

**Consolidated Certifications –
Lender
Section 232**

**U.S. Department of Housing and
Urban Development
Office of Healthcare Programs**

OMB Approval No. 9999-9999
(exp. mm/dd/yyyy)

Deleted: Section 232 New Construction
Lender Consolidated Certifications
(continued)
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for Section 232 New Construction¶

Public reporting burden for this collection of information is estimated to average 0.5 hours. This includes the time for collecting, reviewing, and reporting the data. The information is being collected to obtain the supportive documentation which must be submitted to HUD for approval, and is necessary to ensure that viable projects are developed and maintained. The Department will use this information to determine if properties meet HUD requirements with respect to development, operation and/or asset management, as well as ensuring the continued marketability of the properties. Response to this request for information is required in order to receive the benefits to be derived. This agency may not collect this information, and you are not required to complete this form unless it displays a currently valid OMB control number. No confidentiality is assured.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Privacy Act Notice: The United States Department of Housing and Urban Development, Federal Housing Administration, is authorized to solicit the information requested in the form by virtue of Title 12, United States Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. While no assurance of confidentiality is pledged to respondents, HUD generally discloses this data only in response to a Freedom of Information Act request.

Lender:	Lender Name
HUD Mortgagee No.:	HUD Mortgagee Number
Underwriter:	Underwriter Name
Underwriter Trainee:	Underwriter Trainee Name
Project:	Project Name
Project Location:	Project City, State
Mortgagor (if applicable):	Mortgagor Name
Operator (Lessee) (if applicable):	Operator Name
Management Agent (if applicable):	Management Agent Name
Lender (Existing) (if applicable):	Lender of Existing FHA-insured Mortgage
Existing FHA Loan Number (if applicable):	FHA Number of existing mortgage

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Part I. Program.

Section 232 New Construction:

Section 232 Substantial Rehabilitation:

Section 232 pursuant to Section 223(f):

Section 232 pursuant to Section 223(a)(7):

Section 232 pursuant to Section 241a:

Section 232 (i):

Section 223(d)(2). Under this part, the operating loss must have occurred within the first 24 months of the cost certification cut-off date and this application submission must be made within 3 years of the end of the loss period. The loan cannot exceed the eligible loss.

Section 223(d)(3). Under this part, the operating loss must have occurred within the first 10 years of the cost certification cut-off date and this application submission must be made within 10 years of the end of

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the loss period. The loan cannot exceed 80% of the unreimbursed cash contributions made by the owner, and in no event will the loan exceed the eligible loss.

Part II. Form: Health Care Facility Summary Appraisal Report and/or form: Supplement to Project Analysis

Pursuant to the provisions of {Insert Program} of the National Housing Act and the Regulations of the Secretary of Housing and Urban Development ("HUD") applicable thereto, request is hereby made for the issuance of a commitment to insure a mortgage covering the Project described in the accompanying application. After examination of the application and the proposed security, the Lender has determined that (i) the Project is appropriate for financing with a mortgage loan insured by HUD and (ii) the Lender is interested in making a HUD-insured mortgage loan with respect to the Project as described in the Lender's Underwriting Narrative.

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It is understood that the financing expense is subject to adjustment so that the total will not exceed {Per program requirements insert %} of the amount of the commitment.

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The application contains a check for payment of the application fee required by HUD Regulations.

Part III. Byrd Amendment.

The Lender states, to the best of its knowledge and belief, that: If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the Lender shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Part IV. Identities of Interest.

Does the Lender have an identity of interest with the following parties or their principals?

	Not Applicable			Yes	No		Not Applicable			Yes	No
Mortgagor:	<input type="checkbox"/>	Appraisal Firm:	<input type="checkbox"/>								
Operator (Lessee):	<input type="checkbox"/>	Environmental Firm:	<input type="checkbox"/>								
Management Agent:	<input type="checkbox"/>	Cost Review Firm:	<input type="checkbox"/>								
General Contractor:	<input type="checkbox"/>	A&E Review Firm:	<input type="checkbox"/>								
Design Architect:	<input type="checkbox"/>	Market Study Firm:	<input type="checkbox"/>								
Supervisory Architect:	<input type="checkbox"/>	Seller:	<input type="checkbox"/>								
PCNA	<input type="checkbox"/>	Lender (Existing)	<input type="checkbox"/>								

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Does the lender know that, or have any reason to believe, that any of the assertions in the other Consolidated Certifications submitted herewith, are inaccurate or incomplete? Yes No

If the answer to any of the questions in this Part IV V is Yes, attach a separate sheet setting forth the nature of each such identity of interest. The Lender certifies that, to the best of its knowledge, its answer to each of the questions in this Part IV V, and the information in any such attached sheets is true and correct.

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Part V. Due Diligence.

The Lender certifies to the following with respect to the loan application submitted for the Project:

1. The Lender has reviewed all in-house and third party forms/reports/reviews.
2. Each preparer of the forms/reports/reviews has provided evidence to the Lender that such preparer is qualified per HUD requirements, and has provided evidence to the Lender that such preparer has the required insurance, if any is required by HUD.
3. The forms/reports/reviews were prepared in the manner required by HUD and, to the best of Lender's knowledge, are complete and accurate.
4. Based upon the Underwriter's analysis, the proposed loan represents an acceptable risk to HUD (replacement cost programs) or is economically sound (value programs). The proposed loan and processing complies with all FHA statutory, regulatory, and administrative requirements.
5. ~~If applicable, the site has been inspected in accordance with Office of Healthcare Programs requirements.~~
6. The Lender initiated and paid for the Appraisal, which was prepared for the Lender's use, ~~if applicable.~~
7. The Lender has reviewed the following lists and identified any individuals or entities which, to the Lender's knowledge, are involved as principals in the ownership, management, or operation of the Project that are listed in any such lists.
 - a. HUD's [Limited Denial of Participation List](#)
 - b. Federal government's [Excluded Parties List System](#)
 - c. Department of the Treasury's [Specially Designated Nationals List \(SDN\)](#)
8. The Lender has verified the following information:
 - a. Tax Identification Numbers of the Mortgagor and its Principals, Operator, and Management Agent, as applicable.
 - b. Section 1616(e) of the Social Security Act (Keys Amendment) compliance by the State in which the Project is located (for board and care facilities only).

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Part VI. Underwriter Trainee.

The Lender certifies that an:

- Underwriter Trainee was NOT involved in the underwriting of this application.
- Underwriter Trainee WAS involved in the underwriting of this application and
1. The Underwriter accepts full responsibility for aspects of the underwriting for this Project.
 2. The Underwriter Trainee was not hired on a contract basis for this loan.
 3. The work performed by the Underwriter Trainee was completed under the direct supervision of the Underwriter.
 4. The specific tasks contributed by the Underwriter Trainee are clearly identified in the Lender's Underwriting Narrative.

Part VII. Other Parties.

Mortgagor: Mortgagor Name

Operator (Lessee): Operator Name

Management Agent: Management Agent Name

Appraisal Firm: Appraisal Firm

Environmental Firm: Environmental Firm

Cost Review Firm: Cost Review Firm

PCNA Firm: PCNA Firm

A&E Review Firm: A&E Review Firm

Market Study Firm: Market Study Firm

Contractor: Contractor Name

Design Architect: Design Architect Name

Supervisory Architect: Supervisory Architect Name

Seller: Seller Name

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Part VII. Signature.

The Lender has read and agrees to comply with the provisions of the above certifications for the purpose of obtaining mortgage insurance under the National Housing Act.

The individual signing below on behalf of the Lender certifies that he/she is an authorized representative of the Lender, has acted as the underwriter for the loan which is the subject of these Lender Certifications and has sufficient knowledge to make these certifications on behalf of the Lender.

Executed this _____ day of _____, 20__.

Lender Name

By: _____
Signature

(Printed Name & Title)

Underwriter Trainee (if applicable)

I certify that:

1. I was not hired on a contract basis for this loan.
2. The work I performed was completed under the direct supervision of the Underwriter.
3. The specific tasks I contributed are clearly identified in the Lender's Underwriting Narrative.

Executed this _____ day of _____, 20__.

By: _____
Signature

Underwriter Trainee Name,
(Printed Name & Title)

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Bibliography

- Part I **A. Section 232:** The Section 232 Program is authorized by Section 232 of the National Housing Act (12 U.S.C. 1715w), (12 U.S.C. 1715(b)) and 42 U.S.C. 3535. Statutory authority for the implementation of the Section 232 programs is contained in the basic insuring authority for each of the Section 232 programs. See the National Housing Act, Sections 223(a)(7), 232, 223(d), 232/223(f), and 241. Additionally, Section 211 of the National Housing Act authorizes and directs the Secretary to make such rules and regulations as may be necessary to carry out the provisions of the Act. Regulatory authority includes 24 CFR Parts 232, 200 and Section 5.801.
- B. Section 232/223(f):** Section 223(f) of the National Housing Act was added by Section 311(a) of the Housing and Community Development Act of 1974. The program regulations are found in 24 CFR, Parts 200 and 232.
- C. Section 232/223(a)(7):** The Section 232/223(a)(7) program is authorized by the National Housing Act (12 USC 1715n(a)(7)).
- D. Section 232/241(a):** The Section 232/241(a) program is authorized under the National Housing Act, as amended, Section 241, Public Law 90-448 (12 U.S.C. 1715) and Public Law 94-375 (12 U.S.C. 1715z-6). The program regulations are found in 24 CFR Parts 200 and 241.
- E. Section 223(d):** The Section 223(d) Operating Loss Loan program is authorized by Section 223(d) (12 U.S.C. 1715n) of the National Housing Act 1937, as amended; Public Law 90-448, as amended; and Public Law 91-152, 12 U.S.C. 1715x. The program regulations are found in 24 CFR 207.
- F. Section 232 (i):** The Section 232(i) program is authorized under the National Housing Act (12 U.S.C. 1715 w) as amended; Section 203(i) Public Law 93-204. The program regulations are found in 24 CFR Part 232 Subpart C.

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Deleted: Source: Section J - [form HUD-92013-NHICF \(5/2001\)](#), *Application for Project Mortgage Insurance: Nursing Homes, Intermediate Care Facilities, and Board and Care Homes* - OMB No. 2502-0029 (Exp. 07/31/2009)

Field Code Changed

Part III Form, *Health Care Facility Summary Appraisal Report* and/or form, Supplement to Project Analysis

Part IV Section 1352 - Title 31 U.S. Code

Part IV Section 232 Handbook

Part V Section 232 Handbook

Part VI Section 232 Handbook

Field Code Changed

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Deleted: Source for items 1 – 4: Part 11.1 C - [Multifamily Accelerated Processing \(MAP\) Guide](#), Revised March 15, 2002¶
Item 5: New requirement¶
Items 6 – 8: MAP Guide

Deleted: Part V

Deleted: Source: MAP FAQ