

223—37.6(303) Certification of completion of work.

37.6(1) Upon receipt of an application requesting certification of completed work, the staff shall review the application and accompanying photographic documentation for conformance with the Secretary of the Interior's Standards for Rehabilitation, Guidelines for Rehabilitation of Historic Buildings, 36 CFR Part 67, March 12, 1984. The state historic preservation officer shall provide recommendations to the National Park Service for their decision.

37.6(2) Applicants shall receive notification of project status from the National Park Service. If the National Park Service finds that a project does not meet the Standards, the Secretary notifies the owner in writing, and if possible, advises the owner of necessary revisions to meet the Standards.

In the case of a denial of significance of the proposed rehabilitation project or the completed work, the owner may appeal in writing to the Chief Appeals Officer, Cultural Resources, National Park Service, U.S. Department of the Interior, P.O. Box 37127, Washington, D.C. 20013-7127. Appeals shall be filed within 30 days of receipt of the decision which is subject to appeal.

37.6(3) Completed, approved projects shall be subject to recapture of tax credits during the following five-year period, due to sale (on a pro rata basis) or further unapproved alterations inconsistent with the Secretary of the Interior's Standards.

37.6(4) Any previous approval by federal, state or local agencies and organizations shall not ensure certification by the Secretary for tax purposes. Any certifications made by the Secretary of the Interior shall not be considered binding upon the Internal Revenue Service or the Secretary of the Treasury with respect to the tax consequences under the Internal Revenue Code. Nor does the certification of significance for tax benefits substitute for or bind the National Register of Historic Places nomination and listing process.