

## APPENDIX 1

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LEGAL REQUIREMENTS FOR INITIAL CLOSING  
IN CASES OF INSURED ADVANCES  
FOR SECTIONS 207, 220, 221(d)(4) 231 AND 232

| INSTRUMENTS  | COPIES |
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| 1. Assignment of Commitment, if any.   | E 2 Cn |
| 2. Regulation of Mortgagor:  |        |
| a. Regulatory Agreement/Multifamily Housing Projects, Form HUD-92466. For Section 231-NP and 232-NP use Form HUD-92466e. For Section 232 use Form HUD-92466 or 92466e signed by Mortgagor and Form HUD-92466NHL signed by Leasee, if any. For Section 221(d)(4)/8 use HUD 92465. | E 2 Cn |
| b. Corporate Charter, Partnership Agreement, or other agreement establishing mortgagor (required provisions in instructions to Form FHA-2466).   | C 2 Cn |
| 3. Certificate of Need, Form HUD-2576HF, for Nursing Homes and Intermediate Care Facilities.   | O 2 Cn |
| 4. Promissory Note, Form FHA-2223, if any.   | 3 Cn   |
| 5. Lease and Lease Addendum, Form FHA-2070, if mortgage is an a leasehold.   | C 2 Cn |
| 6. Land Disposition Contract and Deed, if the project is in an urban renewal area.   | E 2 Cn |
| 7. Title Policy  | E 2 Cn |
| a. Current Financial Statements.   | C 2 Cn |
| b. Easements, restrictions, and other Schedule B exceptions.   | E 2 Cn |
| 8. Evidence of Zoning Compliance with evidence that person or agency is authorized to give letter.   | 3 Cn   |
| 9. Building Permits, paid receipt and evidence that person or agency is authorized to issue the permits.   | 3 Cn   |

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| 10. Surveyor's Plat.   | 3 Cn   |
| 11. Surveyor's Certificate, Form HUD-92457.  | 0 2 Cn |
| 12. Note. FHA Form for State.  | 3 Cn   |
| 13. Mortgage. FHA Form for State.  | 3 Cn   |
| 14. Building Loan Agreement, Form HUD-92441.   | E 2 Cn |
| 15. Construction Contract: Lump Sum, Form HUD-92442 or Cost Plus, Form HUD-92442-A, and Identity of Interest Amendment. Amendment for Components Stored Offsite and/or Construction Contract Incentive Payment, Form HUD-92443, if applicable. | E 2 Cn |
| 16. Assurance of Completion:   |        |
| a. Performance and Payment Bonds, Forms FHA-2452 and HUD-92452-A, and telegram from main office confirming power of attorney, or   | E 2 Cn |
| b. Completion Assurance Agreement, Form HUD-92450, or  | E 2 Cn |
| c. Personal Undertaking, Form FHA-2459.  | E 2 Cn |
| 17. Owner-Architect Agreement, ATA Doc B181 and HUD Amendment.   | E 2 Cn |
| 18. Assurance of Completion of Offsite Facilities: Escrow Agreement, Form FHA-2446 and Schedule "A", and if required by HUD, Offsite Bond, Form FHA-2479.  | E 2 Cn |
| 19. Assurance of Utility Services (electricity, water, sanitary sewers, storm sewers, gas, heat, telephone, cable TV) as applicable.   | 0 2 Cn |
| 20. Contractor's and/or Mortgagor's Breakdown of Costs, Form HUD-92328.  | 0 2 Cn |
| 21. Mortgagee's Certificate, Form FHA-2434.  | 0 2 Cn |
| 22. Mortgagor's Certificate, Form FHA-2433.  | 0 2 Cn |

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| 23. Mortgagor's Oath, Form FHA-2478, and if Section 8, Assurance of Compliance with Civil Rights Act-Section 8, Form HUD-917.  | O 2 Cn |
| 24. Mortgagor's Attorney's Opinion.  | O 2 Cn |
| 25. Agreement and Certification, Form HUD-3305 (Insurance of Advances-No Profit and Risk Allowance), HUD-3305A (Insurance Upon Completion-No Profit and Risk Allowance), HUD-3306 (Insurance of Advances-with Profit and Risk Allowance), or HUD-3306-A (Insurance Upon Completion-with Profit and Risk Allowance), as applicable. | O 2 Cn |
| 26. Security Agreement and Financial Statements (UCC), or Chattel Mortgage where applicable, and property description list (for major movable equipment) for Section 232 and 221(d) SROs where applicable.   | 3 Cn   |
| 27. Application for Insurance of Advance of Mortgage Proceeds, Form HUD-92403, where initial draw is at initial closing,   | O 4 Cn |
| 28. Sponsor's Certification, Form PHA-3437, for Sections 231-NP and 232-NP.  | O 2 Cn |
| 29. Guaranty Agreement, for 12 Month Debt Service Escrow for B&C Independent Living units.   | E 2 Cn |
| 30. Mortgagor's Sinking Fund Agreement for Section 232 projects, where medicaid reimbursement based on depreciation plus interest.   | E 2 Cn |
| 31. Assurance of Funds to Meet Operating Deficits:   |        |
| a. Agreement of Sponsors to furnish additional funds, Form FHA-2476, and Bond Guaranteeing Sponsor's Performance, Form FHA-2477; or  | E 2 Cn |
| b. Escrow Agreement-Additional   | E 2 Cn |

Contributions by Sponsors, Form  
FHA-2476a.

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INSTRUMENTS

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32. All special conditions of the Firm  
Commitment.

O 2 Cn

33. Previous Participation Certificate, Form  
FHA-2530.

O 2 Cn

(O) Original, (E) Executed, (C) Ceritifed, (Cn) Conformed.

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