

UNITED STATES  
DEPARTMENT OF HOUSING AND  
URBAN DEVELOPMENT  
OFFICE OF MULTIFAMILY HOUSING PROGRAMS

AMENDMENT<sup>\*</sup>

TO PROJECT-BASED SECTION 8 HOUSING ASSISTANCE  
PAYMENTS CONTRACT PURSUANT TO SECTION  
8(bb)(1) OF THE UNITED STATES HOUSING ACT OF 1937

Section 8 Project Number: \_\_\_\_\_

FHA Project Number (if applicable): \_\_\_\_\_

Project Name: \_\_\_\_\_

\_\_\_\_\_

Project Description:<sup>1</sup>

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

<sup>\*</sup> This instrument is to be used to amend the section 8 HAP contract referred to in Notice H-2014-14 as "Contract A1."

This Amendment to Project-Based Section 8 Housing Assistance Payments Contract Pursuant to Section 8(bb)(1) of the United States Housing Act of 1937 (“Amendment”)<sup>2</sup> provides as follows:

1. Parties to the Amendment.

A. Name of Project Owner:<sup>3</sup> \_\_\_\_\_

\_\_\_\_\_

Address of Project Owner: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

B. Name of Contract Administrator:<sup>4</sup> \_\_\_\_\_

\_\_\_\_\_

Address of Contract Administrator: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2. Recitals.

A. Section 8(bb)(1) of the United States Housing Act of 1937 (“Act”), 42 U.S.C. § 1437f(bb)(1), provides in part that if a project-based section 8 HAP contract is terminated, HUD shall transfer any remaining budget authority to another contract under terms prescribed by the Secretary.

B. Pursuant to Notice H-2014-14 and section 8(bb)(1) of the Act, the Owner and the Contract Administrator of the project-based section 8 HAP contract identified on page 1 of this Amendment hereby agree to subdivide, and do subdivide, the HAP contract (i.e., the HAP contract identified in the aforementioned Notice as “Contract A”) into two or more component contracts for the purpose of (i) retaining a portion of the project-based section 8 assistance at the Project under the contract amended herein (i.e., the HAP contract identified in the aforementioned Notice as “Contract A1”), and (ii) terminating the other component contract(s) (i.e., Contract A2 and, if applicable, Contract A3, etc.).

3. Termination of Contract A2 and, if applicable, Contract A3, etc. The Owner and the Contract Administrator hereby agree to terminate, and do terminate, the component contract(s) resulting from the subdivision of the HAP contract, except for Contract A1 (i.e., Contract A2 and, if applicable, Contract A3, etc.) so that HUD may, immediately thereafter, transfer the budget authority associated with the terminated contract(s) to one or more other project-based section 8 HAP contracts pursuant to section 8(bb)(1) of the Act.
  
4. Amendment. The Owner and the Contract Administrator agree to the following terms of this Amendment to Contract A1.
  - A. The total number of dwelling units assisted under this HAP contract, as amended herein (i.e., Contract A1), is reduced from \_\_\_\_\_<sup>5</sup> to \_\_\_\_\_.<sup>6</sup> The units assisted under this Contract A1, as amended herein, are identified by bedroom size and contract rent in Exhibit A, which is attached to and hereby incorporated into this Amendment, and which supersedes previous versions of Exhibit A to the HAP Contract.
  
  - B. The Project is subject to, and the Owner shall comply with, the Physical Condition Standards and Inspection Requirements of 24 CFR Part 5 Subpart G, all related guidance, handbooks, and directives, and any changes to 24 CFR Part 5 Subpart G and to all related guidance, handbooks, and directives. The Project is further subject to, and the Owner shall further comply with, the Physical Condition of Multifamily Properties regulations of 24 CFR Part 200 Subpart P, all related guidance, handbooks, and directives, and any changes to 24 CFR Part 200 Subpart P and to all related guidance, handbooks, and directives.
  
  - C. The Project is further subject to, and the Owner shall further comply with, the Uniform Financial Reporting Standards of 24 CFR Part 5 Subpart H, all related guidance, handbooks, and directives, and any changes to 24 CFR Part 5 Subpart H and to all related guidance, handbooks, and directives.
  
5. Other Terms.
  - A. This Amendment shall be effective upon execution by the Owner and the Contract Administrator and shall remain in effect both during the current term of the HAP contract and during each and every successive renewal term, unless modified and agreed to in writing by the Owner and the Contract Administrator.

- B. In the event of any inconsistency between the terms of this Amendment and the terms of the HAP contract prior to amendment by this instrument, including any renewal contract issued under the Multifamily Assisted Housing Reform and Affordability Act of 1997, the terms of this Amendment shall govern.

*[The remainder of this page has been left blank intentionally.]*

**OWNER**

**Full Legal Name of Owner (print or type)**

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By: \_\_\_\_\_

Signature of authorized representative

\_\_\_\_\_  
Name and official title (print or type)

\_\_\_\_\_  
Date (mm/dd/yyyy) (print or type)

**CONTRACT ADMINISTRATOR**

**Full Legal Name of Contract Administrator (print or type)**

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By: \_\_\_\_\_

Signature of authorized representative

\_\_\_\_\_  
Name and official title (print or type)

\_\_\_\_\_  
Date (mm/dd/yyyy) (print or type)

**EXHIBIT A**

**IDENTIFICATION OF UNITS ("CONTRACT UNITS")  
BY SIZE AND APPLICABLE CONTRACT RENTS**

**Section 8 Contract Number:  
FHA Project Number (if applicable):**

| <b>Number<br/>of Contract Units</b> | <b>Number<br/>of Bedrooms</b> | <b>Contract<br/>Rent</b> | <b>Utility<br/>Allowance</b> | <b>Gross<br/>Rent</b> |
|-------------------------------------|-------------------------------|--------------------------|------------------------------|-----------------------|
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**NOTE:** This Exhibit will be amended by Contract Administrator notice to the Owner to specify adjusted contract rent amounts as determined by the Contract Administrator in accordance with the provision of the Renewal Contract governing the adjustment of Contract Rents.

Comments:

## INSTRUCTIONS FOR PREPARATION OF AMENDMENT

The following instructions are not part of the Amendment.

The endnote numbers below correspond to the numbers that appear in superscript in the text of the Amendment.

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<sup>1</sup> Enter a description of the housing covered by the section 8 HAP contract as amended by this instrument (i.e., Contract A1). The section 8 HAP contract being amended may be either an original section 8 HAP contract or a renewal contract issued under the Multifamily Assisted Housing Reform and Affordability Act of 1997. The description must clearly identify the Project by street address, city, county, state, zip code, block and lot number (if known), and any other information necessary to clearly designate the covered Project.

<sup>2</sup> This instrument is to be used only in conjunction with HUD-approved transactions under section 8(bb)(1) of the United States Housing Act of 1937 and only to amend the project-based section 8 HAP contract referred to in Notice H-2014-14 as “Contract A1.”

<sup>3</sup> Enter the full legal name of the Project Owner. For example, “ABC Corporation, Inc., a Maryland Corporation.”

<sup>4</sup> Enter the full legal name of the Contract Administrator. If the Contract Administrator is a public housing agency (e.g., a Performance-Based Contract Administrator), the public housing agency must execute this Amendment. In this case, enter the full legal name of the public housing agency. If HUD is the Contract Administrator, enter “United States of America – Department of Housing and Urban Development.”

<sup>5</sup> Enter the number of units assisted under the HAP contract referred to in Notice H-2014-14 as “Contract A” (i.e., prior to its subdivision).

<sup>6</sup> Enter the number of units assisted under the HAP contract referred to in Notice H-2014-14 as “Contract A1” (i.e., after the subdivision of the HAP contract and the amendment of Contract A1 by this instrument).