



Housing & Community Development



State Of Utah – Governor's Office of Economic Development Division of Housing & Community Development Olene Walker Housing Loan Fund

Final Documentation Required For OWHLF Closeout and Final Draw

Once your project's construction has been completed and you wish to receive the final disbursement of OWHLF funds, the following documents must be submitted to complete the final disbursement process and begin your project's period of affordability under Federal HOME, HTF, and Utah state low-income housing program regulations. Final documentation to be submitted is listed as follows:

1. **Owner's Project Certification Statement** – this indicates long-term compliance with all other Federal and Utah state requirements governing affordable housing programs. This form (Attachment J) should be signed and dated by the project owner representative.
2. **Owner's Tax Credit Detailed Cost Breakdown** – for projects receiving low-income housing tax credits ("LIHTC"), this is the final cost certification submitted to Utah Housing Corporation ("UHC"). If your project was not awarded LIHTC, then this item would not be applicable to your project.
3. **Owner's Certification of Costs Statement** – if the project received LIHTC, simply submit a copy of the form submitted to UHC; otherwise, a statement signed and dated by the project owner's accountant or CPA is sufficient.
4. **Project Completion Form** – the information provided by this form will be used by OWHLF staff to close out project in DHCD's WebGrants and HUD's IDIS financial tracking systems, including the sources of all funds used for the financing of the project (Attachment K).
5. **CPA Certification of Costs** – this consists of a CPA certifying that the final project costs are reviewed on an independent basis and that they are representative of the project's actual expenses.
6. **Minority Business Enterprises/Women Business Enterprises** – all HOME- and HTF-assisted projects must submit this report at project closeout regardless of whether or not MBE/WBE subcontractors were hired, since OWHLF must report this information to HUD annually. If no MBE/WBE subcontractors were hired, please submit form with "0"s listed. A copy of this form was provided with the loan closing packet. Not required for projects funded with only state low-income housing funds.
7. **Section 3 Report** – all HOME- and HTF-assisted projects must submit this report at project closeout regardless of whether or not Section 3-qualified employees were hired, since OWHLF must report this information to HUD annually. If no Section 3-qualified employees were hired, please submit form with "0"s listed. A copy of this form was provided with the loan closing packet. Not required for projects funded only with state low-income housing funds.
8. **Household Characteristics Form** – this form should be completed for all HOME- and HTF-assisted units, which serves as the source document for closeout in HUD's IDIS financial tracking system (Attachment L). For projects without any Federal HOME or state match funding, this form is not required. Not required for projects funded only with state low-income housing funds.

9. **Multifamily Rental Project Occupancy Report** – either the *HCDD Multifamily Rental Project Occupancy Report* or the *UHC Housing Credit Biannual Occupancy Report*, whichever is applicable to your project, is acceptable for submission. This will be one of the project’s annual DHCD compliance reporting requirements from this point forward through the project’s affordability period.
10. **Affirmative Marketing Plan** – all projects with five (5) or more HOME- or HTF-assisted units must have an Affirmative Marketing Plan and submit a copy at project closeout. If your project has four (4) or fewer HOME-/HTF-assisted units, this is recommended but not required. Not required for projects funded only with state low-income housing funds.
11. **Subsidy Certification** – if your project is receiving project-based rental subsidy from USDA-RD or HUD, such as RD 515 multifamily rental assistance or HUD project-based Section 8 rental assistance, a copy of the subsidy certification is required.
12. **Blank Tenant Lease** – please provide a copy of the tenant lease in effect at the time of project lease-up. If a utility allowance is included in the rent calculations, please be sure that the lease shows this detail and all related information.
13. **IRS Form(s) 8609** – if your project has received LIHTC/Housing Credits, please provide copies of the signed Form(s) 8609 from Utah Housing Corporation showing project eligible/qualified basis and building placed-in-service date. These can be forwarded after project closeout since they are not issued by UHC at closeout, but usually later.
14. **Certificate of Occupancy (New Construction) and/or Building Permit Final Inspection (Rehabilitation)** – submit copies of whichever documents are applicable to your project.
15. **Final Appraisal** – if this is not required by a permanent lender and/or a syndicator, a letter stating such will need to be submitted.
16. **Architect’s Certification** – the project architect will need to fill out and sign this certification before final funds can be released and the project closed out in WebGrants and/or IDIS (Attachment M). Not required for acquisition-only projects.
17. **General Contractor’s Certification** – the project general contractor will need to fill out and sign this certification before final funds can be released and the project closed out in WebGrants and/or IDIS (Attachment N). Not required for acquisition-only projects.
18. **Energy Star and/or HERS Certification** – the rater should provide a copy of their final energy efficiency rating, which must be submitted to DHCD at project close-out.
19. **Davis-Bacon Final Worksheet** – all HOME-assisted projects with 12 or more total HOME-assisted units (this includes both the state as a participating jurisdiction as well as local participating jurisdictions (Salt Lake County, Salt Lake City, etc.) must maintain compliance with Davis-Bacon regulations. Davis-Bacon does not apply to HTF funds, and is also not required for projects funded only with state low-income housing funds.

For further information and details, please review the OWHLF *2023 Policies and Procedures*, which is available on-line at <http://housing.utah.gov/owhlf/programs>. If you have any questions or need additional assistance and/or forms, please contact Daniel Herbert-Voss at 385-522-0645 or dhvoss@utah.gov to discuss.

A documentation checklist (attached as Attachment I) is also provided for your convenience with a signature and date line.

**REQUIRED DOCUMENTATION NEEDED FOR CLOSEOUT AND FINAL DRAW
OLENE WALKER HOUSING LOAN FUND
MULTIFAMILY RENTAL PROJECTS – Page 1 of 2**

In order to process a request for the final payment and closeout in our system, the following documents must be executed and returned to OWHLF. If your project did not use Federal LIHTC, HUD HOME, NHTF, or matching state funds, then you can check the appropriate box in the “Check for N/A” column.

	<u>Documentation Item</u>	<u>Check for "Yes"</u>	<u>Check for "N/A"</u>
1	Owner’s Project Certification Statement (see Attachment J)	☐	
2	Owner’s Tax Credit Detailed Cost Breakdown (if applicable)	☐	☐
3	Owner’s Certification of Costs Report for total project	☐	
4	Project Completion Form (see Attachment K)	☐	
5a	CPA Certification of Costs Report (Total Project Costs)	☐	
5b	CPA Certification of Costs Report (Building by Building [LIHTC only])	☐	☐
6	Completed Minority Business Enterprises/Women Business Enterprises Report (required only for projects with Federal HOME and/or NHTF funding)	☐	☐
7	Completed Section 3 Report (required only if Federal HOME and/or NHTF funds used)	☐	☐
8	Household Characteristics Form (see Attachment L) (required only for projects with Federal HOME and/or NHTF funding)	☐	☐
9	Multifamily Rental Project Occupancy Report (can be DHCD, UHC, HUD, or RD occupancy report)	☐	
10	Copy of Affirmative Marketing Plan (required for all projects with 5 or more HOME-assisted units)	☐	☐
11	Subsidy Certification (applicable only to RD 515/voucher or proj-based HUD Section 8)	☐	☐
12	Copy of blank tenant lease (for both affordable and market-rate units, if applicable)	☐	
13	Copy(ies) of Form(s) 8609 (for LIHTC properties only)	☐	☐
14a	Copy of Certificate(s) of Occupancy issued by municipality (new construction)	☐	☐
14b	Copy of final inspection and building inspector sign-off (rehabilitation)	☐	☐
15	Copy of final appraisal submitted to priority lien holder, if required	☐	☐
16	Architect’s Certification (see attached Attachment M)	☐	

**REQUIRED DOCUMENTATION NEEDED FOR CLOSEOUT AND FINAL DRAW –
MULTIFAMILY RENTAL PROJECTS – Page 2 of 2**

	<u>Documentation Item</u>	<u>Check for "Yes"</u>	<u>Check for "N/A"</u>
17	General Contractor's Certification (see Attachment N)	☐	
18	Energy Star and/or HERS Certification (supplied by Energy Star rater) Waivers from OWHLF energy efficiency requirements must be approved by Daniel Herbert-Voss or Jess Peterson in writing – please provide a copy of letter in lieu of the certification if approved for waiver.	☐ —	 —
19	Final Davis-Bacon worksheet (required if project has 12 or more <u>total</u> HOME units)	☐	☐

If you have any questions, please feel free to contact Daniel Herbert-Voss at 385-522-0645 or by email at dhvoss@utah.gov.

Signature _____ Title _____ Date _____

State of Utah – Governor's Office of Economic Development
Division of Housing & Community Development
Olene Walker Housing Loan Fund

Multifamily Project Owner's Certification Statement

Name of Project _____

We, as the owner of this multifamily affordable housing project, are aware that the provision of funds in the form of grant(s) and/or loan(s) by the Olene Walker Housing Loan Fund from Federal HOME, NHTF, and/or state low-income housing funds for the acquisition, renovation, and/or new construction of this multifamily affordable housing project, will make this project susceptible, during the period of affordability, to the following Federal requirements:

- I. Equal Employment Opportunity Act
- II. Civil Rights Acts, Titles VI and VII
- III. Fair Housing Act, 24 CFR Part 92, Subpart H, Section 92.350
- IV. Age Discrimination Act
- V. Minority Business Enterprise Act, Section 281 of the National Affordable Housing Act
- VI. Section 3 of the Housing and Urban Development Act of 1968, 24 CFR Part 135, Subpart A
- VII. Section 504 of the Rehabilitation Act of 1973, as amended (28 UCS 792)
- VIII. Architectural Barriers Act of 1968, as amended (42 UCS 4151)
- IX. Uniform Relocation Assistance and Real Properties Acquisition Policies Act of 1970, as amended by the Uniform Relocation Act Amendments of 1987, Title IV of the Surface and Transportation and Uniform Relocation Assistance Act of 1987
- X. Davis-Bacon Act, the Copeland "Anti-Kickback" Act, and the Contract Work Hours and Safety Standards Act (CWSSA)

We hereby state our intention to comply with these requirements and to furnish to the Governor's Office of Economic Development, Division of Housing & Community Development, the administrator of the Olene Walker Housing Loan Fund, all necessary certifications, declarations, and plans required by these Acts.

Project Owner Name

Signature

Title

Date

State of Utah – Governor's Office of Economic Development
Division of Housing & Community Development
Olene Walker Housing Loan Fund
Rental Housing Project Completion Report

Name of Project _____

PROJECT INFORMATION

Is Project (check all that apply):

Condominium ____ Cooperative ____ Single Room Occupancy ____ Apartment ____ Other ____

Is Project FHA-Insured? Yes ____ No ____ Is Project Mixed-Use? Yes ____ No ____

Is Project Mixed-Income? Yes ____ No ____ Total Completed Units _____

HOME-Assisted Units _____ Fixed? ____ Floating? ____

HTF-Assisted Units _____ Fixed? ____ Floating? ____

LIH-Assisted Units _____ Fixed? ____ Floating? ____

Of the Units Completed, the Number:

Total HOME NHTF LIH

Meeting Energy Star Standards – New Construction

Meeting Energy Star Standards – Rehabilitation

Section 504 Accessible (5% minimum of total units)

Of those, the number for the visually/hearing impaired

Designated for Persons with HIV/AIDS (HOPWA)

Of those, the number for chronically homeless

Designated for the Homeless

Of those, the number for chronically homeless

Period of Affordability _____ years

Type of Project:

Did Project Involve (check only one):

Rehabilitation Only _____

New Construction Only _____

Acquisition Only _____

Acquisition/Rehabilitation _____

Acquisition/Construction _____

Refinancing and Rehabilitation _____

PROJECT SOURCE OF FUNDS

1. OWHLF Federal HOME/HTF/State LIH Funds:

a. HOME Funds – OWHLF:

Amount \$ _____ Interest Rate _____% Amortization Period _____ years

Type – Direct Loan _____ Grant _____ Deferred Payment _____ Other _____

b. HTF Funds – OWHLF:

Other Source _____

Amount \$ _____ Interest Rate _____% Amortization Period _____ years

Type – Direct Loan _____ Grant _____ Deferred Payment _____ Other _____

c. State LIH Funds – OWHLF:

Other Source _____

Amount \$ _____ Interest Rate _____ % Amortization Period _____ years

Type – Direct Loan _____ Grant _____ Deferred Payment _____ Other _____

Total OWHLF HOME/HTF/LIH Funds - \$ _____

2. Other Public Funds

Other Federal Funds \$ _____ Source _____

Other Federal Funds \$ _____ Source _____

State/Local Appropriated Funds \$ _____ Source _____

State/Local Tax Exempt Bond Proceeds \$ _____

Total Other Public Funds - \$ _____

3. Private Funds

Loan – Lender _____ Amount \$ _____

Interest Rate _____ % Amortization Period _____ years

Loan – Lender _____ Amount \$ _____

Interest Rate _____ % Amortization Period _____ years

Owner Cash Contribution \$ _____

Net Syndication Proceeds (other than LIHTC) \$ _____

Private Grants – Source _____ Amount \$ _____

4. Low Income Tax Credit Syndication Proceeds

Syndicator _____ Amount \$ _____

5. HOME Program Income

OWHLF State Match Funds Yes _____ No _____ Amount \$ _____

6. TOTAL FINANCING COSTS (Total Items 1-5): \$ _____

[illegible]

State of Utah – Governor's Office of Economic Development
Division of Housing & Community Development
Olene Walker Housing Loan Fund

Architect's Certification

The undersigned, being a duly licensed architect registered in the State of Utah, has prepared for _____ (Project Owner) final plans, working drawings and detailed specifications and addenda dated _____ in connection with certain real property located at _____ known as the Project.

I hereby certify that I am a licensed Architect, License No. __, __ with the requisite skills and experience to provide the professional services necessary to assist in the product of the units proposed by Project Owner and that I have experience on development(s) of similar magnitude and construction type as this Project. I am knowledgeable of all federal, state, and local requirements and the requirements of:

- (i) Architectural Barriers Act
- (ii) Section 504
- (iii) Fair Housing Act Title VIII
- (iv) Americans with Disabilities Act Title II
- (v) State of Utah Fair Housing laws and building codes compliant with ANSI 117A.

I certify that the final design, plans, and specifications will comply with these requirements.

I hereby certify that _____ (#) fully accessible Type "A" ADA residential unit(s) has/have been designed for long-term mobility-impaired tenants who meet(s) the minimum federal and state law requirements in those plans and specifications listed above.

The undersigned hereby certifies to the Project Owner and the State of Utah – Housing and Community Development Division that the Plans and Specifications for the Project have been duly filed with and have been approved by all appropriate governmental and municipal authorities having jurisdiction over the Project and that the Project as shown on the Plans and Specifications is in compliance with all requirements and restrictions of all applicable zoning, environmental, building, fire, health and other governmental ordinances, rules and regulation. All conditions to the issuance of building permits have been satisfied. In the opinion of the undersigned, the Project has been constructed in a good and workmanlike manner substantially in accordance with the Plans and Specifications and is free and clear of any damage or structural defects that would in any material respect affect the value of the Project. In the further opinion of the undersigned, all of the preconditions have been met justifying the issuance of:

- (i) The permanent certificate(s) of occupancy for the Project (or the letter or certificate of compliance or completion stating that the construction complies with all requirements and restrictions of all governmental ordinances, rules and regulations), and
- (ii) Such other necessary approvals, certificates, permits and licenses that may be required from such governmental authorities having jurisdiction over the Project pertaining to the construction of the Project.

ATTACHMENT M

The Project will be in compliance with all current zoning, environmental and other applicable laws, ordinances, rules and regulations, restrictions and requirements, including without limitation Title III of the Americans with Disabilities Act of 1990 and the Fair Housing Act.

There are no buildings or other municipal violations filed or noted against the Project. All necessary gas, steam, telephone, electric, water and sewer services and other utilities required to adequately service the Project, are now available to the Project. All street drainage, water distribution and sanitary sewer systems have been accepted for perpetual maintenance by the appropriate governmental authority or utility.

Dated: _____

PROJECT ARCHITECT FIRM NAME:

By: _____
(Signature)

Print Name: _____

Title: _____

State of Utah – Governor's Office of Economic Development
Division of Housing & Community Development
Olene Walker Housing Loan Fund

General Contractor's Certification

The undersigned has served as general contractor of the real property constructed and/or rehabilitated:

Located at _____

Known as _____(Project name)

For _____(Project Owner).

The undersigned hereby certifies to the Project Owner and the State of Utah – Housing and Community Development Division that the Project was constructed or rehabilitated in conformity with the Plans and Specifications dated _____. [PLEASE NOTE: THIS DATE MUST MATCH THE PLANS AND SPECIFICATIONS DATE IN ARCHITECT'S CERTIFICATE]

Dated: _____

GENERAL CONTRACTOR FOR PROJECT FIRM NAME:

By: _____

(Signature)

Print Name: _____

Title: _____