|  |  |  |
| --- | --- | --- |
| Project Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |  | Checklist Draft Date ­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| FHA Project Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  | Final Closing Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

*Unless otherwise agreed, the HUD Attorney will obtain 3 sets of all documents: originals (O),certified copies (Cert), or photocopies (C), as noted.*

*Where originals are requested, only 1 needs to be an original, and the rest may be copies. If a copy is requested, an original will be accepted.*

|  | **Item** | **HUD Form** | **#** | **Status and Comment** |
| --- | --- | --- | --- | --- |
| 1. **Organizational, Due Diligence, and Other Supporting Documents**
 |  |  |
|  | Borrower’s Incumbency Certificate with Organizational Documents attached, or certification of no change since initial closing | *Update required documents as appropriate for entity type.*  |
| 1. Filed formation documents, from Secretary of State, as amended
 |  | C | *e.g., Articles of Organization, Certificate of Limited Partnership, Articles of Incorporation.* |
| 1. Operating Agreement/Partnership Agreement/Bylaws
 |  | C | *Should include HUD-required provisions and be certified by Borrower as current and correct.* |
| 1. Authorizing Resolution
 |  | C | *If applicable (authority may be granted in governing agreement).* |
| 1. Status Certificate
 |  | C | *Should be dated w/in 30 days of closing.* |
| 1. Qualification to Do Business in Project State
 |  | C | *For out-of-state entities, if applicable.* |
|  | Borrower’s Managing Member or General Partner’s Incumbency Certificate with the Organizational Documents attached, or certification of no change since initial closing | *As applicable.* |
| 1. Filed formation documents, from Secretary of State, as amended
 |  | C | *e.g., Articles of Organization, Certificate of Limited Partnership.* |
| 1. Operating Agreement/Partnership Agreement/Bylaws
 |  | C | *Should be certified by entity as current and correct.*  |
| 1. Authorizing Resolution
 |  | C | *If applicable (authority may be granted in governing agreement).* |
| 1. Status certificate
 |  | C | *Should be dated w/in 30 days of closing.* |
| 1. Qualification to Do Business in Project State
 |  | C | *For out-of-state entities, if applicable, and if required by state law.* |
|  | Opinion of Borrower’s Counsel  | HUD-91725M | O | *If and as applicable. See Closing Guide § 2.10.E.* |
| a. Certification of Borrower | HUD-91725M-CERT | O |  |
| b. Supporting legal opinion |  | O | *Bond/LIHTC opinions, if applicable.* |
| c. List of pending litigation |  | O | *If applicable.* |
|  | ALTA Survey Plat with HUD Survey Certification |  | O | *Dated within 120 days of closing.* |
|  | HUD Survey Instructions and Surveyor’s Report | HUD-91073M | O | *Last inspection within 120 days of closing.* |
| 1. S
 | Title Insurance Policy, with endorsements |  | O | *Either a new policy or a date-down endorsement updating the original policy to final endorsement date. Include authority letter for title agent, if applicable.* |
| 1. Title Exception Documents
 |  | C | *Including any new additional restrictive covenants related to secondary financing, if applicable.* |
|  | Certificate of Occupancy  |  | C |  |
|  | Certificates |  |
| 1. Request for Final Endorsement of Credit Instrument
 | HUD-92023M | O |  |
| 1. Lender’s Current Payment Letter
 |  | O | *If applicable.*  |
| 1. Contractor’s Requisition
 | HUD-92448 | O |  |
|  | Certificate Regarding Tenants’ Security Deposits |  | O | *If applicable.* |
|  | Special Conditions from Firm Commitment |  |  | *If applicable.* |
|  | Attendance List |  |  | *If applicable.* |
| 1. **HUD Loan Documents**
 |
|  | Modification and Consolidation Agreement |  | O | *If applicable.*  |
|  | Allonge or Supplemental Note | HUD-94001M, if applicable | C | *If applicable, include state-specific requirements, if any.* |
|  | Modification to or Supplemental Security Instrument | HUD-94000M,if applicable | O |  *Include state-specific provisions and/or addenda, if applicable.* |
|  | Increase Mortgage Insurance Premium Check  |  | O | *If applicable.* |
|  | Mortgage Note, with final endorsement | HUD-94001M  | C |  |
|  | Application for Insurance of Advance of Mortgage Proceeds  | HUD-92403 | O |  |
|  | Guarantee following completion  |  | O | *If applicable.*  |
|  | Escrow Agreements |  |  | *If applicable.* |
| 1. Escrow Agreement for Incomplete Construction
 | HUD-92456M | O |  |
| 1. Escrow Agreement for Non-critical, Deferred Repairs
 | HUD-92476.1M | O |  |
| 1. Other Escrow Agreements, as required
 |  |  | *For example, Deposit Agreement for Davis-Bacon non-compliance, Excess Mortgage Proceeds Escrow, Latent Defects Escrow, and Escrow Agreement for Unpaid Construction Costs, Repairs, or Needs Assessments.* |
| 1. **HUD Administrative Documents and Additional Requirements**
 |
|  | Administrative Memo with attached Waivers and HUD-2 forms |  | O | *If applicable.* |
|  | Maximum Insurable Mortgage | HUD-92580 | O |  |
|  | Labor Relations Clearance  |  | C |  |
|  | Labor Standards Deposit Agreement | HUD-4732 | O | *If required.* |
|  | Local Requirements |  |  | *If applicable*. |
| 1. S
 | Secondary financing documents |  |  | *If there are any new documents related to secondary financing since initial closing.*  |