

FHA LENDER ANNUAL CERTIFICATIONS
SUPERVISED AND NONSUPERVISED MORTGAGEES
Changes Implemented 8/1/2016

FHA LENDER ANNUAL CERTIFICATIONS – SUPERVISED AND NONSUPERVISED MORTGAGEES

Previous Version	Version Implemented 8/1/2016	Changes
N/A	<i>Capitalized terms in the following statements refer to those terms as used in HUD Handbook 4000.1.</i>	Added instructions to refer Mortgagees to <i>HUD Handbook 4000.1</i> for term definitions
<p>1. I certify that I am a Corporate Officer and/or Principal Owner of the above-mentioned Mortgagee (hereinafter referred to as “the Mortgagee”); that I am duly authorized to execute these certifications on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all applicable HUD-FHA regulations, handbooks, Mortgagee Letters, Title I Letters, and policies.</p>	<p>1. I certify that I am a Corporate Officer of the abovementioned Mortgagee (hereinafter referred to as “the Mortgagee”); that I am authorized to execute these certifications and acknowledgements on behalf of the Mortgagee; and that throughout the Certification Period I have known, or been in the position to know, whether the operations of the Mortgagee conformed to all HUD regulations and requirements necessary to maintain the Mortgagee’s FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgagee Letter, and any agreements entered into between the Mortgagee and HUD.</p>	<p>Deleted “and/or Principal Owner” as authorized signatory due to revised definition of “Corporate Officer” in <i>HUD Handbook 4000.1</i></p> <p>Deleted “duly”; add “and acknowledgements”</p> <p>Refined policy citations to focus on lender approval eligibility requirements; lenders remain subject to all other HUD regulations, policies and requirements, but certification to full compliance with all requirements is unnecessary and inconsistent with HUD quality control requirements, which acknowledge the possibility of loan-level manufacturing defects, etc.; specific processes and mechanisms exist for monitoring and ensuring compliance with policies not explicitly listed in the revised certification statement</p>
<p>2. I acknowledge that the Mortgagee is fully responsible for all actions of its officers, partners, directors, principals, managers, supervisors, loan processors, loan underwriters, loan originators, and other employees of the Mortgagee, and for the actions of any Affiliates participating in FHA programs for or on behalf of the Mortgagee.</p>	<p>2. I acknowledge that the Mortgagee is responsible for all actions of its officers, partners, directors, principals, managers, supervisors, loan processors, loan underwriters, loan originators, and other employees of the Mortgagee, and for the actions of any Affiliates participating in FHA programs for or on behalf of the Mortgagee.</p>	Deleted “fully”

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<p>3. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not, and did not employ or retain any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator who was subject to a current suspension, debarment, Limited Denial of Participation (LDP) or other restriction imposed under Part 24 of Title 24 of the Code of Federal Regulations, Part 180 of Title 2 of the Code of Federal Regulations as implemented by Part 2424 of Title 2, or any successor regulations to such parts, or under similar provisions of any other federal or state agency.</p>	<p>3. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was subject to a suspension, debarment, Limited Denial of Participation (LDP) or other restriction imposed under 24 CFR Part 24, and 2 CFR Part 180 as supplemented by 2 CFR Part 2424, or any successor regulations to such parts, or under similar provisions of any other federal or state agency;</p> <p>(b) Was under indictment for, or convicted of, an offense that reflects adversely upon the Mortgagee’s integrity, competence, or fitness to meet the responsibilities of an FHA-approved Mortgagee;</p> <p>(c) Was subject to Unresolved Findings as a result of a HUD or other governmental audit, investigation, or review;</p> <p>(d) Was refused, or had revoked, any license necessary to conduct normal operations in the real estate or mortgage loan industry;</p> <p>(e) Was in violation of provisions of the Secure and Fair Enforcement (SAFE) Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) or its equivalent under state law, including all</p>	<p>Combined the following statements with rewording/reformatting for clarity and consistency with 24 CFR 202.5(j):</p> <ul style="list-style-type: none"> • Previous statement #3 • The portion of previous statement #4 that only pertained to the Certification Period (and not to prior periods) • Previous statement #6 • Previous statement #7 • Previous statement #8 • Previous statement #9 <p>In the preamble, replaced “employ or retain” with “employed by or under contract with” for clarity and accuracy</p> <p>In 3(a), deleted “current” for clarity as the preamble already states that it applies to occurrences “during the Certification Period”; changed “implemented” to “supplemented”</p> <p>Added exception/qualifier for Mortgagee-reported instances of non-compliance that receive explicit clearance from HUD</p>

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	<p>Nationwide Multistate Licensing System and Registry requirements;</p> <p>except for those occurrences, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	
<p>4. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not, and did not employ or retain any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator who was under indictment for, or had been convicted of, an offense that reflects adversely upon the Mortgagee’s integrity, competence, or fitness to meet the responsibilities of an FHA-approved Mortgagee; who had been convicted of or pled guilty or <i>nolo contendere</i> to a felony related to participation in the real estate or mortgage loan industry during the seven-year period preceding the first day of the Certification Period; or who had ever been convicted of or pled guilty or <i>nolo contendere</i> to a felony related to participation in the real estate or mortgage loan industry that involved an act of fraud, dishonesty, a breach of trust, or money laundering.</p>	<p>4. I certify that, to the best of my knowledge and after conducting a reasonable investigation, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was convicted of, or pled guilty or <i>nolo contendere</i> to, a felony related to participation in the real estate or mortgage loan industry during the Certification Period or the 7-year period preceding the first day of the Certification Period;</p> <p>(b) Was ever convicted of, or ever pled guilty or <i>nolo contendere</i> to, a felony related to participation in the real estate or mortgage loan industry that involved an act of fraud, dishonesty, or a breach of trust or money laundering;</p> <p>except for those occurrences, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>Moved the portion of current statement #4 that only pertained to the Certification Period (and not to prior periods) to the new proposed statement #3(b)</p> <p>In the preamble, replaced “employ or retain” with “employed by or under contract with” for clarity and accuracy</p> <p>Rewording/reformatting for clarity</p> <p>Added exception/qualifier for Mortgagee-reported instances of non-compliance that receive explicit clearance from HUD</p>

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N/A	<p>5. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period or the 3-year period preceding the first day of the Certification Period, neither the Mortgagee nor any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator employed by or under contract with the Mortgagee:</p> <p>(a) Was convicted of, indicted for, or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction or contract under a public transaction;</p> <p>(b) Was convicted of, indicted for, or otherwise criminally or civilly charged by a governmental entity with violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;</p> <p>(c) Had one or more public transactions terminated for cause or default;</p> <p>except for those occurrences, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>Added new statement to cover occurrences currently covered in the Loan-Level Certification (Form 92900-A) items G(2)-(4), which were removed from that form</p> <p>HUD determined that this statement should apply at the lender level rather than the loan level so that any related noncompliance is subject to the procedures of the Mortgagee Review Board</p> <p>Excludes language regarding debarments and suspensions, which was redundant with previous statement #3 and new statement #3(a); a revised version of that language remains in Form 92900-A item E</p> <p>Includes rewording of introductory statement for consistency with HUD regulations at <i>24 CFR 202.5(j)</i> regarding covered personnel</p> <p>Includes exception/qualifier for Mortgagee-reported instances of non-compliance that receive explicit clearance from HUD</p>

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<p>5. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not sanctioned by any federal, state, or local government agency or by any other regulatory or oversight entity with jurisdiction over the Mortgagee, except for those sanctions, if any, the Mortgagee timely reported to HUD during the Certification Period and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>6. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not sanctioned by any federal, state, or local government agency or by any other regulatory or oversight entity with jurisdiction over the Mortgagee, except for those sanctions, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>Renumbered due to addition of statement #5 and consolidation of other statements</p> <p>Revised qualifier to match similar qualifier in other statements and to remove timeframes</p> <p>Specific reporting requirements and timeframes are detailed in <i>HUD Handbook 4000.1</i></p>
<p>6. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not subject to any Unresolved Findings, except for those Unresolved Findings, if any, the Mortgagee timely reported to HUD during the Certification Period and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	N/A	<p>Moved this statement and current statement #7 to new proposed statement #3(c)</p> <p>Rewording/reformatting for clarity and consistency with <i>24 CFR 202.5(j)</i></p>
<p>7. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee did not employ or retain any officer, partner, director, principal, manager, supervisor, loan processor, loan underwriter, or loan originator who was subject to any sanctions or Unresolved Findings, except for those sanctions or Unresolved Findings, if any, that the Mortgagee timely reported to HUD during the Certification Period and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	N/A	<p>Moved this statement and current statement #6 to new proposed statement #3(c)</p> <p>Rewording/reformatting for clarity and consistency with <i>24 CFR 202.5(j)</i></p>

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<p>8. I certify that, to the best of my knowledge and after conducting a reasonable investigation, during the Certification Period the Mortgagee was not refused, or had revoked, any license necessary to conduct its normal operations in the real estate or mortgage loan industry. I further certify that, to the best of my knowledge and after conducting a reasonable investigation, throughout the Certification Period the Mortgagee maintained compliance with all applicable provisions of the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (SAFE Act) (12 U.S.C. § 5101 et seq.) or its equivalent under state law, including all Nationwide Mortgage Licensing System and Registry requirements, except for those instances of non-compliance, if any, that the Mortgagee timely reported to HUD during the Certification Period and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>N/A</p>	<p>Moved this statement and split into new proposed statements #3(d) and 3(e)</p> <p>Rewording/reformatting for clarity and consistency with <i>24 CFR 202.5(j)</i></p>
<p>9. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD-FHA regulations and requirements applicable to the Mortgagee’s continued approval and operations, including those contained in HUD handbooks, Mortgagee Letters, Title I Letters, policies, and any agreements entered into between the Mortgagee</p>	<p>7. I certify that, to the best of my knowledge and after conducting a reasonable investigation, the Mortgagee does now, and did at all times throughout the Certification Period, comply with all HUD regulations and requirements necessary to maintain the Mortgagee’s FHA approval as codified in 24 CFR § 202.5, HUD Handbook 4000.1 Sections I and V, as amended by Mortgagee Letter, and any agreements entered into between the Mortgagee and HUD,</p>	<p>Renumbered due to addition of statement #5 and consolidation of other statements</p> <p>Refined policy citations to focus on lender approval eligibility requirements; see additional explanation for similar change to statement #1</p> <p>Revised qualifier to match similar qualifier in other statements and to remove timeframes as</p>

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<p>and HUD, except for those instances of non-compliance, if any, that the Mortgagee timely reported to HUD during the Certification Period and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>except for those instances of non-compliance, if any, that the Mortgagee reported to HUD and for which the Mortgagee received explicit clearance from HUD to continue with the certification process.</p>	<p>specific reporting requirements and timeframes are detailed in <i>HUD Handbook 4000.1</i></p>
<p>10. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I knowingly have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment and debarment under applicable federal law.</p>	<p>8. Each of my certifications is true and accurate to the best of my knowledge. I understand that if I have made any false, fictitious, or fraudulent statement(s), representation(s), or certification(s) knowingly on this form, I may be subject to administrative, civil and/or criminal sanctions, including damages, penalties, fines, imprisonment, and debarment under applicable federal law.</p>	<p>Renumbered due to addition of statement #5 and consolidation of other statements</p> <p>Moved “knowingly” for clarity</p>
<p>N/A</p>	<p>9. I acknowledge that the Mortgagee is now, and was at all times throughout the Certification Period, subject to all applicable HUD regulations, Handbooks, Guidebooks, Mortgagee Letters, Title I Letters, policies and requirements, as well as Fair Housing regulations and laws including but not limited to 24 CFR § 5.105, Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) and Title VI of the Civil Rights Act of 1964.</p>	<p>Added new statement to require lenders to acknowledge that they remain subject to all HUD regulations, policies and requirements, even those no longer specifically included in certification statements above; includes “Guidebooks” to cover FHA Multifamily Housing and Healthcare policy and specific references to Fair Housing regulations and laws</p>