Domain Mixed-Use Development
Amendment 1 to Compliance Report October 23, 2009
Year 1 of 20 for Chapter 380 Performance-Based Agreement

A programming error by the Texas Comptroller of Public Accounts resulted in an overstatement of the sales taxes collected at Domain between September 2007 and April 2008. This in turn resulted in an overpayment by the City to Domain Shopping Center LP in October 2008. The following describes the error and the actions taken by the affected parties to correct it.

On May 6, 2009, the Texas Comptroller of Public Accounts notified the City of a programming error that impacted the City's October 30, 2008 Chapter 380 payment to the Domain Shopping Center, LP. As a result of the error, the Comptroller's August 8, 2008 correspondence to the City, which was used to calculate the October 2008 payment to Domain Shopping Center, LP, overstated the amount of sales taxes collected at Domain between September 2007 and April 2008 by $112,887.41.

The resulting overpayment to Domain Shopping Center, LP was 82% of $112,887.41, or $92,567.68, of which $2,257.75 was overpaid by Domain Shopping Center, LP to Austin Housing Finance Corporation (AHFC). The net overpayment to Domain Shopping Center, LP was $90,309.93. The following table summarizes the City's October 30, 2008 payment, the reimbursements from AHFC and Domain Shopping Center, LP and the net Year 1 Chapter 380 payment:

	As stated in Comptroller's August 8, 2008 correspondence	*Adjustment per Comptroller's May 6, 2009 correspondence*	*Net Year 1 Amounts*
Total sales taxes collected:	$1,183,704.46	<$112,887.41>	$1,070,817.05
80% of total (net to Domain):	$946,963.57	<$90,309.93>*	$856,653.64
2% of total (to AHFC):	$23,674.09	<$2,257.75>**	$21,416.34
82% of total:	$970,637.66	<$92,567.68>	$878,069.98

Domain Shopping Center, LP and AHFC were notified of the overpayments on June 9, 2009. On June 25, 2009 AHFC remitted $2,257.75 to the City. On October 19, 2009, the City received SPG's reimbursement of $90,309.93.

* Amount of reimbursement from Domain Shopping Center, LP

** Amount of reimbursement from AHFC