|  |  |
| --- | --- |
| **HUD Refinance Closing Checklist**Section 232 | **U.S. Department of Housing** **and Urban Development** |

**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)

|  |
| --- |
| **Project Name:**      |
| **Project Number:**     **Section of the Act:** [ ]  **223(a)7** [ ]  **223(f)**  |

**SUBMISSION REQUIREMENTS:**

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

**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: 10.a.HUD-92339-ORCF-Master Lease Estoppel Agreement**

|  **No.** | **Item** | **N/A** | **Incl** |
| --- | --- | --- | --- |
| 1 | [HUD-90024-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/90024_orcf.docx)- Contact List |  | [ ]  |
| 22.a2.b | Executed Firm CommitmentExecuted AmendmentExecuted Assignment | [ ] [ ]  | [ ] [ ] [ ]  |
| 3 | [HUD-2-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/2_orcf.docx?web=1) - Request for Waiver of Housing Directive | [ ]  | [ ]  |
| 44.a | [HUD-9001-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/9001orcf.docx?web=1) or [HUD-9002-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/9002-orcf.docx?web=1) - Lender Narrative and addenda[HUD-90031-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/90031_orcf.docx) AR Lender Narrative | [ ]  | [ ] [ ]  |
| 5 | Portfolio Acceptance Letter and attachments | [ ]  | [ ]  |
| 6.a6.b6.c6.d6.e6.f6.g | AR Loan Agreement and all amendmentsAR Loan Note and all amendmentsSecurity Agreement(s) in favor of the AR LenderGuaranty(s)UCC-3 Financing StatementsAR Cash Flow of Funds DiagramAdditional AR documents | [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 7 | [HUD-92322-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92322-orcf.pdf) - Intercreditor Agreement | [ ]  | [ ]  |
| 8 | DACA | [ ]  | [ ]  |
| 9 | DAISA | [ ]  | [ ]  |
| 10.a10.b10.c | [HUD-92339-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92339_orcf.docx) - Master Lease Estoppel CertificateMaster Lease and [HUD-92211-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92211_orcf.docx?web=1) - Master Lease AddendumJoinder(s) and/or Amendment(s) | [ ] [ ] [ ]  | [ ] [ ] [ ]  |
| 11.a11.b | HUD-92331-ORCF - Cross-Default Guaranty of SubtenantsJoinder(s) and/or Amendment(s)  | [ ] [ ]  | [ ] [ ]  |
| 12.a12.b | HUD-91117-ORCF - Operator Estoppel CertificateOperating Lease and HUD-91116-ORCF - Operating Lease Addendum | [ ] [ ]  | [ ] [ ]  |
| 13 | Borrower’s Organizational DocumentsFor trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert of Partnership  | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 14 | Organizational Documents for Entities within Borrower’s Signature BlockFor trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert of Partnership | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt  | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 15 | Master Tenant’s Organizational DocumentsFor trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert of Partnership  | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt  | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 16 | Organizational Documents for Entities within Master Tenant’s Signature BlockFor trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert of Partnership | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 17 | Operator’s Organizational Documents For trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert. Of Partnership | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 18 | Organizational Documents for Entities within Operator’s Signature BlockFor trusts, submit the Trust Agreement and the Certification or Affidavit of Trust

|  |  |  |
| --- | --- | --- |
| [ ]  Corporation | [ ]  Partnership | [ ]  LLC |
| 1.a Certification\* | 2.a Certification\* | 3.a Certification\* |
| 1.b Articles of Inc. | 2.b Cert. Of Partnership | 3.b Articles of Org. |
| 1.c Bylaws | 2.c Partnership Agrmt | 3.c Operating Agrmt |
| 1.d Auth. Resolution | 2.d Auth. Resolution | 3.d Auth. Resolution |
| 1.e Auth. To do Business | 2.e Auth. To do Business | 3.e Auth. To do Business |
| 1.f Good Standing | 2.f Good Standing | 3.f Good Standing |
| 1.g Incumbency | 2.g Incumbency | 3.g Incumbency |

 | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]  |
| 19.a19.b19.c | HUD-91710-ORCF - Residual Receipts NoteHUD-92223-ORCF - Surplus Cash NoteAll other secondary financing documents or encumbrance documents | [ ] [ ] [ ]  | [ ] [ ] [ ]  |
| 20.a20.b | Current Facility License(s)Administrator License | [ ] [ ]  | [ ] [ ]  |
| 21 | Management Agreement and HUD-92071-ORCF - Management Agreement Addendum | [ ]  | [ ]  |
| 22.a22.b22.c22.d | [HUD-92476-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92476_orcf.docx) - Escrow Agreement for Non-Critical, Deferred Repairs [HUD-92476B-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92476B_orcf.docx)- Escrow Agreement for Operating DeficitsHUD-92476C-ORCF - Escrow Agreement for Debt Service ReserveOther Escrow Agreements | [ ]  [ ]  [ ]  [ ]  | [ ]  [ ]  [ ]  [ ]  |
| 23 | ALTA-ACSM Land Title Survey (New survey dated within 120 days of closing or existing survey with Survey Instructions and Borrower’s Certification ([HUD-91111-ORCF)](https://www.hud.gov/sites/dfiles/OCHCO/documents/91111_orcf.docx)) |  | [ ]  |
| 24 | [HUD-92455-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92455-orcf.pdf)\* - Request for Endorsement of Credit Instrument |  | [ ]  |
| 25 | Additional Conditions and Special Conditions to the Firm Commitment(Provide Special Conditions Matrix and evidence showing each condition is satisfied)Borrower’s and Operator’s Certification - No Adverse Actions\* Evidence of Utility AccessEvidence of Management Conference with ORCF Account Executive (223(f) only) | [ ]  [ ]  [ ]  [ ]  | [ ]  [ ]  [ ]  [ ]  [ ]  |
| 26 | HUD-93305-ORCF - Agreement and Certification |  | [ ]  |
| 27 | HUD-92266-ORCF - Application for TPA | [ ]  | [ ]  |
| 28 | HUD-92228-ORCF - Model Form Bill of Sale  | [ ]  | [ ]  |
| 29 | Purchase and Sale Agreement and other CHOP documents | [ ]  | [ ]  |
| 30 | HUD-91725-ORCF\* - Opinion Guide - Borrower Counsel with HUD-91725-CERT-ORCF - Exhibit A to Opinion of Borrower's Counsel |  | [ ]  |
| 31 | HUD-92335-ORCF\* - Opinion Guide - Master Tenant Counsel | [ ]  | [ ]  |
| 32 | HUD-92325-ORCF\* - Opinion Guide - Operator Counsel | [ ]  | [ ]  |
| 33.a33.b33.c | Ground Lease Estoppel CertificateGround Lease with HUD-92070-ORCF – Lease AddendumMemorandum of Ground Lease (if Ground Lease is unrecorded) | [ ] [ ] [ ]  | [ ] [ ] [ ]  |
| 34 | Assumption Documents | [ ]  | [ ]  |
| 35 | [HUD-94000-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/94000_orcf.docx) - Security Instrument/Mortgage/Deed of Trust |  | [ ]  |
| 36 | [HUD-92466-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92466-orcf.pdf) - Regulatory Agreement - Borrower  |  | [ ]  |
| 37.a37.b | Borrower UCC-1 Financing Statements 1. County b. State
 | [ ]  | [ ] [ ]  |
| 38 | Memorandum of Master Lease | [ ]  | [ ]  |
| 39 | [HUD-92337-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92337_orcf.docx) - Regulatory Agreement - Master Tenant | [ ]  | [ ]  |
| 40.a40.b | HUD-92340-ORCF - Master Tenant Security AgreementHUD-92334-ORCF - Master Tenant Assignment of Leases and Rents  | [ ] [ ]  | [ ] [ ]  |
| 41.a41.b | Master Tenant UCC-1 Financing Statements1. County b. State
 | [ ]  | [ ] [ ]  |
| 42 | Memorandum of Operator Lease | [ ]  | [ ]  |
| 43 | [HUD-92466A-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92466a_orcf.docx) - Regulatory Agreement - Operator | [ ]  | [ ]  |
| 44.a44.b | HUD-92323-ORCF - Operator Security AgreementHUD-92324-ORCF - Operator Assignment of Leases and Rents | [ ] [ ]  | [ ] [ ]  |
| 45.a45.b | Operator UCC-1 Financing Statements1. County b. State
 | [ ]  | [ ]  |
| 46 | HUD-92333-ORCF - HUD Master Lease Subordination Agreement/SNDA | [ ]  | [ ]  |
| 47 | HUD-91110-ORCF - Operating Lease Subordination Agreement/SNDA | [ ]  | [ ]  |
| 48 | HUD-92420-ORCF - Subordination Agreement - Financing | [ ]  | [ ]  |
| 49.a49.b49.c | Commercial Lease Estoppel CertificateCommercial Space Lease(s)Subordination of Commercial Space Lease | [ ] [ ] [ ]  | [ ] [ ] [ ]  |
| 50.a50.b50.c50.d | Title Policy\*Title Agent Letter of AuthorityClosing Protection Letter Title Exception Documents | [ ] [ ] [ ] [ ]  | [ ] [ ] [ ] [ ]  |
| 51 | [HUD-94001-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/94001_orcf.docx)\* - Healthcare Facility Note (Endorsement dated day of closing) |  | [ ]  |
| 52 | [HUD-2205A-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/2205a_orcf.docx) - Borrower Certificate of Cost (N/A for Section 223(a)(7)) with current proof of Existing Indebtedness Payoff and invoices | [ ]  | [ ]  |
| 53 | Closing Statement\* (Utilize most current Sources & Uses page of form HUD-92264a-ORCF) with current proof of Existing Indebtedness Payoff and invoices |  | [ ]  |
| 54 | Payment receipt - MIP |  | [ ]  |
| 55 | Payment receipt - Inspection Fee | [ ]  | [ ]  |
| 56 | Payment receipt - FHA Application Fee |  | [ ]  |
| 57 | [HUD-91118-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/91118_orcf.docx) - Borrower Certification - Completion of Critical Repairs with photographs and Invoices (Labeled to corresponding repair) | [ ]  | [ ]  |
| 58 | [HUD-92117-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92117_orcf.docx) - Borrower Certification - Completion of Non-Critical Repairs with photographs and invoices (Labeled to corresponding repair) | [ ]  | [ ]  |
| 59 | [HUD-92435-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92435_orcf.docx)- Certification of Insurance |  | [ ]  |
| 60 | **POST CLOSING**–**Wire Transfer Confirmation for Payoff** within 24 hours after the Note is endorsed/distributed (Sec. 223(a)(7) loans or Sec. 223(f) paying off an FHA insured loan) | [ ]  | [ ]  |
| Other | **Other:** | [ ]  | [ ]  |