

REVERSE OF FORM RD 1944-37

Form Approved OMB 2500-0111	SCHEDULE A - LIST OF PREVIOUS PROJECTS AND SECTIONS B CONTRACTS		
By my name below is the complete list of my previous projects and my participation history as a principal in Multifamily Housing programs of HUD/USDA-RD, State and Local Housing Finance Agencies. NOTE - Read and follow the attached instruction sheet carefully. Abbreviate where possible. Make full disclosure. Add extra sheets if you need more space. Double check for accuracy. If you have no previous projects write by your name - No previous participation - First Experience			
1. List each Principal's Name (Last in Alphabetical Order, Last Name First)	2. List Previous Projects (Give the LO, Number, Project name, City of Location, Government Agency Involved and Number of Units in the Project)	3. List Principal's Participation Role, Date when Participation began and Year Participation ended	4. Disclose Delinquency, Mortgage Relief, Assignments, Foreclosures, if None, write None. 5. RESERVED FOR HUD PROCESSING
PART II - INTERNAL PROCESSING ONLY			
1. Received by the Field Office, checked by me for accuracy and completeness and found ready for processing.			
DATE	TELEPHONE NUMBER	2. TO: Department of Housing and Urban Development, Multifamily Participation Review Committee, Washington, D.C. A review of the records and project files of this office relative to the above listed parties and projects awaits.	
		<input type="checkbox"/> A. No adverse information, Form HUD-2500 approval is recommended. <input type="checkbox"/> B. Problems exist, my memorandum on them is attached.	
SUPERVISOR, PROCESSING CONTROL AND REPORTS UNIT		DIRECTOR OF HOUSING	
DATE		PROCESSING IS AUTHORIZED	
		NAME OF AREA MANAGER	
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The instructions for preparation (*attached to the form*) should be read carefully and followed when completing and filing this form. Part II need not be completed by Rural Housing Service officials; this section is for HUD use only. To verify and evaluate previous Rural Housing Service participation by the applicant and/or principals, Rural Housing Service officials should make inquiry via Rural Housing Service Multi-Family Information, Status, Tracking and Retrieval System (MISTR).

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Form Approved
OMB-2502-0118

INSTRUCTIONS FOR COMPLETING THE PREVIOUS PARTICIPATION CERTIFICATION,
FORM HUD-2530/RD 1944-37
(Effective January 1, 1981 for HUD/RD Assisted Multifamily Housing Projects.)

PURPOSE-

Form HUD-2530/RD 1944-37 must be completed and signed by all parties applying to become principal participants in HUD/RD multifamily housing projects. The purpose of this form is to provide HUD/RD with a certified report of all previous participation in HUD/RD multifamily housing projects by those parties making application for additional participation in another HUD/RD MFH project. This form must also be completed by those who have not previously participated in HUD/RD MFH projects.

Before filing this form with the HUD Area or Service office or RD office where your project application will be processed, these instructions and the regulations that apply to this form should be read carefully. A copy of those regulations published at 24 CFR 200.219 to 200.245 can be obtained from the Multifamily Housing Representative at any HUD Area or Service office.

The information requested in this form is necessary in order for HUD/RD to determine if you meet the standards established to ensure that all principal participants in HUD/RD projects will honor their legal, financial and contractual obligations and are acceptable risks from the underwriting standpoint of an insurer, under governmental agency.

To assist in this determination, HUD/RD requires that you certify your record of previous participation in HUD/RD projects by completing and signing this form, before your project application or participation can be approved. HUD/RD approval of your certification is a necessary precondition for your participation in the project and in the capacity that you propose.

If you do not file this certificate, do not furnish the information requested accurately, or do not meet established standards, you will not be approved and you will not be able to participate in the project as you had desired. Alternatively, appropriate time will be given up to 120 days if HUD/RD feels more information is necessary to make an accurate decision.

Note that approval of your certification does not obligate HUD/RD to approve your project application, and it does not satisfy all other HUD/RD program requirements relative to your qualifications.

WHO MUST SIGN AND FILE FORM HUD-2530/RD 1944-37

Form HUD-2530/RD 1944-37 must be signed and filed by all principals and their affiliates who propose participating in the HUD/RD project. Principals may all use, sign, and file on the same form or they may elect to file separate forms if that is more convenient. Late comers must file when they decide to join principals who have already filed.

Principals include all individuals, joint ventures, partnerships, corporations, trusts, nonprofit organizations or any other public or private entity that will participate in the proposed project as a sponsor, owner, prime contractor, turnkey developer, or managing agent. In addition, principals include packageers and consultants, defined as individuals or firms providing advisory services in connection with the financing or construction of a project or with meeting any related HUD/RD requirements. Architects and engineers who have any interest in the project other than an arm's length fee arrangement for professional services are also considered principals by HUD/RD.

In the case of partnerships, all general partners regardless of their percentage interest and limited partners having a 25 percent or more interest in the partnership are considered principals. In the case of public or private corporations or governmental entities, principals include the president, vice president, secretary, treasurer and all other executive officers who are directly responsible to the board of directors, or any equivalent governing body, as well as all directors and each stockholder having a 10 percent or more interest in the corporation.

Affiliates are defined as any person or business concern that directly or indirectly controls the policy of a principal or has the power to do so. A holding or parent corporation would be an example of an affiliate if one of its subsidiaries was a principal.

EXCEPTION FOR CORPORATIONS - ALL PRINCIPALS AND AFFILIATES MUST PERSONALLY SIGN THE CERTIFICATE EXCEPT IN THE FOLLOWING SITUATION: WHEN A CORPORATION OR PUBLIC AGENCY IS A PRINCIPAL ALL OF ITS OFFICERS, DIRECTORS, COMMISSIONERS, TRUSTEES AND STOCKHOLDERS WITH 10 PERCENT OR MORE OF THE COMMON VOTING STOCK NEED NOT SIGN PERSONALLY IF THEY ALL HAVE THE SAME RECORD TO REPORT. THE OFFICER WHO IS AUTHORIZED TO SIGN FOR THE CORPORATION OR AGENCY WILL LIST THE NAMES AND TITLE OF THOSE WHO ELECT NOT TO SIGN. HOWEVER ANY PERSON WHO HAS A RECORD OF PARTICIPATION IN HUD/RD PROJECTS THAT IS SEPARATE FROM THAT OF HIS OR HER ORGANIZATION MUST REPORT THAT ACTIVITY ON THIS FORM AND SIGN HIS OR HER NAME.

EXEMPTION - The names of the following parties do not need to be listed on Form HUD-2530/RD 1944-37: Public Housing Agencies, tenants, owners of less than five condominium or cooperative units and all other interests acquired by inheritance or court order.

WHERE AND WHEN FORM HUD-2530/RD 1944-37 MUST BE FILED

This form must be filed with the HUD Area or Service office or RD office where your project application will be processed at the same time you file your project application.

This form must be filed with applications for projects, or when otherwise required in the situations listed below:

- Projects to be financed with mortgages insured under the National Housing Act (FHA)
- Projects to be financed according to Section 202 of the Housing Act of 1959 (Elderly and Handicapped)
- Public Housing projects to be financed according to the United States Housing Act of 1937

- Projects in which 20 percent or more of the units are to receive a subsidy as described in 24 CFR 200.213.
- Purchase of a project subject to a mortgage insured or held by the Secretary of HUD.
- Purchase of a Secretary-owned project.
- PROPOSED SUBSTITUTION OR ADDITION OF A PRINCIPAL OR PRINCIPAL PARTICIPATION IN A DIFFERENT CAPACITY FROM THAT PREVIOUSLY APPROVED FOR THE SAME PROJECT.
- PROPOSED ACQUISITION BY AN EXISTING LIMITED PARTNER OF ADDITIONAL INTEREST IN A PROJECT RESULTING IN A TOTAL INTEREST OF 25 PERCENT OR MORE.
- PROPOSED ACQUISITION BY A STOCKHOLDER OF ADDITIONAL INTEREST IN A PROJECT RESULTING IN A TOTAL INTEREST OF 10 PERCENT OR MORE.
- Projects with U.S.D.A., Rural Development, or with state or local government housing finance agencies that include rental assistance under Section 8 of the Housing Act of 1937. For projects of this type, Form HUD-2530/RD 1944-37 should be filed with the appropriate applications directly to those agencies.
- Projects to be financed by Rural Development under Section 515 of the Housing Act of 1968.

REVIEW OF ADVERSE DETERMINATION

If approval of your participation in a HUD project is denied, withheld or conditionally granted on the basis of your record of previous participation, you will be notified by the field office. You may request reconsideration by the HUD Review Committee Administrator. Alternatively, you may request a hearing before a Hearing Officer. Either request must be made in writing within 30 days from your receipt of the notice of determination.

If you do not request reconsideration by the Review Committee and the reconsideration results in an adverse determination, you may then request a hearing before a Hearing Officer. The Hearing Officer will issue a report to the Review Committee. You will be notified of the final ruling by certified mail. If approval of your participation in an RD project is denied, withheld or conditionally granted, you may appeal the decision under the provisions of 7 CFR Part 1970 Subpart B.

INSTRUCTIONS FOR COMPLETING FORM HUD-2530/RD 1944-37

General Instructions - Either type or print neatly in ink when filling out this form. BE SURE TO MARK ANSWERS IN ALL BLOCKS OF THE FORM IF THE FORM IS NOT FILLED OUT COMPLETELY IT WILL DELAY APPROVAL OF YOUR APPLICATION.

If you need more space, attach extra sheets to the form. Be sure to type "Continued on Attachment(s)" whenever appropriate on Form HUD-2530/RD 1944-37. Also, sign each additional page that is attached if it refers to you or your record.

Sign the certificate ONLY after you have read it carefully. File the original with the HUD Area or Service office or RD office that has jurisdiction over the project at the same time the initial project or other application forms are filed before your participation begins. You need to submit only one copy of Form HUD-2530/RD 1944-37 to HUD or RD as appropriate - additional copies are not necessary.

If you have many projects to list and expect to be applying frequently for participation in HUD projects, you should consider filing a Master List. See Master List instructions below under "Instructions for Completing Schedule A."

Any questions you have regarding the form or how to complete it can be answered by RD, HUD Area or Service office Multifamily Housing Representative.

Block Instructions:

BLOCK 1 - Fill in the name of the agency to which you are applying, for example: HUD Area or Service office, Rural Development office, or the name of a state or local housing finance agency. Below that, fill in the name of the city where the office is located.

BLOCK 2 - Fill in the name of the project, such as "Greenwood Apts." If the name has not yet been selected, write "Under Construction."

Below that, fill in the HUD contract or project identification number, the Rural Development project number, or the state or local housing finance agency project or contract number. Include ALL project or contract identification numbers that are relevant to the project.

Below that, fill in the name of the city in which the project is located, and the ZIP Code of the site location.

BLOCK 3 - Fill in the dollar amount requested in the proposed mortgage, or the annual amount of rental assistance requested.

BLOCK 4 - Fill in the number of apartment units proposed, such as "40 units." For hospital projects or nursing homes, fill in the number of beds proposed, such as "100 beds."

BLOCK 5 - If known, fill in the section of the Housing Act under which the application is filed. If unknown, write "Unknown."

BLOCK 6 - Check the appropriate box to indicate whether your application involves an EXISTING project, a REHABILITATION, or a PROPOSED new project.

BLOCK 7 - Alphabetically list the full names, last name first, of all principals (including corporations) and affiliates and their addresses. Divisions of all those who are considered principals and affiliates are given above in the section titled "Who Must Sign and File Form HUD-2530/RD 1944-37."

BLOCK 8 - Beside the name of each principal, fill in the role that each party listed will perform. The following is a list of the possible roles that the principals may perform: Sponsor, Owner, Prime Contractor, Turnkey Developer, Managing Agent, Package, Consultant, General Partner, Limited Partner (include percentage), Executive Officer, Director, Trustee, or Member-Stockholder.

Beside the name of each affiliate, write the name of the person or firm of affiliation, such as "Affiliate of Smith Construction Co."

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**INSTRUCTIONS FOR COMPLETING THE PREVIOUS PARTICIPATION CERTIFICATE
FORM HUD-2530/RD 1944-37 [cont.]**

BLOCK 8 - Fill in the percentage ownership in the proposed project that each principal is expected to have. Beside the name of those parties who will not be owners, write "None".

BLOCK 10 - Fill in the social security or IRS employer number of every party listed, including affiliates.

INSTRUCTIONS FOR COMPLETING SCHEDULE A -

No Previous Record - EVEN IF YOU HAVE NEVER PARTICIPATED IN A HUD OR RD PROJECT BEFORE, YOU MUST COMPLETE SCHEDULE A. If you have no record of previous projects to list, fill in your name in Column 1 of Schedule A, and write across the form by your name - "No previous participation, first experience."

Frequent Filer's Master List System - If you expect to file this form frequently with HUD and you have a long list of previous projects to report on Schedule A, you should consider filing a Master List. By doing so, you will avoid having to list all your previous projects each time you file a new application.

To make a Master List, use Form HUD-2530. On page 1, in Block 1, you should fill in (in capital letters) the words "MASTER LIST" in Blocks 2 through 10 fill in "N.A." meaning Not Applicable.

In the box below the statement of certification, fill in the names of all parties who wish to file a master list together (type or print neatly). Beside each name, every party must sign the form in the box titled "Proposed Role," fill in "N.A." Also, fill in the date you sign the form and provide a telephone number where you can be reached during the day.

SCHEDULE A, THE REVERSE SIDE OF THE FORM MUST BE FILLED OUT COMPLETELY ACCORDING TO THE INSTRUCTIONS BELOW UNDER "All Others." CHECK TO BE SURE THAT SCHEDULE A IS COMPLETE, ACCURATE AND THE CERTIFICATE ON THE FRONT OF FORM HUD-2530 IS PROPERLY DATED AND SIGNED, BECAUSE IT WILL SERVE AS A LEGAL RECORD OF YOUR PREVIOUS EXPERIENCE.

File one copy of the Master List with each HUD Area or Service office where you do business and mail one copy to:

HUD-2530 MASTER LISTS
Previous Participation Branch - Housing
Department of Housing and Urban Development
451 Seventh Street, S.W.
Washington, D.C. 20410

Once you have filed a Master List, you do not need to complete Schedule A when you submit Form HUD-2530. Instead, write the name of the participant in Column 1 of Schedule A and beside that write - "See Master List on file." Also give the date that appears on the Master List that you submitted. Below that, report all changes and additions that have occurred since the date of the Master List. Be sure to include any mortgage defaults, assignments or foreclosures not listed previously.

IF YOU HAVE WITHDRAWN FROM A PROJECT SINCE THE DATE THE MASTER LIST WILL BE FILED, BE SURE TO NAME THE PROJECT, GIVE THE PROJECT IDENTIFICATION NUMBER, THE MONTH AND YEAR YOUR PARTICIPATION BEGAN AND ENDED.

All Others - Complete Schedule A on the reverse side of Form HUD-2530. All Multifamily Housing projects in which you have previously participated as a principal in programs of HUD, USDA - Rural Development, and state or local government housing finance agencies MUST be listed.

In Column 2 of Schedule A, list all of your previous projects. In addition, list the project or contract identification of each previous project. THE PROJECT OR CONTRACT IDENTIFICATION OF ALL PREVIOUS PROJECTS MUST BE INCLUDED ON YOUR CERTIFICATION CANNOT BE PROCESSED. Also give the name of all projects, the cities in which they are located and the government agency (HUD, USDA-RD or state or local housing finance agency) that were involved. At the end of your list of projects in Column 2 of Schedule A, draw a straight line across the page to separate your record of projects from that of others signing the form who have a different record to report.

In Column 3 of Schedule A, list your role in all previous projects (a list of all possible roles is given in the instructions to Block 8). Give the month and year your participation began and/or ended because you do not want your record confused with possible problems caused by others for which you are not responsible.

In Column 4 of Schedule A, you must indicate all defaults, mortgage relief, assignments and foreclosures. Write "Default," "Assignment," or "Foreclosure" and give the date it occurred. If a default has been cured by payment, write the word "Cured" after the word default. If there were none of these on a project, write "None."

CERTIFICATION - AFTER YOU HAVE COMPLETED ALL OTHER PARTS OF FORM HUD-2530/RD 1944-37, INCLUDING SCHEDULE A, READ THE CERTIFICATION CAREFULLY. In the box below the statement of certification, fill in the name of all principals and affiliates (type or print neatly). Beside the name of each principal and affiliate, each party must sign the form, with the exception in some cases of individuals associated with a corporation (see "Exception for Corporations" in the section of the instructions titled "Who Must Sign and File Form HUD-2530/RD 1944-37"). Beside each signature, fill in the role of each party (the same as shown in Block 8). In addition, each person who signs the form should fill in the date that he or she signs, as well as providing a telephone number where he or she can be reached during business hours. By providing a telephone number where you can be reached, you will help to prevent any possible delay caused by mailing and processing time in the event HUD or RD has any questions.

If you cannot certify and sign the certificate as it is printed because some statements do not correctly describe your record, do not become discouraged. On the face of the certificate use a pen and strike through those parts that differ with your record, then sign and certify to that part you permitted to remain and which does describe you or your record.

Attach a signed letter, note or explanation of the times you have struck out on the certification and report the facts of your correct record. Item A(2)(e) relates to felony convictions within the past 10 years. If you have been convicted of a felony within 10 years, strike out all of A(2)(e) on the certificate and attach your statement giving your explanation. A felony conviction will not cause your participation to be disapproved unless there is a criminal record or other evidence that your previous conduct or method of doing business has been such that your participation in the project would make it an unacceptable risk from the underwriting standpoint of an insurer, lender or governmental agency.

PRIVACY ACT INFORMATION AND AUTHORITY -

Form HUD-2530/RD 1944-37 is authorized by law (42 USC 3535(e) and 42 USC 1701 et seq.), 24 CFR 200.217 and 7 CFR 1844.222. The information is collected to evaluate your record with respect to established standards of performance, responsibility and eligibility. HUD and RD request your social security number (SSN) for identification of your records. HUD and RD may use your SSN for automated processing of your records and to make requests for information about you and your previous records with other public agencies and private sector sources.