

# Supporting Data for Annual Contributions Estimates

Section 8 Housing Assistance  
Payments Program

U.S. Department of Housing  
and Urban Development  
Office of Public and Indian Housing

Attachment 1  
OMB Approval No. 2577-0149 (Exp. 7/31/2001)

Public reporting burden for this collection of information is estimated to average 40 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless that collection displays a valid OMB control number. Authority for this collection of information is the Housing and Community Development Act of 1987. Housing Agencies (HAs) required to maintain financial reports in accordance with accepted accounting standards too permit timely and effective audits. The financial records identify the amount of annual contributions that are received and disbursed by HAs. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

1. Public Housing Agency (Name and Address)	2. Project No.	
	3. Submission <input type="checkbox"/> Original <input type="checkbox"/> Revision No. <span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px; vertical-align: middle;"></span>	
	4. No. of Dwelling Units	5. No. of Unit Months

Part I Estimate of Annual Housing Assistance Payments Required	6.	Bedroom Size of Dwelling Units	Number of Dwelling Units	Monthly Gross Rent/Payment Standard	Amount Payable by Family Toward Gross Rent	Monthly Housing Assistance Payments	Unit Months Under Lease	Annual Housing Assistance Payments
		0 BR						
1 BR								
2 BR								
3 BR								
4 BR								
	15.	<b>Total</b>					<b>\$</b>	

Part II Calculation of Estimated Ongoing Administrative Fee	16.	Unit Months (a)	HUD Published 2-BR Fair Market Rent (b)	Product of Columns (a) x (b) (c)	Allowable Percent x (d)	Administrative Fee (e)
		0 BR				
1 BR						
	18.	<b>Total</b>				

Part III Calculation of Estimated Hard-to-House (Existing Housing Certificates and Housing Vouchers Only)	19.	Estimated Number of Families (a)	Fee Per Family (b)	Total Hard-to-House Fee (c)

Part IV Calculation of Estimated Preliminary Expense		Requested Amount	
		Requested Amount	HUD Modifications
Administrative Expenses	20. Administrative Salaries		
	21. Employee Benefit Contributions		
	22. Legal Expense		
	23. Travel Expense		
	24. Sundry		
	25. Office Rent		
	26. Accounting and Auditing Fees		
	27. Total Administrative Expenses		
Non-Expendable Equipment Expenses	28. Office Equipment		
	29. Office Furnishings		
	30. Automotive		
	31. Other		
	32. Total Non-Expendable Equipment Expenses		
General Expenses	33. Maintenance and Operation (Non-Expend. Equip. Only)		
	34. Insurance		
	35. Sundry		
	36. Total General Expense		
<b>Total Preliminary Expenses</b>	37. Sum of Lines 27, 32, and 36		

# Estimate of Total Required Annual Contributions

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

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1. Public Housing Agency (Name and Address)		2. Project No.				
		3. Submission				
		<input type="checkbox"/> Original <input type="checkbox"/> Revision No. <span style="border: 1px solid black; display: inline-block; width: 40px; height: 15px;"></span>				
4. Annual Contributions Contract No.	5. HUD Field Office		6. HUD Regional Office		7. No. Dwelling Units	8. No. Units Months

9. Housing Program Type (Mark One)  
 (a) New Construction     (b) Substantial Rehabilitation     (c) Moderate Rehabilitation     (d) Existing Housing Certificates     (e) Housing Vouchers

10. PHA Fiscal Year Ending Date (Mark one and complete year)  
 (a) March 31,     (b) June 30,     (c) September 30,     (d) December 31,    19:

I. Maximum Annual Contributions	PHA Estimate (Housing Vouchers Only)		PHA Estimate Total	HUD Approved (Housing Vouchers Only)		HUD Approved Total
	Housing Payments	PHA Fee		Housing Payments	PHA Fee	
11. Maximum Annual Contributions Commitment						
12. Prorata Maximum Annual Contributions Applicable to a Period in Excess of 12 Months						
13. Maximum Annual Contributions for Fiscal Year (Line 11 plus Line 12)						
14. Project Account—Estimated or Actual Balance at Beginning of Requested Fiscal Year						
15. Total Annual Contributions Available—Estimated or Actual (Line 13 plus Line 14)						

II. Maximum Annual Contributions	PHA Estimate (Housing Vouchers Only)		PHA Estimate Total	HUD Approved (Housing Vouchers Only)		HUD Approved Total
	Housing Payments	PHA Fee		Housing Payments	PHA Fee	
16. Estimated Annual Housing Assistance Payments (form HUD-52672, Line 15)						
17. Estimated Ongoing Administrative Fee (form HUD-52672, Line 18)						
18. Estimated Hard-to-House Fee (form HUD-52672, Line 19)						
19. Estimated Independent Public Accountant Audit Costs						
20. Estimated Preliminary Administrative and General Expense (form HUD-52672, Lines 27 and 36)						
21. Carryover of Preliminary Administrative and General Expense not Expended in the Previous FY Ending: ( / / )						
22. Estimated Non-Expendable Equipment Expense (form HUD-52672, Line 32)						
23. Carryover of Non-Expendable Equipment Expense not Expended in the Previous FY Ending: ( / / )						
24. Total Annual Contributions Required—Requested Fiscal Year (Lines 16 through 23)						
25. Deficit at End of Current Fiscal Year—Estimated or Actual						
26. Total Annual Contributions Required (Line 24 plus Line 25)						
27. Estimated Project Account Balance at End of Requested Fiscal Year (Line 15 minus Line 26)						
28. Provision for Project Account—Requested Fiscal Year Increase (decrease) (Line 27 minus Line 14)						

**III. Annual Contributions Approved**

29. Total Annual Contributions Approved—Requested Fiscal Year (Line 26 plus increase, if any, on Line 28)						
30. Source of Total Contributions Approved—Requested Fiscal Year:						
(a) Requested Fiscal Year Maximum Annual Contributions Commitment (Line 13 or Line 29, whichever is smaller)						
(b) Project Account (Line 29 minus Line 30(a))						

Signature, Name and Title of PHA Approving Official (and date)

Signature, Name and Title of Approving HUD Field Office Official (and date)

# Suggested Format for Requisition for Partial Payment of Annual Contributions

## Section 8 Housing Assistance Payments Program

U.S. Department of Housing and Urban Development  
Office of Public and Indian Housing

Attachment 3  
OMB Approval No. 2577-0149 (Exp. 7/31/2001)

Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and you are not required to respond to, a collection of information unless that collection displays a valid OMB control number. Authority for this collection of information is the Housing and Community Development Act of 1987. Housing Agencies (HAs) required to maintain financial reports in accordance with accepted accounting standards too permit timely and effective audits. The financial records identify the amount of annual contributions that are received and disbursed by HAs. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

1. Date of Requisition		2. No. of Months in 1st FY		4. Public Housing Agency (HA) (Name and Address)		
3. Project No.						6. HA Fiscal Year Ending Date (Mark one box and complete year) <input type="checkbox"/> (a) March 31, <input type="checkbox"/> (b) June 30, <input type="checkbox"/> (c) September 30, <input type="checkbox"/> (d) December 31, 19:
5. Housing Program Type (Mark one) <input type="checkbox"/> (a) Moderate Rehabilitation <input type="checkbox"/> (b) Rental Certificates <input type="checkbox"/> (c) Rental Vouchers						
7. Number of Units Under Lease to Eligible Families as of Date of Requisition		8. Average Monthly Housing Assistance Payment Per Unit as of Date of Requisition		9. Estimated Number of Units to be Under Lease at End of Requested Year	10. Unit Months Under Lease Year to Date	11. Average Monthly Housing Assistance Payment Per Unit Year to Date

						Funds Required for Requested Year
12. Preliminary Administrative and General Expense						
13. Estimated Housing Assistance Payments (Account 4715)						
14. Estimated Ongoing Administrative Fee						
15. Estimated Hard-to-House Fee (Existing Housing Certificates and Housing Vouchers Only)						
16. Independent Public Accountant Audit Costs (Section 8 Only)						
17. Total Funds Required to End of Requested Year (Sum of Lines 12 through 16)						
18. Payments Previously Approved for the Fiscal Year (applicable only to revised requisition)						
19. Adjustment to Requisition (Difference of Line 17 and Line 18. Do not use brackets)						
20. Total Payment Requirement For Requested Year (Line 18 plus or minus adjustment on Line 19 if revised requisition. Total must equal Line 17)						

21.  Paid in Equal Installments (Original Requisition Only)       Paid in Unequal Installments

22. Installment	1	2	3	4	5	6
HA Total						
HUD Revision						
Installment	7	8	9	10	11	12
HA Total						
HUD Revision						

23a. Total (HA) \$	23b. Total (HUD) \$	24. Revised Monthly Installments Begin Month Of:
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I Certify that (1) housing assistance payments have been or will be made only in accordance with Housing Assistance Payments Contracts or Housing Voucher contracts in the form prescribed by HUD and in accordance with HUD regulations and requirements; (2) units have been inspected by the HA in accordance with HUD regulations and requirements; and (3) this requisition for annual contributions has been examined by me and to the best of my knowledge and belief is true, correct and complete.

**Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Title of Authorized HA Official		Title of Authorized HUD Approving Official	
Signature	Date	Signature	Date

**RESERVE FOR REPLACEMENT  
MORTGAGOR'S CERTIFICATION  
(Suggested Format)**

Project Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Project Number: \_\_\_\_\_ Mortgagor/Agent: \_\_\_\_\_

Reserve Account Balance: \_\_\_\_\_ As Of: \_\_\_\_\_

Monthly Deposits Required: \_\_\_\_\_

We are requesting reimbursement/release of \$\_\_\_\_\_ from the Reserve for Replacement account of the subject property. Attached is a completed form HUD-9250. A breakdown of the services or materials purchased is as follows:

Vendor	Description of Work	Location	Invoice Number	Serial Number	Check Number	Amount

**MORTGAGOR/MANAGEMENT AGENT CERTIFICATION**

I, \_\_\_\_\_, certify that: Funds expended have been or will be used for the work indicated in this request. All contract materials, supplies, and services (if applicable) have been obtained at the most reasonable cost and on terms most advantageous to the property. All discounts, rebates, or commissions have been credited to the property. Any expenditures that are determined ineligible, as a result of HUD review, will be repaid (from non-profit funds) to the property's reserve fund.

All goods and services purchased from individuals or companies with which the Owner or Management Agent has an identity-of-interest were purchased at costs not in excess of those that would have been incurred in making arms-length purchases on the open market. (All identity of interest transactions must be specifically identified in the project's annual financial statements.)

Under the penalties and provision of Title 18, United States Code, Chapter 47, Section 1001, the statements contained in this request have been examined by me, and to the best of my knowledge and belief, are true, correct and complete.

Signature (Mortgagor/Agent) \_\_\_\_\_ Date \_\_\_\_\_

Title (Authorized Agent of Mortgagor) \_\_\_\_\_

**TRANSFER OF PHYSICAL ASSETS  
REQUIRED DOCUMENTS FOR FULL REVIEW**

**PRELIMINARY APPROVAL**

Required contents of the Application for Preliminary Approval of a Transfer of Physical Assets (TPA) requiring Full Review (2 copies, indexed):

- \*\* 1. TPA Application (Form HUD 92266) signed by seller and purchaser
- \*\* 2. Consent by Mortgagee
- 3. TPA Fee
- \*\* 4. Purchaser's Letter
- 5. Purchaser's Previous Participation Certification (Form HUD-2530)
- 6. Purchaser's Resume
- 7. Purchaser's Personal Financial Statement (Form FHA-2417)
- 8. Credit Report
- 9. Sources and Uses of Funds
- \*\* 10. Executed but Unrecorded Sale Contract, Option Contract or Land Contract
- 11. Executed Seller's Affidavit
- 12. Interim Financial Statements
- 13. Pro Forma Balance Sheet
- 14. Mortgagee Statement of Escrow and Reserve Account
- 15. Physical Inspection Report submitted by Owner
- 16. MIO Plan (if needed)
- 17. Proposed Management Certification, Entity Profile and Form HUD 2530, Previous Participation Certification for the Management Agent
- \*\* 18. Executed but Unrecorded Release, Assumption and/or Modification Agreement
- \*\* 19. Executed but Unrecorded Regulatory Agreement
- \*\* 20. Executed but Unrecorded Secondary Financing Documents
- \*\* 21. Proposed but Unrecorded Deed
- \*\* 22. Proposed Bill of Sale and Assignment
- \*\* 23. Title Report
- 24. Mortgagor's Oath
- 25. Proposed Rental Schedule (Form HUD-92458)
- \*\* 26. Executed Organizational Documents of Purchaser
- \*\* (If mortgagor is a Limited Liability Corporation/Partnership compliance with LLC notice, H 95-66, is required)
- \*\* 27. Attorney's Certification
- 28. Byrd Amendment Certification
- \*\* 29. Executed but unrecorded Allonge (where applicable)

**Additional Requirements:**

See 4350.1, Ch 13, Section 7 (pg 13-23) and Notice H 97-24 for Subsidy Layering review requirements.

See 4350.1, Ch 13, Section 8 (pg 13-24) for Preservation of Low Income Housing.

See 4350.1, CH 13, Section 5 if the TPA involves Flexible Subsidy. In addition, a mortgage modification or Use Agreement may be required. Consult with HUD counsel.

See Notice H95-66 if purchaser is a Limited Liability Corporation/Partnership

\*\* Indicates those documents that are reviewed by HUD Legal. Only those documents marked with \*\* should be sent to Legal for review.

The following checklist replaces Appendix A to Chapter 13 off HB 4350.1. It provides a narrative description of each item, followed by a space to indicate the acceptability of each item submitted.

PRELIMINARY FULL APPROVAL CHECKLIST

PROJECT NAME:.....

PROJECT NUMBER:.....

PROJECT LOCATION:.....

DATE RECEIVED:.....

DATE OF LAST MANAGEMENT REVIEW:.....

DATE OF LAST PHYSICAL REVIEW:.....

1. TPA APPLICATION consists of a properly executed form HUD-92266. If the package is incomplete, it should be returned without processing (with the application fee retained by HUD) and the purchaser and owner advised of the deficiencies. Note that if a lien is being created, the mortgagee must sign the application. If TPA includes secondary financing, determine that the secondary financing meets program requirements (HB 4350.1, Chap 13, paragraph 15) before forwarding the TPA for legal review. If not, advise owner and stop processing until secondary financing meets program requirements. If acceptable exhibits are not received within 10 business days, the application will be rejected and HUD will retain the fee.

TPA Application (form HUD-92266)

- |                          |            |           |            |
|--------------------------|------------|-----------|------------|
| a) Filled out completely | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
| b) Signed by purchaser   | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
| c) Signed by seller      | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
| d) Signed by Mortgagee   | <u>Yes</u> | <u>No</u> | <u>N/A</u> |

2. CONSENT BY THE MORTGAGEE is required only where the proposal involves conversion to condominium or cooperative or where a lien against the property is created in connection with the transfer (Secondary Financing only).

Consent by Mortgagee Yes No N/A

3. TPA APPLICATION FEE of \$0.50 per \$1,000 of the original face amount of the mortgage.

- |                   |            |           |            |
|-------------------|------------|-----------|------------|
| a) Fee submitted  | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
| b) Correct amount | <u>Yes</u> | <u>No</u> | <u>N/A</u> |

4. PURCHASER'S LETTER-"Purchaser" is defined to include all individuals purchasing as individuals or as principals in a joint venture, all general partners in a purchasing partnership, or a corporation. The letter must be signed by an authorized principal of the purchasing entity.

The Purchaser's letter must describe in detail all financial consideration flowing to the project and the mortgagor/seller as a result of the transfer. This letter must detail all funds allocated to project operations as well as those funds designated for use in correcting the physical needs of the project.

The letter should describe the entire transaction, including but not limited to:

- a) how the transaction complies with the Determinative Criteria;
- b) an explanation of the organization and structure of the purchasing entity;
- c) an explanation of the business transaction reflected in the Source and Use of Funds Statement;
- d) the purchaser's motivation to acquire the project;
- e) an explanation of its relationship to the management agent and whether it expects to make changes in the management of the project, particularly within the first year following preliminary approval;
- f) an explanation of why it believes the proposed repair program and/or deposit to the reserve for replacement account will be adequate to maintain the project in safe, decent and sanitary condition; and
- g) an explanation of how it will correct any financial statement, including eliminating payables at Preliminary Approval and making sure the various escrows (property tax insurance) and trust accounts (tenant security deposits) will be properly funded as a result of the TPA.
- h) The letter must state that if the project is HUD-insured, the project mortgage is current or will be brought current at Preliminary Approval. If the mortgage is held by HUD, the letter must state that the mortgage is either current or it must describe a plan for bringing the mortgage current. If the transfer cannot result in the project mortgage being brought current, the TPA should be denied. Workout plans are no longer appropriate in a TPA.
- i) Purchaser's letter describing financial considerations flowing to project and to HUD. Yes No N/A

Shows:

- i) Funds to project operation Yes No N/A
- ii) Funds for repairs Yes No N/A
- Mortgage status
- a) Current Yes No N/A
- b) Workout Yes No N/A
- c) Restoration Plan Yes No N/A

5. COMPLETED HUD 2530 for:

- a) The new ownership entity and all general partners, Yes No N/A
- b) limited partners >24%, Yes No N/A
- c) holders of common stock with an interest of 10% +, Yes No N/A
- d) new management agent, Yes No N/A



- |    |  |            |           |            |
|----|--|------------|-----------|------------|
| e) | all principals as defined<br>in 2530 instructions, | <u>Yes</u> | <u>No</u> | <u>N/A</u> |
| f) | all consultants and/or<br>packagers for profit.    | <u>Yes</u> | <u>No</u> | <u>N/A</u> |

**Note: If this TPA involves the transfer from a non-profit entity to a Limited Dividend/Profit Motivated Entity, See HB 4350.1, Section 4 for additional instructions.**

6. PURCHASER'S RESUME is to be submitted where the purchaser has no previous participation with the HUD Field Office where the application for transfer is submitted. The Resume for each principal of the purchaser should be submitted and should be in sufficient detail for HUD to understand the nature of their real estate experience.

Purchaser's resume	<u>Yes</u>	<u>No</u>	<u>N/A</u>
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7. PURCHASER'S PERSONAL FINANCIAL STATEMENTS for the proposed mortgagor entity and principals if the mortgagor entity has not been capitalized using form HUD-92417.

Purchaser's personal financial statements, HUD 92417	<u>Yes</u>	<u>No</u>	<u>N/A</u>
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8. PURCHASER'S CREDIT REPORTS on mortgagor entity and principals, ordered by the mortgagee.

Purchaser's credit report	<u>Yes</u>	<u>No</u>	<u>N/A</u>
a) Ordered by Mortgagee	<u>Yes</u>	<u>No</u>	<u>N/A</u>

9. SOURCES AND USES OF FUNDS - This shows ALL expected sources of funds and ALL expected uses of these funds. A suggested format is in Appendix F OF 4350.1 (Pages 13-73 to 75). The applicant may modify this format to suit the particular transaction, but the modification may not be less detailed or combine items to avoid specificity.

ALL PURCHASERS ARE REQUIRED TO INCLUDE A SOURCES AND APPLICATION OF FUNDS. THERE ARE NO EXCEPTIONS.

Sources and Uses of Funds	<u>Yes</u>	<u>No</u>	<u>N/A</u>
---------------------------	------------	-----------	------------

10. EXECUTED BUT UNRECORDED SALE CONTRACT, OPTION CONTRACT OR LAND CONTRACT - Submit the applicable sale document in its entirety, reciting all consideration moving to the seller.

Executed sale or land contract	<u>Yes</u>	<u>No</u>	<u>N/A</u>
--------------------------------	------------	-----------	------------

11. EXECUTED SELLER/PURCHASER AFFIDAVIT - The parties must submit with the sale contract a sworn statement to the effect that the sale contract recites all of the consideration moving to the seller or any person identified therewith.

Executed seller's/purchaser's affidavit	<u>Yes</u>	<u>No</u>	<u>N/A</u>
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12. INTERIM UNAUDITED FINANCIAL STATEMENT (prepared in accordance with HB 4370.2) covering the period from the date of the last audited financial statement to the date of application.

Interim (unaudited) financial statements	<u>Yes</u>	<u>No</u>	<u>N/A</u>
--	------------	-----------	------------

13. PRO FORMA BALANCE SHEET - Pro forma balance sheet (prepared according to Handbook 4370.2). This Balance Sheet will show how the project accounts are expected to appear the day after the expected date of closing.

Pro forma balance sheet Yes No N/A

14. MORTGAGEE'S STATEMENT OF ESCROW AND RESERVE ACCOUNT - The mortgagee should provide an opinion (certified) as to the adequacy of the present escrow balances (taxes, property insurance) and present monthly deposits to meet the next anticipated tax and insurance bills.

Mortgagee statement of escrow and reserve accounts Yes No N/A

15. PHYSICAL INSPECTION REPORT must be submitted by the purchaser for all applications for TPAs. The inspection report must be prepared by a professional, licensed multifamily inspector and must address the cost of any required repairs and an analysis of the Replacement Reserve needs.

Physical Inspection submitted by Owner? Yes No N/A  
Is Physical Inspection acceptable? Yes No N/A

16. MANAGEMENT IMPROVEMENT AND OPERATING (MIO) PLAN - Where the project will have physical, management, or financial needs or changes at the time of the transfer, a MIO plan or another plan acceptable to HUD must be submitted. Use forms HUD 9835, 9835A and 9835B or develop forms which fully describe the timing and extent of planned repairs and financial contribution and the timing for all management or procedural changes.

MIO Plan, as appropriate Yes No N/A

17. PROPOSED MANAGEMENT CERTIFICATION AND FORM HUD-2530 - Where a change of management is contemplated by the transfer, a copy of the proposed new management certification must be included. This certification must be completed in conformity with HUD Handbook 4381.5. REV-1. If not already on file with the Field Office, a Management Agent Profile must also be submitted. If the proposed agent has not previously managed properties in the jurisdiction where the project is located, a brief summary or resume of the agency and its principals should be included. Also, the new management company must receive previous participation clearance by filing Form HUD-2530 (item 5 above).

Management certification and profile Yes No N/A

18. AN EXECUTED BUT UNRECORDED RELEASE, ASSUMPTION, AND/OR MODIFICATION AGREEMENT is required if the purchasing entity assumes the existing note and mortgage (see Appendix C to 4350.1, page 13-60).

Proposed Release and Assumption Agreement is acceptable Yes No N/A

19. A DRAFT OF THE NEW PROPOSED REGULATORY AGREEMENT must be executed by the purchasing entity.

Draft of proposed Regulatory Agreement acceptable, executed by purchaser Yes No N/A

20. UNEXECUTED SECONDARY FINANCING DOCUMENTS which comply with all the HUD requirements of HB 4350.1, Chapter 13, Appendix G must be submitted. If the proposed secondary financing involved creates a lien against the project or personality thereof, a consent statement from the holder of the first mortgage must be submitted (item 2 above).

Does proposed secondary financing create a lien against the property? Yes No N/A

Are all unexecuted secondary financing documents submitted?  
(notes, deeds of trust, mortgages) Yes No N/A

21. PROPOSED BUT UNRECORDED DEED Yes No N/A

22. PROPOSED BILL OF SALE AND ASSIGNMENT - see Form HUD-92228,  
Model Form - Bill of Sale and Assignment

Proposed bill of sale and assignment Yes No N/A

23. TITLE REPORT which follows FHA Form 2226 or equivalent at preliminary and at final submission or if submitting a new title policy, it must meet all FHA requirements and insure the Department and the Lender. Contact the HUD Office of General Counsel for specific requirements for Title Reports and see HB 4350.1, Pg. 13-40 and Pg. 13-62.

Title Report Yes No N/A

24. MORTGAGOR'S OATH - see FHA Form 2478 or equivalent.

Mortgagor's Oath Yes No N/A

25. PROPOSED RENTAL SCHEDULE (Form HUD-92458) - Applicable if rents have not been deregulated -NOTE: The approval of this rental schedule in conjunction with a TPA is not an approval to raise the rents at the project. All proposed rent increases must be processed separately under existing procedures.

New rental schedule (form HUD-92458) Yes No N/A

26. EXECUTED ORGANIZATIONAL DOCUMENTS OF PURCHASER - Unless the purchaser is an individual, full details as to the entity acquiring the project shall be provided. If the purchaser is a corporation, trust, or partnership, two certified copies of the charter, trust, or partnership agreement should be furnished. In any such case the charter or agreement shall show that the corporation, partnership, or trust is authorized to operate the project and to execute and be bound by the Regulatory Agreement. The charter, agreement, or other proper document or minutes of meetings should establish clearly the authority of the persons executing the Regulatory Agreement. If the purchaser is a Limited Liability Corporation/Partnership, comply with Notice H 95-66.

Organizational documents of the purchaser Yes No N/A

27. ATTORNEY'S CERTIFICATION - The Purchaser's attorney must certify that, following HUD's preliminary approval, all documents requiring execution and/or recordation will be executed and, as required, recorded in the form reviewed and approved by HUD. The attorney must use the form entitled Attorney's Certification, (Appendix A-11), and all documents must meet the requirements of Appendix G of HB 4350.1.

Attorney's certification of execution and recording Yes No N/A

28. BYRD AMENDMENT CERTIFICATION required regarding disclosure to report lobbying.

Byrd Amendment certification

Yes No N/A

29. EXECUTED BUT UNRECORDED ALLONGE (where applicable)

Yes No N/A

THE ABOVE DOCUMENTS MUST BE COMPLETE AND ACCURATE. The documents must be submitted directly to the appropriate Field Office. Upon receipt of this initial package, the Field Office immediately provides the applicant with a letter acknowledging receipt of the application (See Handbook 4350.1, Chapter 13). This acknowledgment does not indicate acceptance of the application as to form or content.

**SUMMARY OF FULL TPA ANALYSIS BY HUD PROJECT MANAGER -  
PRELIMINARY STAGE: (HUD USE ONLY)**

1. Date of last HUD Management Review.....
  - a) Last HUD Management Review Rating.....
  - b) Was a Management Review due? Yes No
  - c) Was a Management Review performed? Yes No
    - i) if yes, why?.....
    - ii) Current HUD Management Review Rating (if applicable)  
.....
  
3. Date of last HUD Physical Inspection: .....
  - a) Last HUD Physical Inspection Rating: .....
  - b) Was a Physical Inspection due? Yes No
  - c) Was a Physical Inspection performed by HUD? Yes No
    - i) if yes, why?.....
    - ii) Current HUD Physical Inspection Rating (if applicable):  
.....
  
3. Date of Owner's Physical Inspection: .....
  - a) Costs of cost of repairs/physical needs identified by Owner:  
\$.....
    - i) summarize needs:
  - b) Cost of any additional HUD-identified repairs \$.....
    - i) summarize additional needs:
  - c) Owner identified Replacement reserve needs:
    - i) up front contribution req'd: \$.....
    - ii) increase monthly deposit to: \$.....
    - iii) HUD analysis of owners estimates .....

4. Status of repair needs:
  - a) Were repairs completed since the date of the owners inspections?  
Yes      No  
 i) how verified? .....
  - b) Identify any work that remains to be done and cost estimate:  
 .....

5. Is the Financial Statement current: Yes      No

6. Are there any outstanding Management, Physical, and Financial review findings? Yes      No

- a) summarize:
- b) explain how the TPA will resolve outstanding findings:
- c) identify any findings which will not be resolved through the TPA:
- d) if any conditions should be placed on the sale in order to resolve these findings:

7. Does HUD need to prepare assignment of HAP Contract(s)?  
Yes      No

8. Address the issue of Subsidy Layering and Excess Compensation. See HB 4350.1, Section 7, Pg.13-23, Notice H-97-24 (Combining Low Income Housing Tax Credits (LIHTCs) and 56 Fed. Reg. 14436, Administrative Guidelines; Limitations on Combining Other Assistance with HUD Housing Assistance.

9. Address the relationship of the TPA to the issues of Preservation of Low Income Housing. Please refer to HB 4350.1, Section 8, Pg. 13-24

**FINAL SUMMARY RECOMMENDATION:**

Provide a written summary of the project's history and a breakdown of any problems that led to the TPA Application. State the current status of the project; all HUD concerns and how the TPA will solve the problems existing at the property. State "Why" the TPA should be approved, or not.

TPA FULL REVIEW  
FINAL APPROVAL CHECKLIST

1. Certified copies of all executed and recorded documents (must reflect the amendments required at preliminary approval):
 

a)	*	Deed	<u>Yes</u>	<u>No</u>	<u>N/A</u>
b)	*	Assumption agreement	<u>Yes</u>	<u>No</u>	<u>N/A</u>
c)	*	Modification agreement	<u>Yes</u>	<u>No</u>	<u>N/A</u>
d)	*	Release agreement	<u>Yes</u>	<u>No</u>	<u>N/A</u>
e)	*	Secondary financing document	<u>Yes</u>	<u>No</u>	<u>N/A</u>
  
2. Certified copies of all unrecorded but executed documents used in connection with the transfer.
  
3. \*Original Regulatory Agreement Executed by Purchaser and Recorded Yes No N/A
  
4. Interim audited financial statement from date of the last audited report to date of transfer Yes No N/A
  
5. Purchasers balance sheet - Actual Condition on date of title transfer to the purchaser along with certified true copies of any deferred payment notes approved by the Secretary Yes No N/A
  
6. Mortgagee's statement of escrows and reserves as of date of transfer Yes No N/A
  
7. \* Title Policy or endorsement as appropriate. If the mortgagor-seller is to be released from the note obligation, a new title policy or a letter, from the title company issuing the original title policy, showing that after the transfer the insured mortgage will remain a valid lien on the property and that the existing title policy is still in full force and effect. Yes No N/A
  
8. Attorney's opinion stating that:
  - a) the transaction has been legally consummated and
  - b) that the purchaser is legally authorized to operate the project and is obligated to abide by the terms of the Regulatory Agreement.
  - c) as applicable:
    - i) the documents that were executed and/or recorded are the same, in form and content, as those approved by HUD in the preliminary review, and/or
    - ii) that any changes required by HUD to the documents submitted during the Preliminary Approval review have been made,

Yes No N/A
  
9. Rental Schedule and/or budget worksheet if applicable (form HUD 92458), dated later than the project transfer date; showing names of principals for which HUD approved a HUD-2530; may not exceed the current rents most recently approved by the Field Office (if the rents have not been deregulated). Yes No N/A

If recording or other deficiencies are discovered, notify the Purchaser immediately to correct and resubmit the documents.

If everything is acceptable, the Field Office sends a letter approving the transfer. As a guide, Field Offices may use the sample letter entitled *Final Approval* in Appendix A-10 of 4350.1, Chapter 13.

\* These documents and the mortgagee consent where secondary financing has been obtained must be forwarded to HQ for storage in the project's safe instrument file (Washington Docket). Copies of these documents should be retained by the Field Office.