REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF FINANCE
BUREAU OF INTERNAL REVENUE
National Office Building
Quezon City

Certificate of Tax Exemption No:
BOI-LEH- 039-2025

CERTIFICATE OF TAX EXEMPTION

TO ALL WHOM IT MAY CONCERN:

This certifies that **CUMBERLAND DEVELOPMENT CORPORATION** is exempt from income tax and creditable withholding tax (CWT) on its income **directly attributable to the revenues generated in connection with its low-cost housing project, CLAYTON HEIGHTS PHASE 3**, consisting of **382** house and lot units used solely for family home or dwelling purposes, located at **Brgy. Maly/Guinayang, San Mateo, Rizal**, a project duly registered with the Board of Investments (BOI) under **Certificate of Registration No. 4** dated **January 05, 2021**, for a period of **three (3) years** beginning from **January 1 or actual start of commercial operations, whichever is earlier, but in no case earlier than the date of registration of the project with the BOI**, pursuant to Executive Order (EO) No. 226, otherwise known as the "*Omnibus Investments Code of 1987*" and Section 2.57.5 (B)(2) of Revenue Regulations (RR) No. 2-98, as amended.

Moreover, beginning January 01, 2021, the sale by the Company of residential house and lot and other residential dwellings valued at [1] and below, is exempt from value-added tax (VAT) pursuant to Section 109 (1) (P) of the National Internal Revenue Code of 1997 (Tax Code), as amended. Provided, however, that the sale of residential lot only, regardless of value, is subject to VAT[2].

However, the sale in excess of 382 house and lot units provided under its DHSUD Provisional License to Sell No. 136, if any, including those units used for commercial purposes such as leasing, retail stores, offices, etc., shall be subject to the payment of appropriate taxes under the Tax Code, as amended.

The grant of tax exemption herein is subject to the compliance with the provisions of applicable BIR rules and regulations and the Terms and Conditions stated at the back hereof. The Company is liable, however, for all other applicable taxes not discussed above.

This Certificate of Tax Exemption is being issued on the basis of the facts and documents as represented and submitted. However, if upon investigation, the BIR ascertains that the facts are different, then this Certificate shall be considered null and void.

Issued this_____day of FEB 28 2025_____.

ROMEO D. LUMAGUI, JR.
Commissioner of Internal Revenue

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[1] As adjusted using the Consumer Price Index values per RR no. 8-2021 dated June 11, 2021
[2] Sale of lot only, regardless of the price, shall be subject to VAT starting January 01, 2021 pursuant to RA No. 10963

CTE No. BOI-LEH-039-2025
Date issued FEB 28 2025

TERMS AND CONDITIONS OF THE CERTIFICATE OF TAX EXEMPTION

1. The tax exemption provided in this certificate shall not cover revenues from units with selling price exceeding . Morcover, the house and lot units covered by the License to Sell shall not be sold for more than

2. In the computation of the project's ITH, the following shall apply:

   a. Only income generated from the sale of units of the project with selling price not exceeding and to be used solely for family home or dwelling purposes, and not for commercial purposes such as leasing, retail stores, offices, etc. shall be qualified.

   b. Interest income from in-house financing shall not be considered as revenues generated from registered activity.

3. The Company's entitlement to ITH for its BOI-registered housing project is subject to the compliance with the provisions of the Specific and General Terms and Conditions of its BOI Registration.

4. Pursuant to Section 4 of Republic Act (RA) No. 10708[3], the Company is required to file its tax returns and pay its tax liabilities, on or before the deadline as provided under the Tax Code of 1997, as amended, using the electronic system for filing and payment of taxes of the BIR. It shall file with BOI a complete annual tax incentives report of its income-based tax incentives, VAT and duty exemptions, deductions, credits or exclusions from the tax base, as may be provided under EO No. 226 and RA No. 11534[4], within the periods prescribed under RA No. 10708's Implementing Rules and Regulations and Joint Memorandum Circular No. 1-2016 dated September 1, 2016.

5. The Company shall be constituted as a withholding agent for the government if it acts as employer and any of its employees received compensation income subject to compensation withholding tax, or if it makes payments to individuals or corporations subject to the withholding taxes as source as required under Chapter XIII and Section 57 of the Tax Code, as amended and implemented by RR No. 2-98, as amended.

6. The Company is required to file on or before the 15th day of the fourth month following the close of its accounting period of a Profit and Loss Statement and Balance Sheet with the Annual Information Return under oath, stating its gross income and expenses incurred during the taxable year.

7. Finally, the Company's books of accounts and other pertinent records shall be subject to periodic examination by revenue enforcement officers of this Bureau for the purpose of ascertaining whether it is complying with the conditions under which it has been granted tax exemption or tax incentives and its tax liability, if any, pursuant to Section 235 of the Tax Code, as amended.

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[3] An Act Enhancing Transparency in the Management and Accounting of Tax Incentives Administered by Investment Promotion Agencies.
[4] Corporate Recovery and Tax Incentives for Enterprises Act or CREATE