnote-12)
6. The establishment of a Development Program Fund, which is comprised of two accounts: a Project Cost Account and, if debt is anticipated to be issued, a Development Program Sinking Fund Account.

The DIF Statute requires that DIF Revenues be deposited to the Development Program Fund and establishes the priority of claims upon those revenues.

Principal and interest on debt, and related costs such as maintaining reserve accounts, must be paid from the Development Program Sinking Fund Account. As long as debt is outstanding to which DIF Revenues are pledged, the Development Program Sinking Fund Account has the senior claim on DIF Revenues.[[13]](#footnote-13)

Costs for constructing or implementing projects are paid from the Project Cost Account.

Balances may be transferred between the Development Program Sinking Fund Account and the Project Cost Account as long as the balances in the Development Program Sinking Fund Account are sufficient to meet its obligations to repay debt.

Excess funds not required by the Development Program Fund may be transferred to the municipality’s General Fund.

A graphic illustrating these funds and accounts, and a description of the accounts, is included as Appendix A.

### Definitions

#### Definitions from the DIF Statute[[14]](#footnote-14)

The following terms have the meanings as defined in Massachusetts General Law Chapter 40Q, Section 1. Capitalization has been added to the statute’s defined terms to identify them clearly in the text.

"Base Date'', the last assessment date of the real property tax immediately preceding the creation of the district.

"Captured Assessed Value'', the valuation amount by which the current assessed value of an invested revenue district exceeds the original assessed value of the district. If the current assessed value is equal to or less than the original, there is no Captured Assessed Value.

“Development District”, a specified area within the corporate limits of a city or town which has been designated as provided in §2 and which is to be developed by the city or town under a Development Program.

“Development Program'', a statement of means and objectives designed to improve the quality of life, the physical facilities and structures and the quality of pedestrian and vehicular traffic control and transportation within a development district. Means and objectives designed to increase or improve residential housing, both affordable and market rate, may also be addressed within a district and shall be considered part of a development program. The statement shall include:

(1) a Financial Plan;

(2) a complete list of public facilities to be constructed;

(3) the use of private property;

(4) plans for the relocation of persons displaced by the development activities;

(5) plans, if any, for the development of housing, both affordable and market rate;

(6) the proposed regulations and facilities to improve transportation;

(7) the proposed operation of the district after the planned capital improvements are completed; and

(8) the duration of the program which shall not exceed the longer of: (i) 30 years from the date of designation of the district; or (ii) 30 years from project stabilization, as defined in the development program.

"Financial Plan'', a statement of the costs and sources of revenue required to accomplish the development programs which shall include: (1) cost estimates for the development program; (2) the amount of indebtedness to be incurred; and (3) sources of anticipated capital.

"Invested Revenue District'', a type of Development District or portion of a district that uses tax increment financing under §3.

"Invested Revenue District Development Program'', a statement which, in addition to the information required for a Development Program, shall also include: (1) estimates of tax revenues to be derived from the Invested Revenue District; (2) a projection of the tax revenues to be derived from the Invested Revenue District in the absence of a Development Program; (3) a statement as to whether the issuance of bonds contemplated pursuant to this chapter shall be general or special obligation bonds; (4) the percentage of the tax increment to be applied to the Development Program and resulting tax increments in each year of the program; and (5) a statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the district is located.

"Original Assessed Value'', the aggregate assessed value of the Invested Revenue District as of the Base Date.

"Project'', a project to be undertaken in accordance with the development program.

“Project Costs”, any expenditure made or estimated to be made or monetary obligations incurred or estimated to be incurred by the city or town which are listed in a project plan as costs of improvements including, but not limited to, public works, acquisition, construction or rehabilitation of land or improvements for sale or lease to residential, commercial or industrial users within a development district plus any costs incidental to those improvements, reduced by any income, special assessments or other revenues, other than tax increments, received or reasonably expected to be received by the city or town in connection with the implementation of this plan.

(1) "administrative costs'', any reasonable charges for the time spent by city or town employees in connection with the implementation of a project plan;

(2) "capital costs'', the actual costs of the construction of public works or improvements, new buildings, structures and fixtures; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures; the acquisition of equipment; and the grading and clearing of land;

(3) "discretionary costs'', those payments made by the appropriate body of a city or town that in its discretion are found to be necessary or convenient to the creation of development districts or the implementation of project plans.

(4) "financing costs'', including, but not be limited to, all interest paid to holders of evidences of indebtedness issued to pay for project costs and any premium paid over the principal amount of that indebtedness because of the redemption of the obligations before maturity;

(5) "improvement costs'', those costs associated with developing new employment opportunities, promoting public events, advertising cultural, educational and commercial activities, providing public safety, establishing and maintaining administrative and managerial support and such other services as are necessary or appropriate to carry out the development program;

(6) "organizational costs'', all reasonable costs relating to the conduct of environmental impact and other studies and informing the public about the creation of development districts and the implementation of project plans;

(7) "professional service costs'', including, but not limited to, those costs incurred for architectural, planning, engineering and legal advice or services;

(8) "real property assembly costs'', any deficit incurred resulting from the sale or lease by the city or town, as lessor, of real or personal property within a development district for consideration which is less than its cost to the city or town;

(9) "relocation costs'', all reasonable relocation payments made pursuant to a condemnation;

(10) "training costs'', costs associated with providing skills, development and training for employees of businesses within the development district; provided, however, that these costs shall not exceed 20 per cent of the total project costs and shall be designated as training funds within 5 years of the issuance of bonds pursuant to this chapter for the project or the designation of the district, whichever occurs later; and

(11) "water and sewer line costs'', which shall include the costs related to the construction or alteration of sewage treatment plants, water treatment plants or other environmental protection devices, storm or sanitary sewer lines, water lines or amenities on streets or the rebuilding or expansion thereto so long as required by the project plan for a development district, whether or not the construction, alteration, rebuilding or expansion is within the development district;

Project costs shall not include the cost of a building or a portion of a building used predominantly for the general conduct of government, such as a city hall, courthouse, jail, police or fire station or other state or local government office buildings.

“Project revenues”, receipts of a city or town with respect to a project including, without limitation, tax increments, investment earnings and proceeds of insurance or disposition of property.

"Tax increment'', all annual increases in the municipality's limit on total taxes assessed pursuant to subsection (f) of section 21C of Mass. Gen. Laws Ch. 59 that are attributable to parcels within the district for fiscal years with an assessment date later than the base date. The tax increment shall also include the part of increases in the limit on total taxes assessed allowed pursuant to said subsection (f) of said section 21C of said chapter 59 that are attributable to such increases pursuant to said subsection (f) of said section 21C of said chapter 59 in prior years that were part of the increment in such prior years. In any year that the limit on total taxes assessed pursuant to said section 21C of said chapter 59 is lower than the prior year's limit on total taxes assessed, the tax increment shall be reduced in the same proportion as the limit on total taxes assessed.

*Tax Increment and definition for “New Growth”*

The DIF Statute uses the defined term Tax Increment to describe the incremental increases in assessed value that may result from new private investment that improves the property. In practice, assessors often use the term new growth (herein, “New Growth”) for the same concept. This *DIF* *Guide* uses the term New Growth to refer to the increases in assessed value that result from new private investment on a day-to-day basis by towns and cities. New Growth refers to increases in assessed value that result from improvements, *not* from increases in assessed value that result from market factors or revaluation.

Please see also *Levy Limits: A Primer on Proposition 2 ½*, Massachusetts Department of Revenue Division of Local Services, available online at

<https://www.mass.gov/files/documents/2016/08/oq/levylimits.pdf>.

#### Additional Definitions for Terms in this DIF Guide

“DIF Project” means an eligible Project as defined by the DIF Statute that is intended to be funded in whole or in part through the use of DIF Revenues.

“DIF Revenues” means the portion of the revenue generated by the Tax Increment that is collected as a result of New Growth in the DIF District. These are deposited to the Development Program Fund and used as provided for in the Development Program. DIF Revenues may be all or a portion of the revenues collected from the Tax Increment for any fiscal year. The percentage of the revenue from each year’s Tax Increment that becomes DIF Revenues is established by the Development Program and Invested Revenue District Development Program.

“Pay-as-You-Go” means paying for Project Costs directly from DIF revenues collected, in contrast to using the proceeds of debt to pay such costs.

“Project Stabilization Date” means the date, established by the community in its Development Program, on which the Development Program comes into effect. A Development Program may have a duration of up to 30 years either from the date of the adoption of the DIF District, or 30 years from the Project Stabilization. The DIF Statute does not dictate rules for selecting such a date, only stating that such a date may be defined in the Development Program.[[15]](#footnote-15)

## About the [Name of District] Development District

The purpose of the [Name of District] DIF is to grow and strengthen the local economy that serves [City OR Town] residents, employees, and visitors by [Examples of how the DIF District will benefit the municipality, such as infrastructure investment that will support a new business. In addition, a brief description of goals for growth or a brief description of expected major private investment, if applicable].

Through the use of a DIF District and Development Program, the [City OR Town] will capture tax revenues generated by expected economic development, and direct these revenues toward public projects that are both essential to the well-being of the community, and to making the area more attractive for businesses, residents, and visitors by [ENTER NARRATIVE (see example text below)]:

1. Attracting new private investment by making it a more attractive place to locate and grow a business;
2. Capturing new tax revenues from private development and using the revenue stream to fund projects that support growth and investment in the district; and
3. Communicating that the [Name of Municipality] has targeted the district for strategic growth and is making its own investments.

Details of the projects, with cost estimates, are presented in Part II, Projects to be Implemented.

## Description of the Approval Process and Legislative Actions

*The establishment of a DIF District and Development Program enables a community to capture future incremental tax revenues that may be spent on projects designated in the Development Program. It does not authorize actual expenditures, and does not authorize the issuance of debt. Expenditures and debt issuance to implement the projects in the Development Program will be authorized through the same local approval processes that would be required if the projects were not part of a Development Program.*

The [Name of District] DIF District and Development Program are established through local approval processes.

The [Name of Municipality] has: [choose either the actions by a Town or the actions by a City and amend as noted]

[The Town has:

* Presented the proposed [Name of District] DIF District and Development Program to the Town’s Board of Selectmen for review and discussion during its meeting on [enter date of meeting] \_\_\_\_\_\_\_\_\_\_\_.
* Held a Board of Selectmen hearing to review the proposed Warrant Article on [enter date of hearing] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* Adopted the [Name of District] DIF District and Development Program at Town Meeting on [enter date of meeting] \_\_\_\_\_\_\_\_\_\_\_.
* Received an Assessor’s Certification dated \_\_\_\_\_\_\_\_ confirming that the percentage of total Town acreage in the Development District is within the statutory limits of 10% of total Town acreage.
* [If final parcel data is not yet available, use this bullet] Received a *draft* Assessor Certification presenting the Original Assessed Value of parcels as of January 1, 20\_\_, the latest assessment date for which data is available. This is an estimate of the Original Assessed Values. This Assessor Certification will be finalized when assessed values as of the Base Date of January 1, 20\_\_ are confirmed.
* [If final parcel data is available, use this bullet] Received an Assessor Certification presenting the Original Assessed Value of parcels as of January 1, 20\_\_, the latest assessment date for which data is available.]

[The City has:

* Held a City Council meeting on [enter date of meeting] \_\_\_\_\_\_\_\_\_\_\_\_\_\_ to review the proposed DIF District and Development Program and held a First Reading at the same meeting.
* Asked the [enter name of committee or board] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_to review and discuss the proposed DIF District and Development Program during its meeting on [enter date of meeting] \_\_\_\_\_\_\_\_\_\_\_\_\_\_.
* Held a Second Reading at a City Council Meeting on [enter date of meeting] \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and at the same meeting voted to approve the [Name of District] DIF District and Development Program..
* [If final parcel data is not yet available, use this bullet] Received a *draft* Assessor Certification presenting the Original Assessed Value of parcels as of January 1, 20\_\_, the latest assessment date for which data is available. This is an estimate of the Original Assessed Values. This Assessor Certification will be finalized when assessed values as of the Base Date of January 1, 20\_\_ are confirmed.
* [If final parcel data is available, use this bullet] Received an Assessor Certification presenting the Original Assessed Value of parcels as of January 1, 20\_\_, the latest assessment date for which data is available.]

Documentation of the legislative actions is included in Appendix B. Assessor Certifications are included in Appendix D.

## [Name of District] Development District and Program Information Summary

|  |  |
| --- | --- |
| Development District Name |  |
| IRD Name |  |
| Development Program Name |  |
| IRDDP Name |  |
| Date of Development District and IRD Establishment |  |
| Date of Development Program and IRDDP Establishment |  |
| Base Date for Assessed Values in the DIF District and IRD |  |
| Acceptance of Chapter 653 (Yes/No) |  |
| Certified, Original Assessed Value in the DIF District as of the Base Date |  |
| Certified, Original Assessed Value in the IRD as of the Base Date |  |
| Total Acres in the DIF District |  |
| Term of the DIF Program |  |
| Tax Increment to be Captured |  |
| DIF District Administrator |  |

# Part I: The Development District and Invested Revenue District

## Description of the Development District and Invested Revenue District

The DIF Statute provides for the establishment of two districts:

A *Development District* which includes the parcels on or around which development projects, public or private, will be undertaken. A Development District is established in advance of or at the same time as the Development Program.

An *Invested Revenue District (IRD)* whichincludes the parcels from which a Tax Increment will be calculated and incremental revenues (DIF Revenues) will be collected when New Growth occurs. The [Name of District] IRD is coterminous with the DIF District, sharing all boundaries and parcels.

The [Name of District] Development District and the [Name of District] Invested Revenue District (the DIF District) will encompass the parcels as summarized in “Parcel Information,” below, and attached as Appendix C. A map is also included in Appendix C.

## Statement of Findings

The [City OR Town] finds that the designation of the [Name of District] Development District and Development Program will further the public purpose of encouraging increased residential, industrial and commercial activity in the commonwealth.[[16]](#footnote-16)

## Base Date for Assessment of Parcels

Base Date for Assessment of Parcels

The Base Date for the [Name of District] DIF District is [Last assessment date prior to adoption of the IRD. This will always be a January 1 date] \_\_\_\_\_\_\_\_\_\_\_. The Original Assessed Value of the DIF District is the assessed value as of this Base Date.

[*If your municipality is not a 653 community please delete this paragraph.]* The [Name of Municipality] is a “653 community.” Therefore, while January 1 is and will always be the assessment date for all parcels in the community and the DIF District, New Growth occurring between each January 2 and June 30 will be added to the assessed value as of January 1 of that year.

## Parcel Information

The table below summarizes the parcels that will be included in the DIF District and IRD, by current use type. Appendix C includes more detailed information and a map.

|  |  |  |  |
| --- | --- | --- | --- |
| Table 1: DIF District Parcels by Use Type | | | |
| Use Type | **Parcels in DIF District** | **Acres in DIF District** | **Percent of Acreage in DIF District** |
| Residential |  |  |  |
| Commercial |  |  |  |
| Industrial |  |  |  |
| Tax Exempt, Any Use |  |  |  |
| Totals |  |  |  |

*Totals may not add because of rounding.*

## The [Name of District] DIF and Other Special Districts

The establishment of the DIF District does not impose a special assessment or other increased tax on any parcel. The same property tax rates that are applied to parcels outside of the DIF District are applied within the DIF District. Parcels that are in the DIF District, and also in another special district, are noted in the table included in Appendix C.

The establishment of the DIF District does not prevent the collection and distribution of fees, special assessments, or other monies from parcels in any other special districts. Owners of property in the DIF District will continue to be responsible for all obligations, actions, and payments associated with other special districts.

The DIF Statute establishes that the aggregate area of all development districts within a city or town may not exceed 25% of the total area of that city or town. As shown in the table below, the acreage in the DIF District and all prior DIF districts is below the state maximum.

|  |  |
| --- | --- |
| Table 2: DIF Districts as a Percent of all Acreage in the Municipality | |
| [Name of Municipality], Total Acres |  |
| Existing DIF Districts, Total Acres |  |
| [Name of District], Total Acres |  |
| All DIF Districts, Total Acres |  |
| Total Acres in all DIF Districts as a Percent of Total Acres in the Municipality: |  |

The Assessor’s Certification from which information in the table was drawn is included in Appendix D.

# Part II: The [Name of District] Development Program and the Invested Revenue District Development Program

This section of the document includes all information required by the DIF Statute for both the Development Program and the Invested Revenue District Development Program. Explanatory information about statutory requirements for managing DIF Revenues is also included.

## Statement of Means and Objectives

The [Name of Municipality] establishes this DIF District and Development Program to create the vehicle through which tax revenues from private investment can be used to make public investments that will facilitate growth and benefit the community.

The creation of the Development Program will promote the municipality’s goals and objectives by:

1. Designating a DIF Advisory Committee to administer the DIF District and Invested Revenue District (IRD) and the Development Program and Invested Revenue District Development Program (IRDDP);
2. Capturing future tax revenue from a portion of the Tax Increment generated by New Growth in the Invested Revenue District (IRD) to create an anticipated revenue stream (the DIF Revenues) dedicated to fund these projects;
3. Providing funding for improvements to the DIF District which will encourage new business and commercial activity by making the DIF District a more attractive place to live, work, and engage in leisure activities. This activity will generate new private investment and additional (incremental) tax revenues, which may be designated as DIF Revenues as described in this Development Program, and which will fund such improvements in whole or in part;
4. Communicating to residents and businesses in the community, the region, and beyond, that the [Name of Municipality] is encouraging and supporting the development of the DIF District.

## Duration of the Development Program

The term of the [Name of District] Development Program will be for [Number] years from project stabilization. Project stabilization will be [enter date] \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and the Development Program will be in effect through [enter date] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

## Projects to be Implemented

These projects, costs, and funding sources are estimates and final costs are likely to be different, either lower or higher than these estimates. Inclusion of these estimates does not represent an appropriation or legal commitment to spend these amounts on these projects and, as noted in the *Introduction* does not authorize either expenditures or debt.

Public Facilities to be Constructed

The public facilities to be constructed include:

[project name and brief description]

[project name and brief description]

Private Facilities to be Constructed and Use of Private Property

NOTE: THIS IS AN OPTIONAL SECTION THAT MAY BE DELETED IF NOT APPLICABLE. PLEASE ALSO DELETE REFERENCES TO PRIVATE FACILITIES IN TABLE 3, BELOW.

The private facilities to be constructed and the use of private property include:

[project name and brief description]

[project name and brief description]

Table 3, below, lists these projects and the estimated costs.

|  |  |
| --- | --- |
| **Table 3: Facilities to be Constructed** | |
| **Project** | **Estimated Costs** |
| Public Facilities to be Constructed |  |
|  |  |
|  |  |
|  |  |
|  |  |
| Estimated Total Cost of Public Facilities |  |
|  |  |
| Private Facilities to be Constructed |  |
|  |  |
|  |  |
| Estimated Total Cost of Private Facilities |  |

Plans for Relocation of Displaced Persons

The [Name of District] Development Program [will/will not] eliminate any residential units or displace any residents.

[Describe if applicable]

Plans for Housing

The [Name of District] Development Program [does/does not] propose to use DIF Revenues or other public funds to add to or renovate any housing structures.

[Describe if applicable]

Proposed Regulations and Facilities to Improve Transportation

The [Name of District] Development Program [does/does not] propose to use DIF Revenues or other public funds for regulations and facilities to improve transportation.

[Describe if applicable]

## Operation and Management of the DIF District and Development Program

The [Name of Municipality] will create the DIF Advisory Committee, (DAC) which will be responsible for the ongoing operation and management of the DIF District and Development Program for the term of the Development Program, including periodic reporting to municipal and elected leaders.

The DAC shall consist of: [enter or amend descriptions of expertise and title/position below]

|  |  |
| --- | --- |
| Expertise | Title/Position |
| Economic Development |  |
| Property Assessment |  |
| Finance, Treasury and Accounting |  |
| Planning, Zoning, and Code Enforcement |  |
| Public Works |  |

The responsibilities of the DAC for ongoing operation and management may include, but are not limited to, activities such as administering or overseeing capital projects, administering or overseeing other economic development projects and any public/private partnerships, and ensuring that the annual tax increment and resulting DIF Revenues are correctly calculated and deposited into the funds and accounts established by the Development Program and IRDDP.

## Financial Plan

This Financial Plan includes information required for both the Development Program and the IRDDP. This Financial Plan sets forth the expectations as of the time of the establishment of the DIF District and Development Program.

The Development Program includes the construction of projects as described in Table 3.

To support these projects, the [Name of Municipality] will calculate and collect revenues from the Tax Increment and retain a percentage that will be deposited to the Development Program Fund as DIF Revenues. DIF Revenues may be used to repay debt obligations, if any, and to fund projects on a pay-as-you-go basis.

Capital Plan

Amount of Indebtedness to be Incurred

The [Name of Municipality] may issue debt in support of the projects in the Development Program and may choose to issue notes or other short-term financing in anticipation of a bond issuance. Issuance will not exceed [enter maximum amount of debt anticipated] $\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and will be in the form of [choose one] [General Obligation Bonds OR Special Obligation Bonds]. DIF Revenues will be used to pay all or some of the debt service on such bonds and notes

As noted in the *Introduction*, this DIF District and Development Plan does not authorize the issuance of debt. Any debt will be approved through established processes of the [Name of Municipality].

*Additional Sources of Capital*

It [is/is not] anticipated that other sources of capital will be used.

[If grants or other sources of capital are expected, describe them here]

Cost Estimates for the Development Program and Sources of Anticipated Capital

[Enter project name and cost estimate. For anticipated sources of capital, enter dollar amounts or Yes/No]

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Table 4: Cost Estimates and Anticipated Sources of Capital** | | | | | |
| **Project Name** | **Project Cost Estimate** | **Grant or Other Source** | **G.O. Bond Proceeds** | **DIF Revenues “Pay as You Go”** | **Private Partner, if Any** |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
| **Totals** |  |  |  |  |  |

Statement of the Retention of Tax Increment as DIF Revenues

The amount of Tax Increment revenues to be designated as DIF Revenues and deposited to the Development Program Fund each year are set forth in the table below, “Tax Increment Retained as DIF Revenues.”

|  |  |  |
| --- | --- | --- |
| Table 5: Tax Increment Retained as DIF Revenues | | |
| Year(s) of DIF Term | **Fiscal Year Ending** | **Percentage, Amount, or Formula** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Each year the Assessor will certify the amount of the Tax Increment to the [Name of Municipality]. The DAC will calculate the amount of the DIF Revenues and oversee the deposit of the DIF Revenues to the Development Program Fund, as described below in “Tax Increment and DIF Revenue Flow of Funds.”

If the DAC estimates that DIF Revenues and other anticipated revenues will be insufficient, or if it determines that DIF Revenues are and will continue to be in excess of what is needed to fund the Development Program for its term, it will notify the municipality and, as needed, make a recommendation. The amount of DIF Revenues to be captured may be amended through the municipality’s regular legislative processes by amending the Invested Revenue Development Program.

Tax Increment and DIF Revenue Flow of Funds

Each fiscal year the Tax Increment will be calculated and, using the percentages, dollar value, or formula governing such increment to be captured for that year, as described in the Statement of the Retention of Tax Increment as DIF Revenues, the amount of DIF Revenues will be determined.

The Financial Plan establishes a Development Program Fund, a Development Sinking Fund Account, and a Project Cost Account, as required by the DIF Statute. The priority of the deposit of DIF Revenues into the accounts is established by the DIF Statute and is shown in the graphic below and described in the narrative that follows.

The municipality may return to the General Fund any DIF Revenues in excess of the amount estimated to be required to satisfy the obligations of the Development Program Fund and accounts.



#### Funds and Accounts Required by the DIF Statute

Development Program Fund

The Development Fund will include (1) a Project Cost Account that is pledged to and charged with the payment of project costs that are outlined in the Financial Plan; and (2) in instances of indebtedness issued by the municipality to finance or refinance Project Costs, and to which DIF Revenues have been pledged as a source of repayment, a Development Sinking Fund Account.

DIF Revenues shall be deposited first to the Development Program Fund and then to the:

Development Sinking Fund Account

For as long as any municipal indebtedness to which DIF Revenues are pledged is outstanding, to the Development Sinking Fund Account in amounts sufficient to make payments in the amount of the pledge, on any such debt issued by the municipality to finance or refinance Project Costs, including the following: (ii) payment of the costs of providing or reimbursing any provider of any guarantee, letter of credit, policy of bond insurance or other credit enhancement device used to secure payment of debt service on any such indebtedness; and (iii) funding any required reserve fund, and otherwise to the:

Project Cost Account

The Project Cost Account that is pledged to and charged with the payment of project costs as outlined in the Financial Plan.

#### Optional Accounts to Facilitate Management and Payment

The municipality may from time to time establish subaccounts within the Project Cost Account which may consist of (1) one or more Private Partner Cost Sub Accounts (the “Private Partner Cost Sub Accounts”) pledged to and charged with payment of the costs of payments or reimbursement consistent with each approved public/private partnership agreement, if any, and (2) one or more Municipal Cost Sub Accounts (the “Municipal Cost Sub Accounts”) pledged to and charged with the payment of the municipality’s project costs. DIF Revenues deposited to the Project Cost Account will be transferred first to the Private Partner Cost Sub Accounts, if any, and then to the Municipal Cost Sub Accounts.

*Private Partner Cost Sub Accounts*

Should the municipality enter into any public/private partnership agreements in which DIF Revenues are made available through a contractual agreement with a private entity, in which that private entity undertakes the implementation of a project in this Development Program, a Private Partner Cost Sub Account will be established by that agreement. Amounts to be paid to the private entity under the agreement will be deposited into the Private Partner Cost Sub Account and payments to the private entity will be made from the Private Partner Cost Sub Account established by that agreement. The municipality’s obligation to make a periodic payment under any agreement will only arise to the extent the municipality receives incremental real property tax revenue (the DIF Revenues) from properties in the Invested Revenue District. In any agreement, the municipality shall not obligate itself to make payments without receiving DIF Revenues. Furthermore, according to the terms of any such contracts, the municipality is not obligated to make payments if the private partner does not fulfill its obligations under the contract.

*Municipal Cost Sub Accounts*

Deposits to any Municipal Cost Sub Accounts will be made after the municipality makes contractual payments pursuant to any public/private partnership agreements. Expenditures for public facilities, improvements, and programs (i.e., any expenditures of DIF Revenues for purposes other than public/private partnership agreements) will be made by payments from the Municipal Cost Sub Accounts.

*General Fund*

The municipality may return to the General Fund DIF Revenues in excess of the amount estimated to be required to satisfy the obligations of the Development Sinking Fund Account.

The municipality may make transfers between Development Program Fund accounts, provided that the transfers do not result in a balance in the Development Sinking Fund Account that is insufficient to cover the annual obligations of that account.

Impact on Taxing Jurisdictions

The establishment of the DIF District and IRD, and the implementation of the Development Program and the IRDDP, [will OR will not] have an impact on the taxing jurisdictions within the DIF District and the IRD.

Estimates of Tax Revenues

These are estimates. Changes in tax rates, in uses of the properties including whether the properties are tax exempt, and in assessed values are also estimates. Actual tax revenues will be different.

*Assumptions used in these estimates: [SAMPLE below – enter assumptions used]*

1. Parcel values are as of 1/1/18 for estimation purposes. Final Original Assessed Values will be as of the Base Date, 1/1/19.
2. Tax rate for all taxable commercial property is 20.00 per $1,000 of assessed value (CIP rate).
3. Tax rate for all taxable residential property is 15.00 per $1,000 of assessed value.
4. Tax rate does not change.
5. No interest or other earnings are assumed on balances in the Development Program accounts.

The table below presents these estimates.

[INSERT ESTIMATES. A SAMPLE IS SHOWN]



# Appendix A: Activities Authorized within a DIF District

According to the DIF Statute, a municipality may “acquire, construct, reconstruct, improve, preserve, alter, extend, operate, maintain or promote development intended to meet the objectives of the development program." In addition to the powers granted by any other law, for the purpose of carrying on a project as authorized by this chapter, a city or town may:” [[17]](#footnote-17)

“(1) incur indebtedness as hereinafter provided and pledge tax increments and other project revenues for repayment thereof;

(2) create a department, designate an existing department, board officer, agency, municipal housing or redevelopment authority of the city or town or enter into a contractual agreement with a private entity to administer the activities authorized by this chapter;

(3) make and enter into all contracts and agreements necessary in order to carry out the development program;

(4) receive from the federal government or the commonwealth loans or grants for, or in aid of, a project and receive contributions from any other source to defray project costs;

(5) purchase or acquire by eminent domain pursuant to chapter 79 or chapter 80A, insofar as those laws may be applicable, and pursuant to all preliminary requirements prescribed by law, such property or interests therein within a district as the city or town may deem necessary in order to carry out the development program; provided, however, that any taking of property by eminent domain for any purpose for which the taking by the city or town could not be made in the absence of this chapter shall be authorized by a two-thirds vote as defined in section 1 of chapter 44;

(6) make relocation payments to persons, businesses or organizations that may be displaced as a result of carrying out the development program;

(7) clear and improve property acquired by it pursuant to the development program and construct public facilities thereon, or contract for the construction, development, redevelopment, rehabilitation, remodeling, alteration or repair of such property;

(8) cause parks, playgrounds or schools, water or sewer drainage facilities or any other public improvements that it is otherwise authorized to undertake, to be laid out, constructed or furnished in connection with the development program;

(9) lay out, construct, alter, relocate, change the grade of, make specific repairs upon or discontinue public ways and sidewalks in or adjacent to the development district;

(10) cause private ways, sidewalks, ways for vehicular travel and similar improvements to be constructed within the development district for the particular use of the development district or those dwelling or working therein;

(11) adopt ordinances or by-laws under section 5 of chapter 40A, or repeal or modify the ordinances or by-laws or establish exceptions to existing ordinances and by-laws, regulating the design, construction and use of buildings;

(12) sell, mortgage, lease as lessor, transfer or dispose of any property or interest therein acquired by it pursuant to the project plan for development, redevelopment or rehabilitation in accordance with the development program;

(13) invest project revenue as hereinafter provided; and

(14) do all things reasonably necessary or convenient to carry out the powers granted in this chapter.”[[18]](#footnote-18)

The municipality will engage in some or all of these activities to further its goals for the DIF District. These are described in the Development Program.

# AppendixB: Legislative Action

The document below is the form of the legislative action expected to be taken by the [Name of Municipality]:

[INSERT LOCAL LEGISLATION]

# Appendix C: Map of the DIF District and Parcel List

[INSERT MAP OF DIF DISTRICT/IRD]

List of Parcels in the DIF District

[*Insert language describing whether the DIF District and IRD are coterminous or not, and indicate whether any parcels are to be acquired by the municipality. For example, “*All parcels are within both the DIF District and the IRD, which are coterminous. No parcels are intended to be acquired by the municipality”.]

The District is comprised of \_\_\_\_\_\_\_\_\_ parcels. A complete list is included as Attachment 1. Summary information is presented below.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DIF District and IRD Parcel Summary** | | | | |
| **Use Category** | **# of Parcels** | **Total Acres** | **Total Assessed Value** | **Taxable Assessed Value** |
| **Residential** |  |  |  |  |
| **Commercial** |  |  |  |  |
| **Industrial** |  |  |  |  |
| **Tax Exempt, Any Use** |  |  |  |  |
| **Totals** |  |  |  |  |

# Appendix D: Assessor’s Certification

*Note: these are sample certifications. The DIF Statute does not provide a form of certification.*

**[Name of Municipality]**

**Board of Assessors**

**Assessor’s Certification of Acreage**

**[Name of District] Development District and Invested Revenue District**

Under the requirements of M.G.L. Chapter 40Q, §2, Development districts (a) the municipality must certify that all Development Districts, both existing and proposed, do not exceed 25% of the total area of the municipality.

I certify that the existing and proposed districts (DIF) do not exceed 25% of the [City’s OR Town’s] total area.

|  |  |
| --- | --- |
| DIF Districts as a Percent of all Acreage in the Municipality | |
| [Name of Municipality], Total Acres |  |
| Existing DIF Districts, Total Acres |  |
| [Name of District], Total Acres |  |
| All DIF Districts, Total Acres |  |
| Total Acres in all DIF Districts as a Percent of Total Acres in the Municipality: |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

[Assessor Name] Date

[Title]

[Name of Municipality]

[address]

SAMPLE CERTIFICATION OF ASSESSED VALUE #1

USE IF ASSESSED VALUES AS OF THE BASE DATE ARE AVAILBLE

**[Name of Municipality]**

**Board of Assessors**

**Assessor’s Certification Original Assessed Value**

**[Name of District] Development District and Invested Revenue District**

Under the requirements of M.G.L. Chapter 40Q, §1, the assessor must certify the Original Assessed Value of an Invested Revenue District (IRD) as of the Base Date. The Base Date for the [Name of District] Development District and Invested Revenue Development District is [enter Base Date] January 1, \_\_\_\_\_, which is the last assessment date prior to the adoption of the IRD, which is [enter date of adoption] \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Original Assessed Values as of the Base Date of January 1, \_\_\_\_\_\_\_, are as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DIF District and IRD Parcel Summary** | | | | |
| **Use Category** | **# of Parcels** | **Total Acres** | **Total Assessed Value** | **Taxable Assessed Value** |
| **Residential** |  |  |  |  |
| **Commercial** |  |  |  |  |
| **Industrial** |  |  |  |  |
| **Tax Exempt, Any Use** |  |  |  |  |
| **Totals** |  |  |  |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

[Assessor Name] Date

[Assessor Title]

[Name of Municipality]

[address]

SAMPLE CERTIFICATION OF ASSESSED VALUE #2

USE IF ASSESSED VALUES AS OF THE BASE DATE ARE NOT YET AVAILBLE

**[Name of Municipality]**

**Board of Assessors**

**DRAFT Assessor’s Certification Original Assessed Value**

**[Name of District] Development District and Invested Revenue District**

Under the requirements of M.G.L. Chapter 40Q, §1, the assessor must certify the Original Assessed Value of an Invested Revenue District (IRD) as of the Base Date. The Base Date for the [Name of District] Development District and Invested Revenue Development District is [enter Base Date] January 1, \_\_\_\_\_, which is the last assessment date prior to the adoption of the IRD, which is [enter date of adoption] \_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Assessed values as of [enter Base Date] January 1, \_\_\_\_\_, will be available during the Fall of [enter year when assessed values will be available] \_\_\_\_\_\_\_\_\_\_\_ and are not currently available. Therefore, this DRAFT Assessor’s Certification presents the assessed values as of [enter assessment date for which values are available] January 1, \_\_\_\_\_\_\_, for estimation and explanation purposes only.

When assessed values as of the Base Date are confirmed, an Assessor’s Certification will be provided.

For the purposes of the estimates in this document, values as of [enter assessment date for which values are available] January 1, \_\_\_\_\_\_\_, have been used, as follows:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DIF District and IRD Parcel Summary** | | | | |
| **Use Category** | **# of Parcels** | **Total Acres** | **Total Assessed Value** | **Taxable Assessed Value** |
| **Residential** |  |  |  |  |
| **Commercial** |  |  |  |  |
| **Industrial** |  |  |  |  |
| **Tax Exempt, Any Use** |  |  |  |  |
| **Totals** |  |  |  |  |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

[Assessor Name] Date

[Assessor Title]

[Name of Municipality]

[address]

# Appendix E: Existing Economic Development Strategy Information

[INSERT REFERENCES TO EXISTING ECONOMIC DEVELOPMENT PLANS IF ANY]

# Attachment 1: Complete Parcel List

*[THIS IS A SAMPLE]*



1. This template assumes that all parcels are included in both the DIF District and the Invested Revenue District. [↑](#footnote-ref-1)
2. See *Definitions*, below. [↑](#footnote-ref-2)
3. “Base date” is the last assessment date of the real property tax preceding the creation of the district. See *Definitions*. [↑](#footnote-ref-3)
4. “Original Assessed Value”, is the aggregate assessed value as of the Base Date. see *Definitions*, below. [↑](#footnote-ref-4)
5. See also *Definitions*, below. [↑](#footnote-ref-5)
6. Communities that have accepted Acts of 1989 Ch. 653, Amending Mass. Gen. Laws Ch. 59 § 2A (a), recognize increases to assessed value from new private investment that occur between January 2 and June 30 of each calendar year as having occurred on January 1 of that same calendar year. A community using DIF will still follow this calendar for recognizing changes to assessed value. [↑](#footnote-ref-6)
7. See also *Definitions*, below. [↑](#footnote-ref-7)
8. Mass. Gen. Laws Ch. 40Q §2 (a) [↑](#footnote-ref-8)
9. Ibid. [↑](#footnote-ref-9)
10. Mass. Gen. Laws Ch. 40Q §2 (c )(2) “create a department, designate an existing department, board officer, agency, municipal housing or redevelopment authority of the city or town or enter into a contractual agreement with a private entity to administer the activities authorized by this chapter” [↑](#footnote-ref-10)
11. The DIF Statute does not define “Project Stabilization” or dictate rules for selecting such a date. See *Definitions*, below, for an explanation of how the term is used in this *DIF Guide*. [↑](#footnote-ref-11)
12. The DIF Statute does not define “tax increment financing.” In its definition of Invested Revenue District it does refer to an Invested Revenue District as [a district] where tax increment financing is used. Therefore for the purposes of this *DIF Guide*, this statement is interpreted to mean that a municipality should state the impact of the IRDDP on the taxing jurisdictions. [↑](#footnote-ref-12)
13. A municipality may use DIF Revenues to repay a portion of debt service without formally pledging the DIF Revenues to the bonds. In this case the Development Program Sinking Fund Account may have parity with the Project Cost Account. A municipality should consult its bond counsel on this and other matters relating to debt issuance. [↑](#footnote-ref-13)
14. Mass. Gen. Laws Ch. 40Q §1 [↑](#footnote-ref-14)
15. Mass. Gen. Laws Ch. 40Q § 1 (a) (8). [↑](#footnote-ref-15)
16. M.G.L. 40Q §2 (a). [↑](#footnote-ref-16)
17. Mass. Gen. Laws Ch. 40Q §2 (c) [↑](#footnote-ref-17)
18. Ibid [↑](#footnote-ref-18)