

ANNUAL LENDER CERTIFICATION LANGUAGE – SUPERVISED AND NONSUPERVISED MORTGAGEES

Existing Language	Proposed Language	Explanation
<p>1. I certify that I am a Corporate Officer of the abovementioned Mortgagee (hereinafter referred to as "the Mortgagee"); that I am authorized to execute these certifications and acknowledgements on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all HUD regulations and requirements necessary to maintain the Mortgagee's FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgagee Letter, and any agreements entered into between the Mortgagee and HUD.</p>	<p>1. I certify that I am a Corporate Officer of the abovementioned Mortgagee (hereinafter referred to as "the Mortgagee"); that I am authorized to execute these certifications and acknowledgements on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all HUD eligibility and approval requirements in the National Housing Act (12 U.S.C. § 1701, et seq.) as codified in 24 CFR § 202.5.</p>	<p>Modified. Handbook references are replaced by a general certification to compliance with eligibility and approval requirements in 24 CFR § 202.5.</p> <p>The regulations at Part 202 of Title 24 are the Department's implementation of the National Housing Act, which has been promulgated through a formal notice and comment process in accordance with the Administrative Procedure Act. HUD Handbook 4000.1 provides further details and is considered sub-regulatory guidance.</p>
<p>2. I acknowledge that the Mortgagee is responsible for all actions of its officers, partners, directors, principals, managers, supervisors, loan processors, loan underwriters, loan originators, and other employees of the Mortgagee, and for the actions of any Affiliates participating in FHA programs for or on behalf of the Mortgagee.</p>		<p>Deleted. As an acknowledgement of basic principles of law, the statement is not needed.</p>
<p>3. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was subject to a suspension, debarment, Limited Denial of Participation (LDP) or other restriction imposed under 24 CFR Part 24, and 2 CFR Part 180 as supplemented by 2 CFR Part 2424, or any successor regulations to such parts, or under similar provisions of any other federal or state agency; 12 USC § 1708(d)(2); 12 USC § 1735f-10; 24 C.F.R. § 202.5(j); Handbook 4000.1 I.A.6.j.ii</p>	<p>2. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee was refused, or had revoked, any license necessary to conduct normal operations in the real estate or mortgage loan industry.</p>	<p>Modified to eliminate redundancy with proposed statement #4, which is a general certification to compliance with 24 CFR § 202.5.</p>

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<p>(b) Was under indictment for, or convicted of, an offense that reflects adversely upon the Mortgagee's integrity, competence, or fitness to meet the responsibilities of an FHA-approved Mortgagee; 12 USC § 1708(d)(2); 24 C.F.R. § 202.5(j); Handbook 4000.1 I.B.3.b.ii; Handbook 4000.1 V.E.5.b.ii & c.ii</p> <p>(c) Was subject to Unresolved Findings as a result of a HUD or other governmental audit, investigation, or review; 12 USC § 1708(d)(2); 24 C.F.R. § 202.5(j); Handbook 4000.1 I.A.7.u</p> <p>(d) Was refused, or had revoked, any license necessary to conduct normal operations in the real estate or mortgage loan industry; 12 USC § 1735f-10; 24 CFR § 202.5(m)</p> <p>(e) Was in violation of provisions of the Secure and Fair Enforcement (SAFE) Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) or its equivalent under state law, including all Nationwide Multistate Licensing System and Registry requirements; 12 USC § 1708(d)(2); 24 C.F.R. § 202.5(j); Handbook 4000.1 I.A.3.(3).</p>		
<p>4. I certify that, to the best of my knowledge and after conducting a reasonable investigation, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was convicted of, or pled guilty or nolo contendere to, a felony related to participation in the real estate or mortgage loan industry during the Certification Period or the 7-year period preceding the first day of the Certification Period;</p>		<p>Deleted to eliminate redundancy with proposed statement #4, which is a general certification to compliance with 24 CFR § 202.5.</p>

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<p>(b) Was ever convicted of, or ever pled guilty or nolo contendere to, a felony related to participation in the real estate or mortgage loan industry that involved an act of fraud, dishonesty, or a breach of trust or money laundering; except for those occurrences, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>		
<p>5. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period or the 3-year period preceding the first day of the Certification Period, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was convicted of, indicted for, or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract under a public transaction;</p> <p>(b) Was convicted of, indicted for, or otherwise criminally or civilly charged by a governmental entity with violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;</p> <p>(c) Had one or more public transactions terminated for cause or default; except for those occurrences, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>		<p>Deleted. This was a provision brought over from the loan level certifications during a previous revision.</p>

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<p>6. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not sanctioned by any federal, state, or local government agency or by any other regulatory or oversight entity with jurisdiction over the Mortgagee, except for those sanctions, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>3. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not sanctioned by any federal, state, or local government agency or by any other regulatory or oversight entity with jurisdiction over the Mortgagee, except for those sanctions, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>No changes.</p>
<p>7. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD regulations and requirements necessary to maintain the Mortgagee's FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgage Letter, and any agreements entered into between the Mortgagee and HUD, except for those instances of non-compliance, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>4. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD regulations and requirements necessary to maintain the Mortgagee's FHA approval as codified in 24 CFR § 202.5, except for those instances of non-compliance, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>Modified. Handbook references are replaced by a general certification to compliance with eligibility and approval requirements in 24 CFR § 202.5.</p>
<p>8. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) knowingly on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment, and debarment under applicable federal law.</p>	<p>5. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) knowingly on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment, and debarment under applicable federal law.</p>	<p>No changes.</p>

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<p>9. I acknowledge that the Mortgagee is now, and was at all times throughout the Certification Period, subject to all applicable HUD regulations, Handbooks, Guidebooks, Mortgage Letters, Title I Letters, policies and requirements, as well as Fair Housing regulations and laws including but not limited to 24 CFR § 5.105, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and Title VI of the Civil Rights Act of 1964.</p>	<p>6. I acknowledge that the Mortgagee is now, and was at all times throughout the Certification Period, subject to all applicable HUD regulations, Handbooks, Guidebooks, Mortgage Letters, Title I Letters, policies and requirements, as well as Fair Housing regulations and laws including but not limited to 24 CFR § 5.105, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and Title VI of the Civil Rights Act of 1964.</p>	<p>No changes.</p>

ANNUAL LENDER CERTIFICATION LANGUAGE – INVESTING AND GOVERNMENT MORTGAGEES

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<p>1. I certify that I am a Corporate Officer of the abovementioned Mortgagee (hereinafter referred to as “the Mortgagee”); that I am authorized to execute these certifications and acknowledgements on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all HUD regulations and requirements necessary to maintain the Mortgagee’s FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgagee Letter, and any agreements entered into between the Mortgagee and HUD.</p>	<p>1. I certify that I am a Corporate Officer of the abovementioned Mortgagee (hereinafter referred to as “the Mortgagee”); that I am authorized to execute these certifications and acknowledgements on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all HUD eligibility and approval requirements in the National Housing Act (12 U.S.C. § 1701, et seq.) as codified in 24 CFR § 202.9 or 202.10, as applicable.</p>	<p>Modified. Replaced references to general eligibility and approval requirements with those specific to Investing and Government Mortgagees.</p>
<p>2. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD regulations and requirements necessary to maintain the Mortgagee’s FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgagee Letter, and any agreements entered into between the Mortgagee and HUD, except for those instances of non-compliance, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>2. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD applicable eligibility and approval requirements as codified in 24 CFR § 202.9 or 202.10, except for those instances of non-compliance, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>Modified. Replaced references to general eligibility and approval requirements with those specific to Investing and Government Mortgagees.</p>

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<p>3. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) knowingly on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment, and debarment under applicable federal law.</p>	<p>3. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) knowingly on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment, and debarment under applicable federal law.</p>	<p>No changes.</p>
<p>4. I acknowledge that the Mortgagee is now, and was at all times throughout the Certification Period, subject to all applicable HUD regulations, Handbooks, Guidebooks, Mortgagee Letters, Title I Letters, policies and requirements, as well as Fair Housing regulations and laws including but not limited to 24 CFR § 5.105, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and Title VI of the Civil Rights Act of 1964.</p>	<p>4. I acknowledge that the Mortgagee is now, and was at all times throughout the Certification Period, subject to all applicable HUD regulations, Handbooks, Guidebooks, Mortgagee Letters, Title I Letters, policies and requirements, as well as Fair Housing regulations and laws including but not limited to 24 CFR § 5.105, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and Title VI of the Civil Rights Act of 1964.</p>	<p>No changes.</p>