

TABLE OF CONTENTS

	Page
CHAPTER 1: OVERVIEW OF GUARANTEED RURAL RENTAL HOUSING PROGRAM ORIGINATION AND SERVICING HANDBOOK.....	1-1
1.1 Introduction.....	1-1
SECTION 1: THE HANDBOOK.....	1-1
1.2 Purpose.....	1-1
1.3 Using the Handbook	1-2
A. Handbook Symbols.....	1-2
B. Citations and Text Boxes	1-2
C. Attachments and Appendices.....	1-3
SECTION 2: THE RURAL HOUSING SERVICE (RHS).....	1-3
1.4 RHS Organization.....	1-3
SECTION 3: OVERVIEW OF THE GUARANTEED RURAL RENTAL HOUSING PROGRAM.....	1-3
1.5 Program Goals	1-3
1.6 Eligible Rural Area	1-4
1.7 Program Features	1-4
A. Risk Sharing with Lenders.....	1-5
B. Affordability Features.....	1-5
C. Construction and Permanent Financing	1-5
D. Lender Origination, Servicing, and Disposition	1-5
E. The Notice of Program Funding Process	1-6
1.8 Roles and Responsibilities of Agency, Lender and Borrower	1-6
1.9 Identity of Interests	1-7
1.10 Agency Exception Authority	1-8
1.11 Reviews and Appeals.....	1-9
SECTION 4: FEDERAL REQUIREMENTS	1-10
1.12 Intergovernmental Review.....	1-10
1.13 National Flood Insurance Program	1-10
1.14 Historic Preservation.....	1-10

1.15 Civil Rights	1-10
A. Nondiscrimination.....	1-10
B. Reasonable Accommodations for Persons with Disabilities	1-11
1.16 Fair Housing.....	1-12
1.17 Environmental Requirements.....	1-12

Attachment 1-A: Review and Appeals of Adverse Agency Decisions

CHAPTER 2: LENDER ELIGIBILITY AND APPROVAL	2-1
2.1 Purpose and Overview	2-1
SECTION 1: LENDER ELIGIBILITY	2-2
2.2 Purpose.....	2-2
2.3 Requesting Lender Eligibility	2-2
2.4 Basic Eligibility Test Requirements	2-2
2.5 Demonstrated Eligibility Test Requirements.....	2-3
2.6 Eligibility Requirements	2-3
A. Origination and Servicing Plan.....	2-3
B. Demonstrate the Lender's Financial Stability.....	2-5
C. The Lender's Certification to Comply with Program Requirements.....	2-5
2.7 Additional Requirements for Approval to Originate and Service Option Two and Option Three Loan Guarantees	2-5
2.8 Participation by Lenders without Demonstrated Ability	2-6
SECTION 2: ELIGIBILITY APPLICATION PROCESSING.....	2-6
2.9 Overview.....	2-6
2.10 Agency Assessment of the Request	2-6
2.11 Submission Requirements — Lender Application	2-7
2.12 Issuance of Approved Lender Status	2-8
SECTION 3: MAINTENANCE OF LENDER APPROVAL	2-8
2.13 Requirements for Retaining Approved Status	2-8
SECTION 4: OTHER ISSUES.....	2-9
2.14 Substitution of Lender.....	2-9
2.15 Use of Agents by the Approved Lender	2-10
2.16 Loan Participations	2-10
2.17 Transfer of Servicing	2-10

CHAPTER 3: LENDER UNDERWRITING	3-1
3.1 Introduction.....	3-1
SECTION 1: LENDER UNDERWRITING RESPONSIBILITIES	3-1
3.2 Overview.....	3-1
3.3 Summary of Lender Responsibilities.....	3-2
SECTION 2: LENDER NARRATIVE	3-2
3.4 Narrative Requirements	3-2
SECTION 3: BORROWER ELIGIBILITY	3-3
3.5 Overview.....	3-3
3.6 Eligible Borrowers	3-3
3.7 Ineligible Borrowers	3-4
3.8 Borrower Types	3-4
A. General or Limited Partnerships	3-6
B. Corporations.....	3-6
C. Limited Liability Companies	3-7
D. Trusts.....	3-7
E. Public Agencies	3-7
F. Indian Tribes	3-7
G. Individuals.....	3-8
3.9 Certification of Legal Eligibility.....	3-8
3.10 Borrower Experience and Capacity	3-8
A. Construction and Rehabilitation Experience	3-8
B. Property Management Experience.....	3-9
C. Financial Capacity	3-10
SECTION 4: PROPERTY REQUIREMENTS	3-14
3.11 Overview.....	3-14
3.12 Rural Area Designation.....	3-14
3.13 General Site Requirements	3-14
A. Public Facilities and Services	3-15
B. Less Desirable Areas.....	3-15
3.14 Site Standards.....	3-15
A. Applicable Codes	3-15
B. Adequate Utilities and Infrastructure.....	3-16

C. Grading and Drainage	3-16
D. Size and Shape	3-16
E. Undesirable Physical Conditions	3-16
3.15 Site Density	3-16
3.16 Non-Contiguous Sites	3-16
3.17 Site Control	3-17
A. Land Ownership.....	3-17
B. Land Lease.....	3-17
3.18 Environmental Requirements.....	3-18
A. Lender Responsibilities Prior to Requesting Guarantee	3-18
B. Agency Environmental Review	3-19
3.19 Civil Rights	3-19
3.20 Project Development.....	3-19
A. Project Size	3-20
B. Agency Construction Requirements	3-20
C. Federal Accessibility Requirements	3-21
SECTION 5: FINANCING TERMS.....	3-23
3.21 Overview.....	3-23
3.22 Occupancy and Rent Restrictions	3-23
3.23 Use of Loan Proceeds	3-25
A. Eligible Uses of Loan Proceeds	3-25
B. Ineligible Uses of Loan Funds	3-26
3.24 Applying Section 207(c) Loan Limits	3-27
3.25 Mortgage Terms.....	3-28
A. Maximum Loan Term	3-28
B. Maximum Interest Rate.....	3-28
C. Interest Reduction Credit	3-28
D. Maximum Loan Amount.....	3-29
SECTION 6: DETERMINING PROPERTY VALUE.....	3-30
3.26 Overview.....	3-30
3.27 Cash Flow Analysis	3-30
A. Operating and Maintenance Expense.....	3-30
B. Debt Service.....	3-31

3.28 APPRAISAL	3-33
A. Appraisal Requirements.....	3-33
B. Appraiser Qualifications	3-33
C. Appraisal Methods	3-33
D. Appraisal Report Guidelines.....	3-34
E. Market Study.....	3-34
CHAPTER 4: LOAN GUARANTEE APPLICATION PROCESSING	4-1
SECTION 1: AN OVERVIEW OF THE PROCESS	4-1
4.1 Purpose.....	4-1
SECTION 2: NOTICE OF PROGRAM FUNDING	4-1
4.2 Publication of GRRHP Requirements	4-1
4.3 Response to the Notice.....	4-1
4.4 Information to be Included in Response to the Notice	4-2
A. Descriptive Information	4-2
B. Lender Eligibility and Approval Status	4-3
C. Competitive Criteria.....	4-3
D. Lender Commitment Letter.....	4-3
4.5 Agency Review of Notice Response.....	4-3
A. Was the Project Proposal on Time and Complete?.....	4-3
B. Is the Borrower An Eligible Entity?	4-4
C. Is the Lender Eligible?	4-4
D. Is the Proposed Project Eligible?	4-4
4.6 Notice to Proceed with Application Processing.....	4-5
SECTION 3: APPLICATION FOR THE GUARANTEE.....	4-6
4.7 Purpose of the Application.....	4-6
A. The Proposed Project Meets the GRRHP Threshold Requirements.....	4-6
B. The Proposed Project is Eligible to Receive a Conditional Commitment.....	4-6
4.8 Application Form and Documentation.....	4-7
A. The Lender's Certification.....	4-7
B. Exhibits and Supporting Information to the Lender's Certification	4-7
4.9 Interest Credit Request and Documentation	4-11
A. Amount of Interest Credit Subsidy	4-11
B. Demonstrated Need.....	4-11

C. Limits on Allocation of Interest Credit.....	4-11
D. Payment of Interest Credit	4-11
E. Cancellation of Interest Credit	4-13
F. Closing a Loan with Interest Credit.....	4-13
4.10 Lender Review of the Borrower Submissions	4-13
A. Borrower Eligibility	4-13
B. Project Eligibility	4-14
C. Project Feasibility Analysis	4-15
4.11 Agency Review of the Loan Guarantee Application	4-16
A. Determination that the Loan Guarantee Application Package is Complete ...	4-16
B. Environmental Review by Agency	4-16
C. Civil Rights Impact Analysis	4-16
D. Review of Other Federal Requirements.....	4-16
E. Review of Affirmative Fair Housing Marketing Plan (AFHMP).....	4-17
F. Decision on Interest Credit Subsidy Request.....	4-19
G. Decision on the Guarantee Amount.....	4-19
H. Determination that the Loan is Acceptable for a Conditional Commitment ..	4-19
4.12 Agency Decision.....	4-20
SECTION 4: ISSUANCE OF CONDITIONAL COMMITMENT	4-20
4.13 General Requirements.....	4-20
4.14 Terms of Conditional Commitment.....	4-21
A. Subsidy Layering Review	4-22
B. Guarantee Fee	4-22
C. Transactions Backed by Ginnie Mae	4-22
D. Termination of the Conditional Commitment.....	4-22
E. Substitution of Lender.....	4-23
F. Lender's Agreement.....	4-23
G. Loan Note Guarantee Agreement	4-23
SECTION 5: RESPONSE TO THE CONDITIONAL COMMITMENT AND LOAN CLOSING.....	4-24
4.15 General Conditions	4-24
4.16 Development of the Regulatory Agreement	4-24
4.17 Loan Closing.....	4-24
SECTION 6: GUARANTEE DURING CONSTRUCTION.....	4-25
4.18 Continuous Guarantee and Construction Guarantee and Related Reserves	4-25

SECTION 7: PERMANENT GUARANTEE.....	4-26
4.19 Occupancy.....	4-26
4.20 Documentation Requirements.....	4-27
SECTION 8: TERMINATION OF THE LOAN GUARANTEE	4-30
4.21 Reasons for Termination.....	4-30
A. Repayment of the Loan	4-30
B. Payment of a Claim.....	4-30
C. Voluntary Termination of the Guarantee Agreement by the Lender	4-30
D. Non-Compliance with Program Requirements.....	4-30
E. Fraud	4-31
Attachment 4-A: Section 538 GRRHP Application Checklist	
Attachment 4-B: Suggested Format for the Opinion of the Lender's Legal Counsel	
Attachment 4-C: Closing Documents to be Submitted as Part of the Final Application	
Attachment 4-D: Housing Allowances for Utilities and Other Public Services	
Attachment 4-E: Planning Meeting Agenda	
CHAPTER 5: CONSTRUCTION REQUIREMENTS	5-1
5.1 Introduction.....	5-1
SECTION 1: PRE-CONSTRUCTION CONFERENCE	5-2
5.2 Conference Requirements	5-2
SECTION 2: BASIC CONSTRUCTION REQUIREMENTS	5-2
5.3 Overview.....	5-2
5.4 Construction Contractor Experience and Capacity.....	5-3
5.5 Debarment and Suspension.....	5-3
5.6 Architectural Services and Capital Needs Assessments	5-3
5.7 Plans, Specifications and Cost Estimates.....	5-4
5.8 Environmental Requirements.....	5-5
5.9 Construction	5-6
5.10 Inspections	5-6
5.11 Warranty	5-8
5.12 Construction Requirements Certification	5-8

SECTION 3: GUARANTEES OF CONSTRUCTION ADVANCES	5-9
5.13 Overview.....	5-9
5.14 Insurance	5-10
5.15 Sureties.....	5-10
5.16 Letters of Credit.....	5-10
5.17 Payment Procedures.....	5-11
5.18 Contract Change Orders.....	5-12
5.19 Modification of Maximum Amount Guaranteed During Construction	5-12
5.20 Reporting During Construction Period	5-13
5.21 Final Payment	5-14
5.22 Certification that Additional Requirements Have Been Met.....	5-14
SECTION 4: APPLICATION PROCESSING FOR GUARANTEES ON CONSTRUCTION ADVANCES.....	5-15
5.23 Overview of Process	5-15
SECTION 5: CLAIMS PROCESSING FOR GUARANTEES ON CONSTRUCTION ADVANCES.....	5-15
5.24 Overview of Process	5-15
CHAPTER 6: PROGRAM FEES.....	6-1
6.1 Overview.....	6-1
6.2 Fees Associated with the Loan Guarantee	6-2
A. Initial Guarantee Fee.....	6-2
B. Annual Guarantee Fee.....	6-2
C. Surcharge for Guarantees on Construction Advances	6-2
6.3 Additional Agency Fees.....	6-2
A. Application Fee.....	6-2
B. Extension and Reopening Fees	6-3
C. Transfer of Ownership Fee	6-3
CHAPTER 7: SERVICING PERMANENT LOANS	7-1
7.1 Introduction.....	7-1
SECTION 1: SERVICING GOALS AND OBJECTIVES	7-1
7.2 Objectives	7-1
7.3 Protecting the Value of the Financial Asset.....	7-1
7.4 Ensuring the Program Compliance	7-2
7.5 Protecting the Tenants' Rights.....	7-2
7.6 Protecting the Government's Interests.....	7-2

SECTION 2: GENERAL SERVICING REQUIREMENTS.....7-3

7.7	Funds Management.....	7-3
A.	Collecting and Processing Borrower Payments.....	7-3
B.	Escrow and Reserve Account Management	7-3
C.	Interest Credit, if Applicable.....	7-3
D.	Approval of Reserve Releases	7-3
E.	Approval of Surplus Cash Distribution to the Borrower	7-6
7.8	Addressing Defaults and Delinquencies	7-7
A.	Delinquencies.....	7-8
B.	Default.....	7-8
C.	Declaring a Default.....	7-8
D.	Initiating Special Servicing.....	7-8
7.9	Transfer of Ownership	7-9
A.	Changes in the Ownership Entity	7-9
B.	Transfers of Title/Transfers of Physical Assets.....	7-9
7.10	Transfer of Loans or Mortgage Servicing.....	7-10

SECTION 3: ASSET MANAGEMENT7-10

7.11	Overview.....	7-10
7.12	Financial Management.....	7-10
A.	Borrower Reports to the Lender	7-10
B.	Lender Reports to the Agency	7-11
7.13	Completing the Capital Needs Assessment and Reserve Analysis.....	7-14
A.	The Capital Needs Assessment.....	7-14
B.	Adjusting the Reserve Deposit Requirement.....	7-15
7.14	Physical Maintenance and Program Compliance and Oversight.....	7-15
A.	Physical Standards and Inspections	7-15
B.	Capital Improvement Plans.....	7-16
C.	Compliance with other Federal Requirements.....	7-16
D.	Compliance with other Program Requirements.....	7-19

SECTION 4: SPECIAL SERVICING	7-21
7.15 Overview.....	7-21
7.16 Roles and Responsibilities of the Servicing Lender	7-21
A. Development of a Workout Plan.....	7-21
B. Bankruptcy of Borrower	7-22
C. Loss Claims During Bankruptcy.....	7-22
7.17 Roles and Responsibilities of the Borrower	7-22
A. Submission of Information to the Lender.....	7-22
B. Development and Execution of the Workout Plan.....	7-23
C. Compliance with the Workout Plan	7-23
7.18 Special Servicing Options.....	7-23
A. Loan Modifications	7-23
B. Partial Payment of Claim	7-23
C. Transfer of Physical Assets (TPA).....	7-24
D. Agency Approval of Reserve Releases	7-24
E. Lender Recommendation of Enforcement Action.....	7-24
7.19 Loan Modification (Interest Rate Reduction)	7-24
Attachment 7-A: GRRHP Lender Servicing Compliance Checklist	
Attachment 7-B: Supplemental Government Auditing Standards Guide	
CHAPTER 8: PROPERTY MANAGEMENT	8-1
8.1 Introduction.....	8-1
SECTION 1: ROLE OF LENDER IN PROPERTY MANAGEMENT	8-1
8.2 Responsibilities of the Lender	8-1
A. Management Plan.....	8-2
B. Property Manager Qualifications.....	8-2
C. Management Agreement.....	8-2
D. Site Visits.....	8-2
E. Occupancy and Rent	8-2
F. Affirmative Fair Housing Marketing Plan.....	8-2
G. Reporting.....	8-2
H. Relationship Reporting	8-3
I. Pre-Rent Up Instructions	8-3
SECTION 2: MANAGEMENT PLAN	8-4
8.3 Overview.....	8-4

8.4 Management Plan Requirements	8-4
A. Management Plan Contents	8-4
B. Agency Review	8-5
SECTION 3: PROPERTY MANAGER.....	8-6
8.5 Overview.....	8-6
8.6 Key Property Manager Issues	8-6
8.7 Property Manager Experience.....	8-7
8.8 Previous Participation and other Federal Requirements	8-8
SECTION 4: MANAGEMENT AGREEMENT.....	8-8
8.9 Overview.....	8-8
8.10 Terms and Conditions	8-8
8.11 Management Fee	8-9
SECTION 5: OCCUPANCY REQUIREMENTS	8-9
8.12 Occupancy Requirements and Lender Review	8-9
A. Income of Residents.....	8-9
B. Tenant Income Certifications.....	8-9
C. GRRHP Definition of Income	8-10
D. Reporting of Income	8-10
E. Restrictions on Rent.....	8-11
F. Use Restrictions	8-11
SECTION 6: TENANT PROTECTION AND GRIEVANCE PROCEDURES.....	8-12
8.13 Overview.....	8-12
8.14 Tenant Protection	8-12
8.15 Grievance Procedures	8-12
8.16 Civil Rights	8-14
A. Lender Obligations	8-14
B. Penalties.....	8-15
8.17 Housing Discrimination	8-15
Attachment 8-A: Management Plan Requirements for the Guaranteed Rural Rental Housing Program	
Attachment 8-B: The Hearing Process for Tenant Grievances and Appeals for the Guaranteed Rural Rental Housing Program	

CHAPTER 9: INSURANCE REQUIREMENTS	9-1
9.1 Introduction	9-1
SECTION 1: OVERVIEW OF INSURANCE REQUIREMENTS	9-1
9.2 Overview.....	9-1
SECTION 2: TYPES OF INSURANCE.....	9-1
9.3 Property Insurance	9-1
9.4 Fidelity Insurance.....	9-2
9.5 Mortgage's Errors and Omissions (E&O) Insurance.....	9-2
9.6 Liability Insurance	9-3
9.7 Worker's Compensation	9-3
9.8 Evidence of Insurance, Terms, and Coverage	9-3
SECTION 3: AUTHORIZED INSURANCE PROVIDERS	9-3
9.9 Overview.....	9-3
9.10 Acceptable Ratings for Insurance Providers.....	9-3
CHAPTER 10: CLAIMS.....	10-1
10.1 Purpose and Overview	10-1
SECTION 1: PRE-LIQUIDATION REQUIREMENTS	10-2
10.2 Overview.....	10-2
SECTION 2: DECISION TO LIQUIDATE.....	10-2
10.3 Overview.....	10-2
10.4 Notice of Liquidation and Potential Claim	10-3
10.5 Submission of a Liquidation Plan.....	10-3
10.6 Approval of Liquidation Plan	10-5
10.7 Filing an Estimated Loss Claim.....	10-5
10.8 Withdrawal of a Claim.....	10-6
SECTION 3: PROPERTY LIQUIDATION	10-6
10.9 Property Acquisition	10-6
10.10 Lender Liquidation.....	10-7
10.11 Failure to Comply with the Liquidation Plan	10-7
SECTION 4: AGENCY ELECTION OF ASSIGNMENT OR CONVEYANCE.....	10-7
10.12 Overview.....	10-7
10.13 Assignment of the Loan.....	10-8
10.14 Conveyance of Title to the Agency	10-8

SECTION 5: DETERMINATION OF THE CLAIM AMOUNT	10-9
10.15 Introduction.....	10-9
10.16 Determination of the Date of Loss.....	10-10
A. Lender Liquidation.....	10-10
B. Assignment or Conveyance of Title to the Agency	10-10
10.17 Calculation of Loss	10-10
A. Request for Estimated Loss Claim	10-10
B. Final Report of Loss	10-11
10.18 Protective Advances.....	10-11
10.19 Liquidation Expenses.....	10-11
10.20 Legal Expenses During Bankruptcy Proceedings.....	10-11
10.21 Maximum Guarantee Payment	10-12
SECTION 6: PAYMENT OF THE FINAL CLAIM.....	10-12
10.22 Overview.....	10-12
10.23 Submission of a Report of Final Loss.....	10-12
10.24 The Approved Claim Amount	10-13
CHAPTER 11: ENVIRONMENTAL REQUIREMENTS	11-1
11.1 Purpose and Overview	11-1
11.2 General Environmental Requirements	11-1
11.3 Environmental Risk Management.....	11-3
11.4 Responsibility for Environmental Reviews	11-4
11.5 Environmental Reviews During Loan Origination	11-5
A. The Response to the Notice Stage	11-5
B. The Application Submission Stage	11-5
11.6 Environmental Reviews During the Servicing Period.....	11-7
11.7 Other Environmental Requirements	11-7
A. Flood Hazard Determination	11-7
B. Clean Air Act and Water Pollution Control Act	11-8
CHAPTER 12: SECONDARY MARKET	12-1
12.1 Purpose and Overview	12-1
SECTION 1: TRANSFER TO SECONDARY MARKETS	12-1
12.2 Holder Versus Participant	12-1

12.3 Transfer to the Secondary Market.....	12-2
A. Loan Requirements for Sale on the Secondary Market	12-2
B. Agency Execution of Form RD 3565-5, Assignment Guarantee Agreement..	12-3
C. Loans Involving Ginnie Mae, Freddie Mac and Fannie Mae	12-4

SECTION 2: REPURCHASE FROM A SECONDARY MARKET HOLDER..... 12-4

12.4 Holder Demand Repurchase	12-4
12.5 Lender Initiated Repurchase	12-5
12.6 Demand Repurchase of Loans Contained in a Ginnie Mae Pool.....	12-5
12.7 Purchase of the Loan or Note by the Agency	12-5
A. Agency Purchase from the Holder	12-5
B. Agency Purchase of Loans Contained in Ginnie Mae Pools	12-7
12.8 Servicing Fees.....	12-8

GLOSSARY

APPENDIX 1: 7 CFR PART 3565

APPENDIX 2: LIST OF FORMS

