



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

OFFICE OF HOUSING

August 13, 2008

MEMORANDUM FOR All Multifamily Hub Directors
All Multifamily Program Center Directors
All Multifamily Operations Officers

A handwritten signature in cursive script that reads "Beverly J. Miller".

FROM: Beverly J. Miller, Director, Office of Asset Management, HTG

SUBJECT: Clarification of Signature Authority for Part A, Addendum B, form HUD-9834
and Other HUD Forms, Contracts, and Agreements

This memorandum serves to clarify the Department's position for the signature authority for Part A, Addendum B, form HUD-9834 (**Checklist for On-Site Limited Monitoring and Section 504 Reviews**.) It also serves to set a standard for all instances where Multifamily Housing requires the signature of "the owner." Guidance was issued to outline policy for monitoring owner/agent compliance with information provided to HUD staff and HUD's Contract Administrators when performing on-site management and occupancy reviews of multifamily housing projects. (Refer to the Office of Multifamily Housing Guidance for Civil Rights Front-End Monitoring document dated June 23, 2008.)

Signatures are acceptable from **any** individual within the ownership entity *having the ultimate control over, and right to use, the property as long as the law permits and no agreement or Covenant limits his or her rights*. HUD will also accept the signature of an individual who has been granted authority on behalf of the owner and whose signature legally binds the owner entity and controlling individuals to the terms and conditions specified in the document. The individual is neither required to be the owner entity designated in iREMS nor APPS. The Department generally will not question the certification on Part A, Sections I, II, and III unless an issue arises (i.e., potential discrimination case, etc.) that requires further investigation of the information provided. Likewise the Department has not questioned past certifications or signatures on other forms, contracts, and agreements. Should the need arise and the Department determines that the information provided was false or the owner/owner's authorized representative was not properly authorized, the Department will take the appropriate action.

Please note that the owner is provided ample time to prepare and sign the certification before the MOR is conducted. Therefore, if Part A is not available or incomplete during the scheduled on-site review, the owner will be afforded ten days to submit the completed and signed documents to the local HUD office. If the documents are not received within the 10-day timeframe, the owner will be flagged in Active Partners Performance System (APPS). Once the flag is entered into APPS, the flag can only be removed upon receipt of acceptable information in the local HUD office.

If you have any questions concerning this document, please contact Kimberly Munson of my staff. Ms. Munson can be reached at (202) 402-5122 or via email at Kimberly.R.Munson@HUD.gov.