

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Section 223(a)(7) Post-Closing Electronic Document Submission Checklist

Project Name _____

FHA Project Number _____

Initial/Final Closing Date _____

Per the Uniform Condition #9 of the Firm Commitment for the POST-CLOSING submission, all electronic files of the executed closing documents must be submitted on a USB flash drive using the HUD mandated naming conventions. The standard naming convention is:

[iREMS number] _ [HUD naming convention] For example – 800123456_Note Multistate.

All files should be submitted in a PDF format using this naming convention. *Note: this naming convention is NOT required for DRAFT closing documents.*

Item		HUD Form	HUD's electronic submission Naming Convention	#	Status and Comment
A. FHA Commitment			iREMS #_ Naming Convention		
1.	a. FHA Firm Commitment	FHA-2453	Firm Commitment	C	<i>Include all attachments including HUD-executed 92264, 92264-A, and property insurance requirements and schedule. Include extensions, if applicable.</i>
	b. Amendments, if any		Firm Amendments	C	
	c. Assignments, if any		Assignment of Commitment	C	
III. Organizational, Due Diligence, and Other Supporting Documents					
2.	Borrower's Incumbency Certificate with Organizational Documents attached		Incumbency Certificate	O	<i>Update checklist as appropriate for entity type.</i>
	a. Filed formation documents, from Secretary of State, as amended		3234B or 3235 Model Form of Certificate of Incorporation	C	<i>e.g., Articles of Organization, Certificate of Limited Partnership, or Articles of Incorporation.</i>
	b. Operating Agreement / Partnership Agreement / Bylaws, as amended		3245 Model Form of Bylaws	C	<i>Should include HUD-required provisions and be certified by Borrower as current and correct.</i>

Section 223(a)(7) Post-Closing Electronic Submission Checklist
 Project Name and/or Number: _____

Item	HUD Form	HUD's electronic submission Naming Convention	#	Status and Comment
c. Authorizing Resolution		Mins of Meetings Resolutions Organize of Dirs Shareholders	C	If applicable (authority may be granted in governing agreement).
d. Status certificate		Status Certificate	C	Should be dated w/in 30 days of closing.
e. Qualification to Do Business in Project State		Qualification to operate in Project State	C	For out-of-state entities, if applicable.
3. Borrower's Managing Member / General Partner's Incumbency Certificate with Organizational Documents attached		Incumbency Certificate	O	As applicable.
a. Filed formation documents, from Secretary of State, as amended		3234B or 3235 Model Form of Certificate of Incorporation	C	e.g., Articles of Organization, Certificate of Limited Partnership, or Articles of Incorporation.
b. Operating Agreement / Partnership Agreement / Bylaws, as amended		3245 Model Form of Bylaws	C	Should be certified by entity as current and correct.
c. Authorizing Resolution		Mins of Meetings Resolutions Organize of Dirs Shareholders	C	If applicable (authority may be granted in governing agreement).
d. Status certificate		Status Certificate	C	Should be dated w/in 30 days of closing.
e. Qualification to Do Business in Project State		Qualification to do Business in Project State	C	For out-of-state entities, if applicable, and if required by state law.
4. ALTA Survey Plat with HUD Survey Certification		92457 Surveyors Report and Certified Property Survey	O	Dated within 120 days of closing, if applicable.
5. Certificate of No Change to Survey		Certificate of No Change to Survey	O	If applicable.
6. HUD Survey Instructions and Surveyor's Report	HUD-91073M	91073M HUD Survey Instructions and Report	O	Last inspection within 120 days of closing, if applicable.

Section 223(a)(7) Post-Closing Electronic Submission Checklist
 Project Name and/or Number: _____

	Item	HUD Form	HUD's electronic submission Naming Convention	#	Status and Comment
7.	Title Insurance Policy, with endorsements		Title Insurance Policy	O	2006 ALTA form, where approved for use in the applicable jurisdiction. HUD-required endorsements should be attached. Title exception documents and pro forma policy should be received & reviewed prior to closing. Include authority letter for title agent, if applicable.
	a. Title Exception Documents		Title Exception	C	
	b. UCC Search Report		UCC	C	
8.	Evidence of Zoning Compliance		Evidence of compliance (Zoning Comp)	C	Usually a zoning endorsement to Title Policy; if not, a zoning opinion or letter from the zoning authority may be needed.
9.	Evidence of Building Code Compliance		Building Codes	C	
10.	Opinion of Borrower's Counsel	HUD-91725M	91725M Guide for Opinion of Borrowers Counsel	O	Should include appropriate attachments.
	a. Certification of Borrower	HUD-91725M-CERT	91725M Guide for Opinion of Borrowers Counsel	O	
	b. Supporting legal opinion		Third Party financing-legal documents	O	Bonds/LIHTC opinions, if applicable.
	c. List of pending litigation		Litigation Hold	C	If applicable.
11.	Inspection Fee Check		Inspection Fee Check	O	
12.	Mortgage Insurance Premium (MIP) Check		Mortgage Insurance Premium Check	O	
13.	Special Conditions from Firm Commitment		FIRM Special Conditions		If applicable.

Section 223(a)(7) Post-Closing Electronic Submission Checklist
 Project Name and/or Number: _____

	Item	HUD Form	HUD's electronic submission Naming Convention	#	Status and Comment
14.	Attendance List		Closing Attendance List	O	<i>If applicable.</i>
VI. HUD Loan Documents					
15.	Note (Multistate)	HUD-94001M & state addendum	Note multistate	C	<i>State-specific provisions and/or addenda may be required.</i>
16.	Security Instrument	HUD-94000M & state addendum	Security Agreement and Financing Statement	O	<i>State-specific provisions and/or addenda may be required.</i>
17.	Regulatory Agreement	HUD-92466M	92466M Regulatory Agreement for Multifamily Projects	O	
18.	UCC Financing Statements (State & County)		UCC	C	
19.	Request for Endorsement of Credit Instrument	HUD-92455M	92455M Request for Endorsement of Credit Instrument and Certificates	O	<i>With all applicable exhibits and attachments.</i>
20.	Certified Closing Statement		Certified Closing Statement	O	
21.	Agreement and Certification	HUD 93305-M	93305M Agreement and Certification	O	<i>If applicable.</i>
22.	Certificate Regarding Tenant's Security Deposit		Security Deposit Certification	O	<i>If applicable.</i>
23.	Lender's Assurance of Permanent Financing		Lenders Certifications	O	
24.	Escrow Agreement for Non-critical, Deferred Repairs	HUD-92476 1M	92476 1M Escrow Agreement for noncritical deferred repairs	O	
25.	Other escrow agreements, if applicable		Other Escrow Agreements	O	<i>List as required, see Closing Guide § 2.8.</i>

	Item	HUD Form	HUD's electronic submission Naming Convention	#	Status and Comment
26.	Borrower's Oath	HUD-92478M	92478M Borrowers Oath not 232	O	Must be given under oath in accordance with state law requirements for taking an oath, in order to fulfil National Housing Act requirements.
VI. Secondary Financing Loan Documents					
27.	Subordination Agreement, or Rider to Note and Mortgage	HUD-92420M	92420M Subordination Agreement	C	If private, non-governmental secondary financing is approved, a Rider to the second mortgage is used (see Closing Guide § 5.1); if public financing, the HUD Subordination Agreement is required.
28.	Disbursement Agreement		Disbursement Agreement	O	If applicable.
VII. HUD Administrative Documents and Additional Requirements					
29.	Administrative Memo with attached Waivers and HUD-2 forms		Waivers-Requests for waivers HUD-2 form (Waivers)	O	If applicable.
30.	Document Review Worksheets, if applicable		Document Review Worksheets	O	If used by program staff to document compliance with cost, valuation, architectural, or other underwriting requirements.
31.	Previous Participation Certification Clearance	HUD-92530	2530 Previous Participation	C	
32.	HUD Representative's Trip Report	HUD-95379	Trip Report Final 5379	O	
33.	Restrictive Covenants/Use Agreements		Use Agreements	O	With HUD rider if applicable.
34.	Commercial Space Leases (with Tenant Estoppel Certificates)		Commercial Leases	C	If applicable.
35.	Subordination, Non-Disturbance and Attornment Agreements		Subordination, Non-Disturbance and Attornment Agreements	C	If applicable. See sample form in Housing Notice 2011-07.
36.	Lender's Byrd Amendment Certificate		Byrd Amendment	O	Unless collected previously by Housing.

