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| **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)

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| **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 |  |  |
| 2  2.a  2.b | Executed Firm Commitment  Executed Amendment  Executed Assignment |  |  |
| 3 | [HUD-2-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/2_orcf.docx?web=1) - Request for Waiver of Housing Directive |  |  |
| 4  4.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.a  6.b  6.c  6.d  6.e  6.f  6.g | AR Loan Agreement and all amendments  AR Loan Note and all amendments  Security Agreement(s) in favor of the AR Lender  Guaranty(s)  UCC-3 Financing Statements  AR Cash Flow of Funds Diagram  Additional AR documents |  |  |
| 7 | [HUD-92322-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92322-orcf.pdf) - Intercreditor Agreement |  |  |
| 8 | DACA |  |  |
| 9 | DAISA |  |  |
| 10.a  10.b  10.c | [HUD-92339-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92339_orcf.docx) - Master Lease Estoppel Certificate  Master Lease and [HUD-92211-ORCF](https://www.hud.gov/sites/dfiles/OCHCO/documents/92211_orcf.docx?web=1) - Master Lease Addendum  Joinder(s) and/or Amendment(s) |  |  |
| 11.a  11.b | HUD-92331-ORCF - Cross-Default Guaranty of Subtenants  Joinder(s) and/or Amendment(s) |  |  |
| 12.a  12.b | HUD-91117-ORCF - Operator Estoppel Certificate  Operating Lease and HUD-91116-ORCF - Operating Lease Addendum |  |  |
| 13 | Borrower’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 | |  |  |
| 14 | Organizational Documents for Entities within Borrower’s Signature Block  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 | |  |  |
| 15 | Master Tenant’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 | |  |  |
| 16 | Organizational Documents for Entities within Master Tenant’s Signature Block  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 | |  |  |
| 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 Block  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 | |  |  |
| 19.a  19.b  19.c | HUD-91710-ORCF - Residual Receipts Note  HUD-92223-ORCF - Surplus Cash Note  All other secondary financing documents or encumbrance documents |  |  |
| 20.a  20.b | Current Facility License(s)  Administrator License |  |  |
| 21 | Management Agreement and HUD-92071-ORCF - Management Agreement Addendum |  |  |
| 22.a  22.b  22.c  22.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 Deficits  HUD-92476C-ORCF - Escrow Agreement for Debt Service Reserve  Other 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 Access  Evidence 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.a  33.b  33.c | Ground Lease Estoppel Certificate  Ground Lease with HUD-92070-ORCF – Lease Addendum  Memorandum 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.a  37.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.a  40.b | HUD-92340-ORCF - Master Tenant Security Agreement  HUD-92334-ORCF - Master Tenant Assignment of Leases and Rents |  |  |
| 41.a  41.b | Master Tenant UCC-1 Financing Statements   1. 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.a  44.b | HUD-92323-ORCF - Operator Security Agreement  HUD-92324-ORCF - Operator Assignment of Leases and Rents |  |  |
| 45.a  45.b | Operator UCC-1 Financing Statements   1. 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.a  49.b  49.c | Commercial Lease Estoppel Certificate  Commercial Space Lease(s)  Subordination of Commercial Space Lease |  |  |
| 50.a  50.b  50.c  50.d | Title Policy\*  Title Agent Letter of Authority  Closing 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:** |  |  |