

**List of
(Previously Approved)
HUD Multifamily Rental Project Closing Documents**

Information Collection	Title/Purpose
HUD-91710M-11	<p>Residual Receipts Note (Nonprofit Borrower) - The Residual Receipts Note establishes the Principal and Interest of Residual Receipts derived for the property insured by HUD that is due by the Nonprofit Borrower and when such amount is due and payable, and the manner and schedule of payments. The Residual Receipts Note requires the Nonprofit Borrower to seek prior approval from HUD for certain actions, for example, the sale, transfer, assign, or pledge the note. The information collection requirements contained in Residual Receipts Note are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.</p>
HUD-91712M-11	<p>Residual Receipts Note (Limited Dividend Borrower) - The Residual Receipts Note establishes the Principal and Interest of Residual Receipts derived for the property insured by HUD that is due by the Limited Dividend Borrower and when such amount is due and payable, and the manner and schedule of payments. The Residual Receipts Note requires the Limited Dividend Borrower to seek prior approval from HUD for certain actions, for example, the sale, transfer, assign, or pledge the note. The information collection requirements contained in the Residual Receipts Note are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.</p>
HUD-91725M-11	<p>Guide to Opinion of Borrowers - The Opinion is designed to provide HUD and the mortgagee with assurance that the mortgagor or owner entity has been validly formed, lawfully exists and that the security property and the construction thereupon comply with appropriate local laws such as building codes, zoning, etc. Further, the loan documents must comport with local law and practice and only an attorney licensed in the jurisdiction can complete such documents and provide HUD with the requisite assurance. It would be an enormous burden for HUD and the mortgagee, which often is a national entity, to perform such a legal analysis of the mortgagor or owner entity, the documents and the transaction. A form is designed to provide HUD the opinion.</p>
HUD-91725M-CERT-11	<p>The Opinion of Borrower's Counsel is designed to provide HUD and the mortgagee with assurance that the mortgagor or owner entity has been validly formed, lawfully exists and that the security property and the construction thereupon comply with appropriate local laws such as building codes, zoning, etc. Further, the loan documents must comport with local law and practice and only an attorney licensed in the jurisdiction can complete such documents and provide HUD with the requisite assurance. It would be an enormous burden for HUD and the mortgagee, which often is a national entity, to perform such a legal analysis of the mortgagor or owner entity, the documents and the transaction. A form is designed to provide HUD the opinion.</p>
HUD-91725M-INST-11	<p>Instructions to Guide for Opinion of Borrower's Counsel - The opinion is designed to provide HUD and the mortgagee with assurance that the mortgagor or owner entity has been validly formed, lawfully exists and that the security property and the construction thereupon comply with appropriate local laws such as building codes, zoning, etc. Further, the loan documents must comport with local law and practice and only an attorney licensed in the jurisdiction can complete such documents and provide HUD with the requisite assurance. It would be an enormous burden for HUD and the mortgagee, which often is a national entity, to perform such a legal analysis of the mortgagor or owner entity, the documents and the transaction. A form is designed to provide HUD the</p>

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	<p>opinion.</p> <p>The accompanying instructions to the Guide assist Borrower’s counsel (91725M-INST) ensures the legal opinion addresses all required issues. Additionally, the instructions identify the parties to whom the Borrower’s counsel must provide the legal opinion, and directs which documents must be attached to the opinion.</p>
HUD-92023M-11	<p>The Request for Final Endorsement of Credit Instrument meets the requirements of 24 CFR 200.100(b) and the form, HUD-92023M requires the parties (Lender, Borrower, and Contractor) to provide the information solicited by this form which will reflect compliance with the terms and conditions of final endorsement. The information collection requirements contained in the Request for Final Endorsement of Credit Instrument are to oversee the parties’ compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.</p>
HUD-92070M-11	<p>The Lease Addendum ensures that the mortgage property that is subject to a ground lease does not conflict with statutory or regulatory requirements to which the mortgaged property insured by HUD is subject. The Lease Addendum establishes certain notification requirements which landlord must adhere (e.g., notice of default, including an itemization of the amounts of default; notice of termination of the ground lease, execution of a new ground lease, etc.) The information collection requirements contained in Lease Addendum are to oversee the parties’ compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.</p>
HUD-92223M-11	<p>The Surplus Cash Note establishes the Principal and Interest of Surplus Cash derived for the property insured by HUD. The Surplus Cash Note requires the Maker of the Note to seek prior approval from HUD for certain actions, for example, the sale, transfer, assign, or pledge the note. The information collection requirements contained in Surplus Cash Note are to oversee the parties’ compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.</p>
HUD-92408M-11	<p>The HUD Amendment to AIA Document B108 contain terms and conditions that are unique to Federally Funded or Federally Insured Projects, reflects current industry practice, and provides greater transparency about services provided by licensed professionals while still protecting HUD’s interest. While the Agreement is structured so that either the owner or the architect may provide construction cost estimates to the government, for FHA purposes, only the owner can provide cost estimates to FHA. This information is needed to ensure protection of the FHA insurance fund.</p>
HUD-92412M-11	<p>Through the Escrow Agreement for Working Capital, the Borrower deposits with the Lender a specified amount of funds to guarantee payment of post-construction costs, such as equipping and renting the rental project, taxes, ground rents, property insurance premiums and assessments. The Escrow Agreement provides directions on how the funds are to be deposited and disbursed. This information is needed to ensure protection of the FHA insurance fund.</p>
HUD-92414M-11	<p>Through the Escrow Agreement for Latent Defects, the Borrower deposits with the Lender a specified amount of funds to guarantee against</p>

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	defects in the construction due to faulty materials or workmanship, defective materials or damage to the project resulting from such defects within one year after completion of the project. The Escrow Agreement specifies the terms and conditions upon which escrowed funds may be drawn and disbursed. The information collection requirements contained in the Escrow Agreement for Latent Defects assists in overseeing parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD- 92420M-11	The Subordination Agreement establishes the obligations of the Borrower and the Senior Mortgagee with respect to the Borrower obtaining a subordinate loan. The Subordination Agreement also requires the Borrower to notify the Senior Mortgagee and HUD concerning certain actions that the Borrower may take. The information collection requirements contained in the Subordination Agreement are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92434M-11	The Lender's Certificate establishes the conditions, which the Lender agrees to abide by in consideration of HUD's commitment to insure the mortgage, and by which the Lender certifies that the conditions have been fulfilled to date, including any work done prior to endorsement of the Note that has been approved by HUD in writing, and all HUD imposed conditions that have been met with respect to such work. The information collection requirements contained in the Lender's Certificate are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92441M-11	The Building Loan Agreement identifies the property on which the project is to be constructed and the Borrower's agreement to construct the project in accordance with the terms and conditions of the agreement and to provide the Lender with such information concerning progress of construction and compliance with the terms and conditions of the agreement, as provided in the agreement. The information collection requirements contained in Building Loan Agreement are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92441M-SUPP-11	The Building Loan Agreement Supplement requires, among other things, for the Borrower to disclose to the Lender and HUD the names of all persons with whom the Borrower has contracted with or intends to contract with, in connection with work to be performed or materials to be purchased, and the Borrower's agreement to keep HUD and the Lender informed of its compliance with the requirements of the Supplement and applicable building codes, laws, ordinances and regulations. The information collection requirements contained in Building Loan Agreement Supplement are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92442M-11	The Construction Contract sets for the terms and conditions between the Owner of the property for which HUD has insured the mortgage and the Contractor regarding the construction to be done on the property, and sets forth such disclosures to be made by the Owner and Contractor to HUD so that HUD is assured of the parties compliance with the terms and conditions of the Construction Contract. The information collection requirements contained in the Construction Contract are to oversee the parties' compliance with all applicable

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	legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92450M-11	The Completion Assurance Agreement sets for the terms and conditions by which the Contractor assures the Borrower and Lender of the Contractor's compliance with its obligations under the Construction Contract. The Completion Assurance Agreement provides certain notification requirements so that HUD is assured of the parties' compliance with the terms and conditions of the Completion Assurance Agreement (e.g., disbursements can only be made following prior written approval by HUD). The information collection requirements contained in the Completion Assurance Agreement are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92452A-M-11	The Payment Bond sets for the terms and conditions by which the Contractor and its Surety assures proper payment of subcontractors and others working on the construction of the project. The Payment Bond provides certain notification requirements to the Lender and the Lender's written consent. The information collection requirements contained in the Payment Bond are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92452M-11	The Performance Bond sets for the terms and conditions by which the Contractor and its Surety assures payment if the Contractor fails to perform its obligations under the Construction Contract. The Performance Bond provides certain notification requirements to HUD for certain actions to be taken (for example an additional obligee or additional surety is only allowed with prior HUD approval) The information collection requirements contained in the Performance Bond are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92455M-11	The Request for Final Endorsement of Credit Instrument meets the requirements of 24 CFR 200.100(b) and the form, HUD-92023M requires the parties (Lender, Borrower, and Contractor) to provide the information solicited by this form which will reflect compliance with the terms and conditions of final endorsement. The information collection requirements contained in the Request for Final Endorsement of Credit Instrument are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92456M-11	The Escrow Agreement for Incomplete Construction sets for the terms and conditions between the Borrower and Lender and provides for the establishment of an escrow by the Borrower as security for completion of those improvements required by the Building Loan Agreement, which the Borrower has not yet completed, and as an inducement to the Lender to advance the entire approved amount of the Loan prior to completion of the improvements. Such escrow also serves as security for HUD's insurance of the loan. The agreement provides for prior approval of HUD for certain actions to be taken by the Borrower or Lender. The information collection requirements contained in Escrow Agreement for Incomplete Construction are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92457A-M-11	The HUD Survey Instructions and Report directs how the survey is to be conducted and the information that is to be reported. For example the

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	instructions cover site grading plan preparation, plot planning design, condo/air-rights, possible flood hazards, and blanket easements. The Survey Instructions and Report requires the surveyor to submit its information to HUD that is within 120 days of the survey of the property. The information collection contained in the HUD Survey Instructions and Report assists HUD in determining if the property will have marketable title, which is especially important if the Borrower defaults and the property becomes held-by-HUD.
HUD-92457M-11	The Surveyor Report requires the Surveyor to address such items as rights of way, any water running through the premises, electricity or electromagnetic communications, disputed boundaries or encroachments, earth moving work, building or possession lines, recent street or sidewalk construction, flood hazards, and use of the property as a solid waste dump or sanitary landfill. The information collection contained in the Surveyor's Report assists HUD in determining if the property will have marketable title, which is especially important if the Borrower defaults and the property becomes held by HUD.
HUD-92464M-11	Through the Request for Approval of Advance of Escrow Funds , the Borrower identifies the project for which the advance is requested including the advance number, date of escrow agreement, payment amount requested. The information required of the Borrower by this form assists in ensuring protection of the FHA insurance fund.
HUD-92466M-11	Regulatory Agreement for Multifamily Projects - The Regulatory Agreement establishes the legal rights and duties of HUD and the Borrower with respect to HUD's agreement to insure the mortgage of the Borrower for the multifamily rental housing. The agreements provide HUD with the authority to take action against the borrower, including termination of insurance, for violation of the terms of the Regulatory Agreement. The Regulatory Agreement also requires the Borrower and management agents to maintain the books and records of finances and operation in accordance with GAAP and to be available to HUD for inspection upon reasonable notice. The Regulatory Agreement also requires the Borrower to furnish to HUD and the Lender a financial audit within 90 days at the end of each fiscal year. The information collection requirements contained in the Regulatory Agreement are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92476.M-11	Through the Agreement of Sponsor to Furnish Additional Funds , the Sponsor identifies the project for which the funds are being set aside, the amount of funds being set aside, and the depository institution in which the funds will be deposited. This information is needed to ensure protection of the FHA insurance fund.
HUD-92476a-M-11	Through the Escrow Agreement for Operating Deficits identifies the project for which the funds are being set aside, the amount of funds being set aside, and the depository institution in which the funds will be deposited. This information is needed to ensure protection of the FHA insurance fund.
HUD-92476.1M-11	The Escrow Agreement for Non-Critical, Deferred Repairs sets for the terms and conditions between the Borrower and Lender and provides for the establishment of an escrow by the Borrower as security for completion of non-

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	critical, deferred repairs. Such escrow also serves as security for HUD's insurance of the loan. The agreement provides for prior approval of HUD for certain actions to be taken by the Borrower or Lender. The information collection requirements contained in Escrow Agreement for Non-Critical, Deferred Repairs are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-92477M-11	Through the Bond Guaranteeing Sponsors' Performance , the Sponsor and its Surety identify the project for which the bond is issued, and the amount of funds deposited. This information required by this form helps to ensure protection of the FHA insurance fund.
HUD-92478M-11	The Borrower's Oath ensures that the Borrower will comply with two key sections of the National Housing Act that govern rental property for which HUD insures the mortgage. Through the Borrower's Oath, the Borrower agrees not to sell the mortgaged property without approval from HUD. The information collection requirements contained in the Borrower's Oath helps to ensure the protection of the FHA insurance fund.
HUD-92479M-11	The Off-Site Bond sets the terms and conditions by which the Contractor and its Surety commit to proper installation of and proper payment for the work involved in completing all off-site facilities and/or utilities associated with the project. The information provided by this document helps to ensure protection of the FHA insurance fund.
HUD-92554M-11	Construction Contract Supplementary Conditions - The Construction Contract sets for the terms and conditions between the Owner of the property for which HUD has insured the mortgage and the Contractor regarding the construction to be done on the property, and sets forth such disclosures to be made by the Owner and Contractor to HUD so that HUD is assured of the parties compliance with the terms and conditions of the Construction Contract. The Supplement to the Construction Contract requires the Contractor to submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the Contract. The information collection requirements contained in the Supplement to the Construction Contract are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-93305M-11	Through the Agreement and Certification , the Borrower certifies to certain obligations under the Construction Contract having been fulfilled. Through the Agreement and Certification, the Borrower identifies the individuals and companies with which the Borrower has a financial relationship. Through the Agreement and Certification, the Borrower agrees to maintain certain records and to make the records available to HUD upon request and to notify HUD in writing about any changes in the financial relationships identified in the Agreement and Certification. The information collection requirements contained in Agreement and Certification assist in overseeing the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-94000M-11	The Assignment of Leases and Rents requires the Borrower to represent and warrant that the Borrower is lawfully seized of the mortgaged property and has the right, power, and authority to mortgage, grant, convey and assign the mortgaged property, and that the mortgaged property is unencumbered. The document provides for the Borrower to

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	absolutely and unconditionally assign and transfer all rents to the Lender in consideration of the Borrower's indebtedness to the Lender. The document also requires the Borrower to pay to and deposit with the Lender, such sums and documents as may be necessary to further secure the indebtedness. The information collection requirements contained in this document are to oversee the parties' compliance with all applicable legal requirements and therefore ensure protection of the FHA insurance fund.
HUD-94001M-11	The Note establishes the monetary indebtedness of the Borrower and the various items that constitute such indebtedness (e.g. principal, interest and such other amounts as may be due, the schedule of payments and where payments are to be directed. The information collection requirements contained in Note ensure the protection of the FHA insurance fund.