OMB Control Number 2502–0587
form HUD–9647; exp. XX/XX/XXXX

Housing Assistance Payments Program
Housing Finance & Development Agencies
Extension Amendment to Old Regulation
State Agency Housing Assistance Payments Contract
HAP Contract Extension to Original Maturity of Permanent Financing

This form is used to extend the maximum total contract term of a HAP Contract originally entered into by a Housing Finance Agency and a Section 8 Owner on the November 1975 version of form HUD–52645A. The public reporting burden for completing this form is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, and gathering and maintaining the data needed. The information collected is required to obtain benefits. HUD may disclose certain information to Federal, State, or local agencies when relevant to civil, criminal, or regulatory investigations and prosecutions. Information collected will not otherwise be disclosed or released outside of HUD, except as required and permitted by law. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Preparation of Extension Amendment

This form of Extension Amendment is used to extend the maximum total contract term of a HAP Contract originally entered by a Housing Finance Agency (HFA) and a Section 8 Owner on the November 1975 version of form HUD–52645A. The Extension Amendment extends the term of the HAP Contract to the date of the originally scheduled maturity date on the HFA permanent financing for new construction or substantial rehabilitation of the Project under the Section 8 State Agency Program.

Reference numbers in this form refer to notes at the end of the Extension Amendment contract text. These endnotes are instructions for preparation of the Extension Amendment. The instructions are not part of the HAP Contract.

1. Contract Information[1]

a. Project:

Section 8 HAP Contract Number: _____

Section 8 Project Number: _____

Project Name: _____

Project Description[2]: _____

_____

_____

b. Permanent Financing: Originally Scheduled Maturity Date

The originally scheduled maturity date of the permanent financing is: _____(mm/dd/yyyy).

c. Parties to Extension Amendment

Name of Housing Finance Agency (HFA)[3]: _____

HFA Address: _____

_____

Name of Owner[4]: _____

Address of Owner: _____

_____

2. Extension Amendment: Term of HAP Contract.

a. The Extension Amendment is an amendment of the HAP Contract between the HFA and the Owner, concerning Contract Units in the Project identified in section 1 of the Extension Amendment. The HAP Contract and the Extension Amendment to the HAP Contract have been entered pursuant to Section 8.

b. Section 1.4a of the HAP Contract is amended:

(1) By deleting the following phrase: "(2) a period terminating on the date of the last payment of principal due on the permanent financing", and

(2) By substituting the following phrase at the point of such deletion: "(2) a period terminating on the date of the originally scheduled maturity date of the permanent financing".

3. Definitions.

Extension amendment. This amendment extending the term of the HAP Contract.

HAP Contract. A housing assistance payments contract between the HFA and the owner. The HAP Contract was entered on form HUD 52645A, dated November 1975. This Extension Amendment is an amendment of the HAP Contract.

HFA. Housing Finance Agency. The HFA is a PHA.

HUD. The United States Department of Housing and Urban Development.

HUD requirements. HUD regulations and other requirements, including changes in HUD regulations and other requirements during the term of the HAP Contract (including the Extension Amendment).

PHA. Public housing agency (as defined and qualified in accordance with the United States Housing Act of 1937. 42 U.S.C. 1437 et seq.).

Project. The housing designated in section 1 of the Extension Amendment.

Section 8. Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

4. Purpose of Extension Amendment.

a. This Extension Amendment is an extension of the term of the housing assistance payments contract ("HAP Contract") between the HFA and the Owner of the Project. The Extension Amendment is entered pursuant to Section 8.

b. The purpose of the Extension Amendment is to extend the term of the HAP Contract (in accordance with section 1.4a of the HAP Contract, as amended by section 2 of the Extension Amendment). During the term of the HAP Contract, the HFA shall make housing assistance payments to the Owner in accordance with the provisions of the HAP Contract, including the provisions of the Extension Amendment.

c. Housing assistance payments shall only be paid to the Owner for contract units occupied by eligible families leasing decent, safe and sanitary units from the Owner in accordance with statutory requirements, and with all HUD regulations and other HUD requirements.

5. Owner Warranties.

a. The Owner warrants that it has the legal right to execute the Extension Amendment and to lease the contract units.

b. The Owner warrants that the contract units are in decent, safe and sanitary condition (as defined and determined in accordance with HUD requirements), and shall be maintained in such condition during the term of the HAP Contract.

6. Owner Termination Notice.

a. Before termination of the HAP Contract term, the Owner shall provide written notice to the HFA and each assisted family in accordance with HUD requirements.

b. If the Owner fails to provide such notice in accordance with the law and HUD requirements, the Owner may not increase the tenant rent payment by any assisted family until the owner has provided such notice for the required period.

7. HUD Requirements.

The HAP Contract shall be construed and administered in accordance with all statutory requirements, and with all HUD regulations and other HUD requirements, including changes in HUD regulations and other HUD requirements during the term of the HAP Contract. However, any changes in HUD requirements that are inconsistent with the provisions of the HAP Contract shall not be applicable.

8. Written Notices.

a. Any notice by the HFA or the Owner to the other party pursuant to the HAP Contract shall be given in writing.

b. A party shall give notice at the other party's address specified in section 1 of the Extension Amendment, or at such other address as the other party has designated by a contract notice. A party gives a notice to the other party by taking steps reasonably required to deliver the notice in the ordinary course of business. A party receives notice when the notice is duly delivered at the party's designated address.

SIGNATURES

Housing Finance Agency (HFA)

_____
Name of HFA (print or type)

By _____
Signature of authorized representative

_____
Name and official title (print or type)

_____
Date (mm/dd/yyyy)

U.S. Department of Housing and Urban Development (HUD)

By: _____
Signature of authorized representative

_____
Name and official title (print or type)

_____
Date (mm/dd/yyyy)

Owner

_____
Name of Owner (print or type)

By _____
Signature of authorized representative

_____
Name and title (print or type)

_____
Date (mm/dd/yyyy)

INSTRUCTIONS FOR PREPARATION OF EXTENSION AMENDMENT

The following instructions are not part of the HAP contract.

Endnote numbers are keyed to references in the text of the Extension Amendment.

[1] To prepare the Extension Amendment for execution by the parties, fill out all contract information in section 1.

[2] Enter a description of the housing that will be covered by the Extension Amendment. The description must clearly identify the Project by providing the Project's name, street address, city, county, state and zip code, block and lot number (if known), and any other information necessary to clearly designate the covered Project.

If necessary, attach an exhibit with a site plan, legal description or other descriptive information. Enter a reference to the attached exhibit.

[3] The HAP Contract, including the Extension Amendment, is a contract between the Housing Finance Agency (HFA) and the Owner. Enter the full legal name of the HFA that executes the Extension Amendment. The HFA is a public housing agency (PHA) as defined in the United States Housing Act of 1937.

[4] Enter the full legal name of the Owner. For example: "ABC Corporation, Inc., a Maryland corporation."