

*The following forms are required on all FHA transactions, both purchase and refinance.*

### **HUD-92900-A**

#### **HUD Addendum to the Uniform Residential Loan Application**

This form is part of the 1003 application, it is not a separate item. This form **must be completed and signed the same date as the 1003 by the borrower and the Loan Officer**. This is what turns the conventional 1003 into an FHA application. All of the questions must be answered. The borrowers are not to sign the form in blank or if it is missing any relevant information.

### **HUD-92900-LT**

#### **FHA Loan Underwriting and Transmittal Summary**

This form is the equivalent of the 1008 on a conventional loan and provides a section for the underwriter to make any pertinent comments. This form must be signed / dated by the D.E. underwriter when the file is manually underwritten. If the file has an AUS approve, this form only needs to be dated.

### **HUD-92900-B**

#### **Important Notice to Homebuyers**

This form is required to be **signed at the time of loan application**. The form starts with the message, “You **must** read this entire document at the time you apply for the loan”. The following information is contained in this disclosure.

- ✓ **Condition of the property** – This section informs the borrower that the property is not HUD/FHA approved, that an appraisal will be done and that the appraisal will not guarantee that the home is free of defects.
- ✓ **Interest Rate and Discount Points** – This section informs the borrower that FHA does not set interest rates or fees, that all fees are to be negotiated between the borrower and the lender including the lock-in period, and that the seller can pay for discount points which are to be negotiated between buyer and seller. It also points out that if the borrower’s loan is approved the sales contract may require completion of the transaction or the borrower’s deposit on the property may be lost.
- ✓ **Don’t Commit Loan Fraud** – This section informs the borrower about the penalties for falsifying information and has the Section 1010 Warning – “It is a crime to knowingly make false statements to the United States Government on this or any similar form. Penalties upon conviction can include a fine and imprisonment”.
- ✓ **Discrimination** – This section informs the borrower who to contact if the borrower feels they have been discriminated against.
- ✓ **Prepayment** – This section informs the borrower of the requirements for prepayment and that there is no penalty for prepayment.
- ✓ **FHA Mortgage Insurance Information** – This section informs the borrower that, under certain circumstances, they may be eligible for a refund of their UFMIP.
- ✓ **Monthly Insurance Premium** – This section informs the borrower that there will be a monthly insurance premium for either the first 11 years of the mortgage term or 30 years of the mortgage term depending on the LTV (90% and below for the 11 year period and 90.01% and above for the 30 year period).

When the borrower signs this form he/she certifies the following: **“I acknowledge that I have read and received a copy of this notice at time of loan application. This notice does not constitute a contract or binding agreement. It is designed to provide current HUD/FHA policy regarding refunds.”**

### ***Notice to Homeowner***

#### **Assumption of HUD/FHA Insured Mortgages and Release of Personal Liability**

This form discloses that the FHA insured loan is assumable and if the borrower allows a future buyer to assume their loan without FHA's prior approval, it will accelerate the note which will immediately become due and payable. It also discloses that FHA approved lenders have been instructed to prepare a release of liability when an original homeowner sells their property to a credit worthy purchaser who executes an agreement to assume and pay the mortgage.

### ***Informed Consumer Choice Disclosure***

This form discloses that the borrower may also qualify for other mortgage products offered by their lender and includes a comparison of the FHA loan terms to a 95% Conventional loan with MI.

### ***HUD-92800.5B***

#### **Conditional Commitment Direct Endorsement Statement of Appraised Value**

This is the Direct Endorsement Underwriter's statement of appraised value and indicates that the appraisal report has been accepted by the D.E. underwriter and that the subject property meets FHA's Minimum Property Requirements/Minimum Property Standards. This form must reflect any repairs that need to be completed in order for the subject property to meet MPR/MPS.

### ***HUD-92300***

#### **Mortgagee's Assurance of Completion**

This form must be completed when there is an escrow withhold for required repairs. It lists the repairs to be done, gives the terms of the withheld funds, and must be signed by the borrower(s) and lender.

### ***HUD-92561***

#### **Borrower's Contract with Respect to Hotel and Transient use of Property**

This form is ***signed with loan documents*** when the subject property involves rental property (2-4 units). This form is a contract between FHA and the borrower stating that they will not allow the property to be used for transient or hotel purposes; defined as:

- ✓ Any rental for a period less than 30 days; or
- ✓ Any rental if the occupants of the housing accommodations are provided customary hotel services such as room service, laundry service, maid service and bell service.

### ***The following forms are required on all purchase transactions***

#### ***FHA Amendatory Clause***

The Amendatory Clause is ***required to be signed by the buyer and seller at the time the sales contract is executed***. This discloses to all parties that if the appraised value comes in low the contract may be cancelled without forfeiture of the buyer's earnest money deposit. It also discloses that the parties may proceed with the transaction but that the allowable loan amount will be calculated from the lower appraised value.

#### ***FHA Real Estate Certification***

The Real Estate Certification is required to be signed by the buyer, seller, and real estate agents. It certifies that the terms and conditions of the sales contract are true and correct and that all other agreements are attached to the original sales contract. This form needs to be ***executed prior to loan closing***.

### **HUD-92564-CN**

#### **For Your Protection, Get A Home Inspection**

This Notice is required to be given to the borrowers **at first contact, be it for pre-qualification, pre-approval, or initial application**. This form notifies the borrower that they should get a home inspection, that they have to ask for one, and that appraisals are not home inspections. It also notifies the borrower that FHA does not guarantee the value or condition of the subject property. It alerts the borrower that radon gas testing should be done and to ask the home inspector about additional health and safety tests that may be relevant. ***This form does not require the borrower's signature but a copy must be in the loan file to document it was provided to the borrower.***

#### **Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

This disclosure is required when the subject property was built prior to December 31, 1978 and is required to be completed and signed/dated by the seller, the buyer, real estate agents and attached to the sales contract. This disclosure has a Lead Warning Statement which states:

- ✓ "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase."

The remainder of the form contains certification boxes for the parties to the transaction to mark that include the following information:

- ✓ **Seller** – Must disclose all of the following that apply:
  - If there are known lead-based hazards present in the home and provide an explanation; or
  - The seller has no knowledge of lead-based paint hazards in the housing;
  - The seller has provided the purchaser with all available records and reports pertaining to lead-based paint hazard; or
  - The seller has no reports pertaining to lead-based paint hazards.
- ✓ **Purchaser** – Must acknowledge the following:
  - The purchaser has received copies of all information listed by the seller; and
  - The purchaser has received the pamphlet, Protect your Family from Lead in Your Home;
  - Has been given a ten day opportunity to conduct a risk assessment or inspection; or
  - Waived the opportunity to conduct a risk assessment or inspection.
- ✓ **Real Estate Agent** – Acknowledges that he/she has informed the seller of their obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

#### **FHA Identity of Interest Certification**

This form explains FHA's definition of Identity of Interest and discloses that the LTV may be limited to 75% or 85% if there is an identity of interest between the buyer and seller depending on the circumstances. The borrower must indicate on the form whether or not they have an identity of interest with the seller.

#### **The following forms are required when the subject property is Proposed Construction, Under Construction or New Construction.**

### **HUD-92541**

#### **Builder's Certification of Plans, Specifications and Site**

The builder completes and signs this form. Section one discloses the following:

- ✓ **Flood Hazards** – Whether or not the subject property is located in a flood zone and if so, whether or not the community participates in the National Flood Insurance Program and is in good standing; or is located within a Coastal Barrier Resources System.
- ✓ **Noise** – Whether or not the subject property is located within 1,000 feet of a highway, freeway, or heavily travelled road or is located within 3,000 feet of a railroad or is located within one mile of a civil airfield or is located within five miles of a military airfield.
- ✓ **Runway Clear Zone** – Whether or not the subject property is located within 3,000 feet of a civil or military airfield and whether or not the property is located in a Runway Clear Zone/Clear Zone.
- ✓ **Explosive/Flammable Material** – Whether or not the subject property has an unobstructed view of, or is located within 2,000 feet of any facility handling or storing explosive or fire prone material.
- ✓ **Toxic Waste Hazard** – Whether or not the subject property is located within 3,000 feet of a dump or landfill or is a site that is on an EPA superfund list.
- ✓ **Foreseeable Hazards or Adverse Conditions** – Whether or not the subject property has any of the following:
  - Rock formations, high ground water levels, inadequate surface drainage, springs, and sinkholes;
  - Unstable soil – expansive, collapsible, or erodible;
  - Excessive slopes; and
  - Any earth-fill.

If any of the boxes in the “foreseeable hazards or adverse conditions” are marked “yes”, a copy of the state licensed engineers’ soils and structural reports, designs and/or certification showing compliance with HUD requirements to ensure the structural soundness of the improvements and the health and safety of the occupants must be obtained.

The form also has a section for the builder to confirm the following:

- ✓ The property meets HUD Minimum Property Standards;
- ✓ The property meets the requirements of HUD Handbook 4145.1. Architectural Processing & Inspections for Home Mortgage Insurance.
- ✓ The property meets the International Energy Conservation Code;
- ✓ The property meets all other codes or local/state codes;
- ✓ The property meets all CABO requirements
- ✓ The property meets all electrical codes;
- ✓ If a manufactured home, it was constructed in accordance with the Federal Manufactured Home Construction & Safety Standards; and
- ✓ Whether or not the builder has an Affirmative Fair Housing Marketing Plan.

### **HUD-92544**

#### **Warranty of Completion of Construction**

This is the builder’s warranty against construction defects during the first year of the dwelling’s existence.

### **HUD-NPMA-99-A**

#### **Subterranean Termite Protection Builder’s Guarantee**

This form is completed/signed by the builder. It discloses the type of pest control treatment that was performed to protect the subject property from wood destroying insects.

### **HUD-NPMA-99-B**

#### **New Construction Subterranean Termite Service Record**

This form discloses the pest company information, the builder information and the location of the treated structures.

### **HUD-92051**

#### **Compliance Inspection Report**

This form is used when an FHA approved inspector is needed for certain required repairs/completions on newly constructed dwellings.