

Required Evidentiary Documents for Mixed-Finance Projects

As identified in Exhibit E to the Mixed-Finance Amendment to the Consolidated Annual Contributions Contract (ACC), the following documents must be submitted to HUD in final draft form as part of a housing authority's submission of a Development Proposal for a mixed-finance project and prior to HUD approval of the Development Proposal. The documents must be submitted in either a binder (with an index and tabbed dividers) or on a CD (with an index with each document as a discrete file), as determined by HUD.

- 1) Mixed-Finance Amendment to the ACC (HUD Model Document)
- 2) HUD Declaration of Restrictive Covenants (HUD Model Document)
- 3) Regulatory and Operating Agreement between the PHA and the owner entity
- 4) Lease and Memorandum of Lease between the PHA and the owner entity
- 5) Legal Opinion from PHA counsel (HUD Model Document)
- 6) Updated Development Proposal, should any changes have been made to the originally submitted Development Proposal
- 7) HUD Certifications and Assurances – (HUD form 50151)
- 8) Final ALTA Title Policy showing HUD Declaration of Restrictive Covenant recorded in the first priority or in the order approved by HUD (to be reviewed by the HUD Field Office)
- 9) ALTA Survey (to be reviewed by the HUD Field Office)
- 10) Management Plan, Management Agreement, and sample Tenant Lease (to be reviewed by the HUD Field Office)
- 11) Other documents as may be required by HUD

Upon HUD approval of the Development Proposal, including the above draft documents, HUD will authorize the PHA to proceed with financial closing. However, prior to release of any HUD public housing funds, the PHA must resubmit the above documents once they have been executed and recorded, if required. Following HUD approval of the executed documents, HUD will authorize the PHA to expend HUD public housing funds approved for the project.