

**Mark-to-Market** **Form 7.8**  
**Certification of Closing Attorney– FHA Insured**

*(PRINT ON ATTORNEY LETTERHEAD WITHOUT M2M BLACK HEADING)  
(EXECUTE FORM 7.11 OR 7.14 IN ADDITION, AS APPROPRIATE)*

CERTIFICATION OF CLOSING ATTORNEY  
RE: LEGAL REQUIREMENTS FOR  
ENDORSEMENT OF 223(A)(7)CREDIT INSTRUMENT

Re: FHA Project No. \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Location: \_\_\_\_\_

TO: \_\_\_\_\_  
OAHF Preservation Office Director  
\_\_\_\_\_ Preservation Office

I am the attorney for \_\_\_\_\_, Participating Administrative Entity. I hereby certify that all of the legal requirements for closing set out in the Commitment for FHA Mortgage Insurance and the OAHF Restructuring Commitment and M2M Operating Procedures Guide have been met. All closing documents in this transaction that require recordation have been duly filed of record in the proper order. I am in receipt of a policy of title insurance effective as of this date, which names the Mortgagee and the Secretary of HUD as the insured parties, and that insures that the Section 223(a)(7) Deed of Trust/Mortgage constitutes a valid first lien. Your endorsement of the Deed of Trust/Mortgage Note for FHA mortgage insurance is now in order. I acknowledge that the making of a false statement of fact in this certification may lead to criminal prosecution or civil liability as provided pursuant to applicable law, which may include 18 U.S.C. 1001, 1010, 1012; 13 U.S.C. 3729, 3802.

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney for \_\_\_\_\_  
Participating Administrative Entity

Public reporting burden for this collection of information is estimated to average 0.5 hour 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 Affordable Housing Preservation 451 7th Street SW, Room 6216 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.106 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.