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| **HUD Attorney** **Final Closing Checklist**Section 232 – New Construction, Substantial Rehab, 241a or Blended Rate | **U.S. Department of Housing** **and Urban Development**Office of Residential Care Facilities |

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

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| --- |
| **Project Name:**      |
| **Project Number:**     **Section of the Act:** 232 (Final)[ ]  New Construction [ ]  Substantial Rehabilitation[ ] 241a[ ] Blended Rate |

**SUBMISSION REQUIREMENTS:**

Items marked with an asterisk (\*) must be dated day of closing.

**Closing Documents specific to the Section 232/241a Program can be found on the** [**ORCF Website**](https://www.hud.gov/federal_housing_administration/healthcare_facilities/residential_care/final_232_documents) **under “241a – Supplemental Loan Documents”.**

Each document should be scanned and uploaded separately and must use a naming convention that includes the item number and name from this checklist. **Example: 1\_HUD-90024-ORCF - Contact List**

| **No.** | **Item** | **N/A** | **Incl.** |
| --- | --- | --- | --- |
|  | Current Contact List ([HUD-90024-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/90024_orcf.docx)) |  | [ ]  |
|  | Borrower’s Organizational DocumentsCertificate of No Changes\****OR***Certificate of Changes to Organizational Documents\*Authorizing Resolution/Written ConsentCertificate of Good StandingCertification of Qualification to do Business | [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ]  |
|  | Organizational Documents for entities in Borrower’s signature block Certificate of No Changes\* ***OR***Certificate of Changes to Organizational Documents\*Authorizing Resolution/Written ConsentCertificate of Good StandingCertification of Qualification to do Business | [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ]  |
|  | Current Facility License(s)Administrator License(s) |  | [ ] [ ]  |
|  | New Title Insurance Policy ***OR*** Date-down Endorsement\*Copies of Exception Documents recorded after initial closingUpdated UCC-1 and Docket Search Certificates |  | [ ] [ ] [ ]  |
|  | As Built Survey Map/Drawing ***(Dated within 120 days of closing)***Survey Instructions and Borrower’s Certification ([HUD-91111-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/91111_orcf.docx)) |  | [ ] [ ]  |
|  | Certificate(s) of Occupancy |  | [ ]  |
|  | Permission to Occupy ([HUD-92485-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92485_orcf.docx)) |  | [ ]  |
|  | Healthcare Facility Note [(HUD-94001-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/94001_orcf.docx))\* ***(Endorsement dated day of closing by HUD Attorney)*** |  | [ ]  |
|  | Deposit Account Control Agreement (DACA) ***(If the DACA was approved at initial closing, it does not need to be provided again at final closing)***Cash Flow Chart ([HUD-92323-ORCF, Exhibit C-1](https://www.hud.gov/sites/dfiles/OCHCO/documents/92323_orcf.docx)) | [ ] [ ]  | [ ] [ ]  |
|  | Deposit Account Instructions and Services Agreement (DAISA) ***(If the DAISA was approved at initial closing, it does not need to be provided again at final closing)*** | [ ]  | [ ]  |
|  | Supplemental Opinion of Master Tenant’s Counsel ([HUD-92335-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92335_orcf.docx))\* ***(Required for any deferred items from initial closing, e.g., DACA, DAISA, license)*** | [ ]  | [ ]  |
|  | Supplemental Opinion of Operator’s Counsel ([HUD-92325-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92325_orcf.docx))\****(Required for any deferred items from initial closing, e.g., DACA, DAISA, license)*** | [ ]  | [ ]  |
|  | ***Mortgage Increase Documents, as applicable*** * Supplemental Opinion of Borrower’s Counsel for Mortgage Increase ([HUD-91725-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/91725-orcf.pdf))\*
* Supplemental Healthcare Facility Note [(HUD-94001-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/94001_orcf.docx))\*

***(Endorsement dated day of closing by HUD Attorney)**** Supplemental Security Instrument (Mortgage/Deed of Trust) ([HUD-94000-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/94000_orcf.docx))
* Modification and Consolidation Agreement
* Increased Fees (MIP and Application) – Pay.gov Receipts
* Title Evidence increasing amount of the original title policy
* Title Evidence showing recording of the Supplemental Security Instrument and the Modification and Consolidation Agreement
 | [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
|  | ***Mortgage Decrease Documents, as applicable*** * Note Allonge
* Modification of Security Instrument
* Title Evidence Showing Modification of Security Instrument
 | [ ]  | [ ] [ ] [ ] [ ]  |
|  | Updated Consolidated Certifications – Borrower, Lender, Operator |  | [ ]  |
|  | Modification Agreement for changes in Project’s Legal Description | [ ]  | [ ]  |
|  | Lender’s Current Payment Letter\* |  | [ ]  |
|  | Labor Relations Clearance Memorandum or Email |  | [ ]  |
|  | Escrow Agreement ***(Davis Bacon Wage Requirement per Office of Labor Relations)*** | [ ]  | [ ]  |
|  | Lender’s Certificate of Actual Cost ([HUD-91129-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/91129_orcf.docx)) (***Executed during Cost Certification Review)*** |  | [ ]  |
|  | Maximum Insurable Mortgage (MIM) Letter  |  | [ ]  |
|  | Special Conditions of MIM Letter – ***(Evidence showing each condition is satisfied)*** |  | [ ]  |
|  | Request for Final Endorsement of Credit Instrument ([HUD-92023-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92023_orcf.docx)) (S***igned/dated by all parties)*** |  | [ ]  |
|  | Final Trip Report ([HUD-95379-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/95379_orcf.docx)) |  | [ ]  |
|  | Escrow Agreement for Incomplete Construction ([HUD-92456-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92456_orcf.docx))(***For Items of Delayed Completion per Final Trip Report)*** | [ ]  | [ ]  |
|  | Application for Insurance of Advance of Mortgage Proceeds ([HUD-92403-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92403_orcf.docx)) |  | [ ]  |
|  | Contractor’s Requisition ([HUD-92448-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92448_orcf.docx)) |  | [ ]  |
|  29 | Request for Approval of Advance/Release of Escrow Funds ([HUD-92464-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92464_orcf.docx))* Minor Moveables
* Working Capital
* Construction/Change Orders
* Other
 | [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ]  |
|  | Final Closing Statement\* |  | [ ]  |
|  | Certification of Insurance ([HUD-92435-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92435_orcf.docx))***(coverage as required per the Firm Commitment and applicable Amendments)***  |  | [ ]  |
|  | Attendance List |  | [ ]  |
|  | Other | [ ]  | [ ]  |