



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-8000

ASSISTANT SECRETARY FOR HOUSING-
FEDERAL HOUSING COMMISSIONER

June 20, 2011

MORTGAGEE LETTER 2011-21

TO: ALL FHA-APPROVED MULTI-FAMILY MORTGAGEES

SUBJECT: Revised Instructions for Preparing American Land Title Association (ALTA)/American Congress on Surveying and Mapping (ACSM) Land Title Survey for HUD Multifamily Housing Programs

I. Purpose

This Mortgagee Letter supercedes any previous informal guidance relating to the replacement of HUD Survey Instructions and Report, Form HUD-92457, 2005 Minimum Standard Detail Requirements for American Land Title Association/American Congress on Surveying and Mapping Land Title Survey instructions, with new Forms (copies attached) HUD-92457A-M, HUD-92457M, HUD Survey Instructions and Report, 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Survey.

The option available through this Mortgagee Letter will be effective immediately.

II. Background

The American Land Title Association (ALTA), the American Congress on Surveying and Mapping (ACSM) and the National Society of Professional Surveyors, (NSPS) worked in conjunction to develop a set of land surveying standards. The new 2011 ALTA/ACSM Minimum Standard Detail Requirements for Land Title Survey was effective February 23, 2011.

In keeping with prior HUD survey policy and form requirements, the new Form HUD-92457A-M, HUD, Survey Instructions and Report and Form HUD-92457M, Surveyor's Report provides supplemental HUD surveyor instructions and surveyor certification to the Department.

The Department is in the process of amending the MAP Guide to include the 2011 ALTA/ACSM Standards.

III. HUD Survey Instructions, Form HUD-92457A-M, and Report, Form HUD-92457M

Although the new HUD Survey Instructions, Form HUD-92457A-M, and Report, Form HUD-92457M, will be required submission documents for multifamily housing programs in connection with firm commitments issued on or after September 1, 2011, the new survey forms may be used prior to September 1, 2011, at the Mortgagee's option, if written notice of such use is provided to HUD. Use of the revised Form HUD-92457M is not required for transactions in which firm commitments are issued prior to September 1, 2011, and the use of the 2005 Form HUD-92457, relating to the 2005 ALTA/ASCM Standards remains acceptable for such transactions in which firm commitments are issued prior to September 1, 2011. The new forms are attached to this Mortgagee Letter and may be accessed on HUD's website, www.hudclips.org.

Changes to the HUD Survey Instructions and Report form include:

- 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys jointly established and adopted by the American Land Title Association, the American Congress on Surveying and Mapping and the National Society of Professional Surveyors.
- The 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, Table A, Optional Survey Responsibilities and Specifications, thereof, items 1, 2, 3, 4, 6a, 6b, 7a, 8, 9, 10a, 10b, 11b, 12, 13, 16, 17, 18, 19 and 20a, are the same as 2005, Table A, Optional Survey Responsibilities and Specifications (flood zone, parking spaces, land area, zoning, etc.) with the following exceptions:
 1. While the required information did not change, minor edits were done to items 3, 8, 9, 12, 13, 16, and 17.
 2. Item 2, now requires the surveyor to notate postal/property address(es) on the survey. Previous item 2 requirement for a vicinity map has been moved to a requirement under Section 6.D.i.
 3. Item 6a, 6b, is a new requirement for current zoning classification and building setback requirements. HUD requires this information on drawings and application exhibits. This information will now be a requirement of the surveyor.
 4. Item 7, has the option for "gross floor area" removed. It was difficult for the surveyor to determine the gross floor area of multi-story buildings without entering the building and measuring the interior which is beyond their scope of work.
 5. Item 10, is a new requirement for the determination and location of division or party walls (typically walls separating units in condos or townhomes) and determination if such walls are plumb. The previous item 10, an option for showing access to a public way has been moved to a mandatory requirement under Section 5.B.iii, Section 5.B.vii and Section 6.C.iv.

6. Item 20a, is a new item that references location of improvements within any offsite easements or servitudes benefiting the property. This new option requirement is necessary to ensure offsite utilities, roads and or other improvements are legal.
- **Flood Hazard Involved:** Where any portion of the site is subject to flood hazard, the surveyor must clearly indicate the 100 year return frequency flood hazard elevation and flood zone for all projects plus the 500 year return frequency flood hazard elevation and flood zone for Section 811 Supportive Housing for Persons with Disabilities program. This section was modified to eliminate the reference to healthcare facilities and added Section 811 housing program.
 - **Surveyor's Certification:** This certification was revised to reference the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys.

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0598. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

Any questions regarding this Mortgagee Letter should be directed to Joseph A. Sealey, Director, Technical Support Division at (202) 402-2559. Persons with hearing or speech impairments may access this number via TDD/TTY by calling 1-800-877-8339.

Sincerely,

/s/

Robert C. Ryan
Acting Assistant Secretary for Housing-
Federal Housing Commissioner

Attachment: Form HUD-92457A-M
Form HUD-92457M