

Sample

Remove colored text after preparing the certification. Text in **green highlight** is information to be provided. Text in **yellow highlight** is explanation and guidance.

Mark-to-Market **Form 7.23** **Certification of (Full) TPA Documents and Request for Final TPA** **Approval**

date

Project Name: **name of project**
Project Address: **street, city, state, zip**
Project I.D. #: **FHA project number**
Purchaser Entity: **full legal name of purchaser entity**

Dear **name of Recap Preservation Office Director:**

The undersigned has completed a review of all the transfer of physical asset (TPA) documents prepared in conjunction with the restructuring transaction for the above-referenced project, for which a full TPA review is required. The undersigned hereby certifies compliance with all requirements of OPG Appendix D; that the TPA documents have been completed accurately and in conformance with OPG Appendix D; the Restructuring Commitment executed by you, the owner and the purchaser; and with HUD's guidelines for closing under Mark-to-Market.

I certify that the purchaser entity referenced above is the new owner of the project, and that this purchaser entity is the same as the entity to which you gave Preliminary TPA Approval.

I certify that the TPA documents set out in Attachment A correctly reflect the transfer as approved by Recap in its Preliminary TPA Approval letter dated **date** and have not been altered or amended in any way, except as approved by Recap in writing and duly note any and all post-Preliminary Approval alterations or amendments, on an Attachment B to this letter, including a clear and precise explanation for the modification and a copy of the Recap approval for these changes.

Signed and certified by:

Name of PAE Representative
Title
date of signature

Attachment A:

- New Organizational Documents (certified or recorded, as required for type of entity).
- Deed or assignment of the deed.
- Contract - Sale, Option or Land (recorded).
- Regulatory Agreement (new or amended, evidencing original recording).

Attachment B: Written Recap approval of any changes subsequent to Preliminary TPA Approval

Public reporting burden for this collection of information is estimated to average 2 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 information is required to obtain benefits. The Office of Multifamily Housing, Office of Recapitalization 451 7th Street SW, Room 6230 Washington, DC 20410. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. Title V of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1988 (P.L.105-65, 111 Stat. 1384) authorizes the FHA Multifamily Housing Mortgage and Housing Assistance Restructuring Program. HUD implemented a statutory permanent program directed at FHA-insured multifamily projects that have project-based Section 8 contracts with above-market rents. The information collection is used to determine criteria eligibility of FHA-insured multifamily properties for participation in the Mark to Market program and the terms on which participation should occur. The purpose of the program is to preserve low-income rental housing affordability while reducing the long-term costs of Federal rental assistance. While no assurances of confidentiality are pledged to respondents, HUD generally discloses this data only in response to a Freedom of Information request.