

## **LOAN DOCUMENTATION REQUIREMENTS**

**This list covers Loan Documents only. Please refer to the Mortgage Loan Delivery Package Table of Contents, Form 6502, for additional non-Loan Document delivery requirements.**

### **I. Core Loan Documents.**

Each Mortgage Loan shall require the following Loan Documents:

#### **A. Multifamily Mortgage Loan and Security Agreement (6001 series) (the “Loan Agreement”).**

[For Schedules 1-4, see Section II below. Schedules 5-8 are embedded in the Loan Agreement.]

#### **B. Multifamily Note endorsed to Fannie Mae (6010 series) (the “Note”).**

1. For Florida properties, if Lender has agreed to consolidate an existing loan on the Property with a new loan, include the Consolidated, Amended and Restated Multifamily Note (6010.CAR.FL) in lieu of the 6010 form.
2. For Maryland properties, if Lender has agreed to amend and restate an existing loan on the Property with a new loan, include the Amended and Restated Multifamily Note (6010.AR.MD) in lieu of the 6010 form.
3. For Virginia properties, if Lender has agreed to amend and restate an existing loan on the Property with a new loan, include the Amended and Restated Multifamily Note (6010.AR.VA) in lieu of the 6010 form.

#### **C. Environmental Indemnity Agreement (6085) (the “Environmental Indemnity”).**

#### **D. Multifamily Security Instrument (6025 series) (the “Security Instrument”).**

1. For New York properties, if Lender has agreed to consolidate an existing loan on the Property with a new loan, include Gap Mortgage (based on the 6025.NY form) and the Consolidation, Extension and Modification Agreement (6025.NY.CEMA), in addition to the 6025.NY form, which should be an exhibit to the CEMA.
2. For Florida properties, if Lender has agreed to consolidate an existing loan on the Property with a new loan, include the Consolidated, Amended and Restated Mortgage (6025.FL.AR) in lieu of the 6025.FL form.
3. For Maryland properties, if Lender has agreed to amend and restate an existing loan on the Property with a new loan, include the Amended and Restated Deed of Trust (6025.MD.AR) in lieu of the 6025.MD form.

4. For Virginia properties, if Lender has agreed to amend and restate an existing loan on the Property with a new loan, include the [Consolidated,] Amended and Restated Deed of Trust (6025.VA.AR) in lieu of the 6025.VA form.

**E. Assignment of Security Instrument.**

**F. Opinion of Borrower’s Counsel on Origination of Mortgage Loan [with Enforceability Opinion] (6401).**

**G. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Borrower) (6421).**

**H. Assignment of Collateral Agreements and Other Loan Documents (6402).**

The following Loan Documents shall be used as and when required:

**I. Guaranty of Non-Recourse Obligations (6015) (the “Non-Recourse Guaranty”).**

**J. Guaranty (Payment) (6020) (the “Payment Guaranty”).**

**K. Limited Payment Guaranty (6020.LPG) (the “Limited Payment Guaranty”).**

**L. ~~K.~~ Assignment of Management Agreement (6405).**

**II. Loan Agreement Schedules for Interest Rate Types.**

The following Schedules are required to be attached to the Loan Agreement for each Interest Rate Type:

**A. Fixed Rate Mortgage Loan.**

1. Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Fixed Rate) (6101.FR).
2. Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Fixed Rate) (6102.FR).
3. Schedule 3 to Multifamily Loan and Security Agreement – Schedule of Interest Rate Type Provisions (Fixed Rate) (6103.FR).
4. Schedule 4 to Multifamily Loan and Security Agreement (choose only the applicable one):
  - (a) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Standard Yield Maintenance – Fixed Rate) (6104.01).

- (b) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 5 Year Fixed Rate) (6104.05).
- (c) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 7 Year Fixed Rate) (6104.06).
- (d) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 10 Year Fixed Rate) (6104.07).
- (e) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 12 Year Fixed Rate) (6104.15).
- (f) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 15 Year Fixed Rate) (6104.16).
- (g) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 18 Year Fixed Rate) (6104.17).
- (h) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – 30 Year Fixed Rate) (6104.18).

**B. Fixed+1 Mortgage Loan.**

**[CONTACT FANNIE MAE FOR INFORMATION]**

**C. ARM Loan.**

1. Schedule 1 to Multifamily Loan and Security Agreement (choose only the applicable one):
  - (a) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 5/5 (SOFR)) (6101.ARM 5/5 (SOFR)).
  - (b) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 7/6 (SOFR)) (6101.ARM 7/6 (SOFR)).
2. Schedule 2 to Multifamily Loan and Security Agreement (choose only the applicable one):

- (a) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 5/5 (SOFR)) (6102.ARM 5/5 (SOFR)).
  - (b) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 7/6 (SOFR)) (6102.ARM 7/6 (SOFR)).
3. Schedule 3 to Multifamily Loan and Security Agreement (choose only the applicable one):
- (a) Schedule 3 to Multifamily Loan and Security Agreement – Schedule of Interest Rate Type Provisions (ARM 5/5 (SOFR)), Fixed Rate Conversion Option, and Renewal Option (6103.ARM 5/5 (SOFR)).
  - (b) Schedule 3 to Multifamily Loan and Security Agreement – Schedule of Interest Rate Type Provisions (ARM 7/6 (SOFR)) and Fixed Rate Conversion Option (6103.ARM 7/6 (SOFR)).
4. Schedule 4 to Multifamily Loan and Security Agreement – Prepayment Premium Schedule (1% Prepayment Premium – ARM, SARM) (6104.11).
5. Required upon Conversion:
- (a) Amendment to Multifamily Loan and Security Agreement (Conversion to Fixed Rate) (6614) or, for Mortgage Loans executed on 4000 series documents, an Amended and Restated Note.
  - (b) Opinion(s) of Borrower’s Counsel on Origination of Mortgage Loan [with Enforceability Opinion] [NOTE: USE FORM 6401 AS THE BASIS FOR THE OPINION].
  - (c) Amendment to Security Instrument (to be used if the maturity date is extended and the property jurisdiction requires that the Security Instrument be amended to reflect such extension).

**D. Structured ARM Loan.**

- 1. Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Structured ARM (SOFR)) (6101.SARM (SOFR)).
- 2. Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Structured ARM (SOFR)) (6102.SARM (SOFR)).
- 3. Schedule 3 to Multifamily Loan and Security Agreement – Schedule of Interest Rate Type Provisions (Structured ARM (SOFR)) and Fixed Rate Conversion Option (6103.SARM (SOFR)).

4. Schedule 4 to Multifamily Loan and Security Agreement (choose only the applicable one):
  - (a) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Graduated Prepayment Premium – SARM) (6104.10).
  - (b) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (1% Prepayment Premium – ARM, SARM) (6104.11).
5. Interest Rate Cap Reserve and Security Agreement (6442).
6. (If required) Form of Opinion of Counsel to Issuer of Rate Cap Agreement (6444).
7. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Rate Cap (SARM)) (6443).
8. Required upon Conversion:
  - (a) Amendment to Multifamily Loan and Security Agreement (Conversion to Fixed Rate) (6614) or, for Mortgage Loans executed on 4000 series documents, an Amended and Restated Note.
  - (b) Opinion(s) of Borrower’s Counsel on Origination of Mortgage Loan [with Enforceability Opinion] [NOTE: USE FORM 6401 AS THE BASIS FOR THE OPINION].
  - (c) Amendment to Security Instrument (to be used if the maturity date is extended and the property jurisdiction requires that the Security Instrument be amended to reflect such extension).

**E. Hybrid ARM Loan.**

1. Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Hybrid ARM (SOFR)) (6101.HYARM (SOFR)).
2. Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Hybrid ARM (SOFR)) (6102.HYARM (SOFR)).
3. Schedule 3 to Multifamily Loan and Security Agreement – Schedule of Interest Rate Type Provisions (Hybrid ARM (SOFR)) (6103.HYARM (SOFR)).
4. Schedule 4 to Multifamily Loan and Security Agreement (choose only the applicable one):
  - (a) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Standard Yield Maintenance – HYARM) (6104.02).

- (b) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (HYARM Graduated Prepayment Premium – 5 Year Fixed Rate Period) (6104.19).
- (c) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (HYARM Graduated Prepayment Premium – 7 Year Fixed Rate Period) (6104.20).
- (d) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (HYARM Graduated Prepayment Premium – 10 Year Fixed Rate Period) (6104.21).

### **III. Additional Loan Documents for Asset Classes, Special Product Features and Execution Types.**

In addition to the Loan Documents specified in Section I and the Loan Agreement Schedules required for the applicable Interest Rate Type in Section II, the following Loan Documents are required for the following Asset Classes, Special Product Features or Execution Types:

#### **A. 1031 Exchanges.**

- 1. Modifications to Multifamily Loan and Security Agreement (1031 Exchange) (6244).
- 2. Assumption and Release Agreement and Ratification of Loan Obligations (1031 Exchanges) (6634) (required upon completion of the exchange).
- 3. Subordination, Assignment and Security Agreement (Master Lease) (6446.ML), for use with 1031 exchange transactions where a master lease is in place.

#### **B. Choice Refinance.**

- 1. If approved in advance by the Fannie Mae Deal Team, for use with Standard Commitments or Early Rate Locks and no good faith cash deposit: Amendment to Security Instrument (Spreader – Choice Refinance Commitment Obligations) (6301).

PLEASE NOTE: DUE TO THE LOAN DOCUMENT RESTRUCTURING, FORMS 4513 AND 4514 HAVE BEEN RETIRED AND CANNOT BE USED WITH THE 6000 SERIES LOAN DOCUMENTS. EXECUTION OF A NEW LOAN AGREEMENT IS REQUIRED.

#### **C. Co-Borrowers.**

- 1. Modifications to Multifamily Loan and Security Agreement (Co-Borrowers) (6274).

2. Modifications to Security Instrument (Co-Borrowers) (6322).

**D. Co-Tenants (TICs).**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Co-Tenants) (6102.17).
2. Modifications to Multifamily Loan and Security Agreement (Co-Tenants) (6232).

**E. Condominiums.**

For use when Borrower owns all units in a condominium:

1. Modifications to Multifamily Loan and Security Agreement (Condominium Provisions) (6202).
2. Modifications to Security Instrument (Condominium Subordination) (6304).

For use when Borrower does not own the entire condominium:

3. Modifications to Multifamily Loan and Security Agreement (Fractured/Commercial Condominium Provisions) (6258), including attached Fractured/Commercial Condominium Estoppel Certificate.
4. Modifications to Security Instrument (Condominium Subordination) (6304).

**F. Cooperative Properties.**

1. Modifications to Multifamily Loan and Security Agreement (Cooperative Property) (6210).
2. Modifications to Security Instrument (Cooperative Property) (6312).

**G. Cross-Default and Cross-Collateralization.**

1. For Mortgage Loans that are cross-defaulted and cross-collateralized and a single Note evidences the Mortgage Loan secured by Security Instruments on two (2) or more Mortgaged Properties:
  - (a) Modifications to Multifamily Loan and Security Agreement (Cross-Collateralization: Single Note) (6204).
  - (b) Modifications to Security Instrument (Cross-Collateralization: Single Note) (6306).
2. For Mortgage Loans that are cross-defaulted and cross-collateralized and are evidenced by separate Notes:

- (a) Modifications to Multifamily Loan and Security Agreement (Cross-Default and Cross-Collateralization: Multi-Note) (6203).
- (b) Modifications to Security Instrument (Cross-Default and Cross-Collateralization: Multi-Note) (6305).

## **H. Defeasance.**

- 1. For 4000 Series Loan Documents, required Loan Documents at defeasance:
  - (a) Defeasance Assignment and Assumption Agreement (4528).
  - (b) Defeasance Pledge Agreement (4529).
  - (c) Opinion of Borrower’s Counsel on Defeasance of Mortgage Loan (4550.DEF).
- 2. For 6000 Series Loan Documents:
  - (a) Required at Loan Closing:
    - (i) Choose only the applicable one:
      - (1) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Original Defeasance) (6104.12).
      - (2) Schedule 4 to Multifamily Loan and Security Agreement - Prepayment Premium Schedule (Alternative Defeasance) (6104.13).
    - (ii) Modifications to Multifamily Loan and Security Agreement (Defeasance) (6207).
  - (b) Required Loan Documents at defeasance:
    - (i) Defeasance Assignment and Assumption Agreement (6616).
    - (ii) Defeasance Pledge Agreement (6617).
    - (iii) Opinion of Borrower’s Counsel on Defeasance of Mortgage Loan [with Enforceability Opinion] (6618).

## **I. Delaware Statutory Trusts.**

- 1. In lieu of the Loan Agreement specified in Section I above, use Multifamily Loan and Security Agreement (Non-Recourse) (Delaware Statutory Trust) (6001.NR.DST) (the “**DST Loan Agreement**”).

2. In lieu of a Schedule 1 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Fixed Rate) (Delaware Statutory Trust) (6101.FR.DST).
  - (b) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 5/5 (SOFR)) (Delaware Statutory Trust) (6101.ARM.DST 5/5 (SOFR)).
  - (c) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 7/6 (SOFR)) (Delaware Statutory Trust) (6101.ARM.DST 7/6 (SOFR)).
  - (d) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Structured ARM (SOFR)) (Delaware Statutory Trust) (6101.SARM.DST (SOFR)).
3. In lieu of a Schedule 2 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Fixed Rate) (Master Lease) (6102.FR.ML).
  - (b) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 5/5 (SOFR)) (Master Lease) (6102.ARM.ML 5/5 (SOFR)).
  - (c) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 7/6 (SOFR)) (Master Lease) (6102.ARM.ML 7/6 (SOFR)).
  - (d) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Structured ARM (SOFR)) (Master Lease) (6102.SARM.ML (SOFR)).
4. Schedules 3-9 to the DST Loan Agreement are as otherwise required for the Loan Agreement (with Schedules 5-9 embedded in the DST Loan Agreement).
5. Modifications to Security Instrument (Delaware Statutory Trust Master Lease Transactions) (6317.DST).
6. Opinion of Borrower’s Counsel on Origination of Delaware Statutory Trust Mortgage Loan With Enforceability Opinion (6401.DST)

7. Assignment of Management Agreement (Delaware Statutory Trust) (6405.DST).
8. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Borrower) (Delaware Statutory Trust) (6449.DST.Borrower).
9. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Master Tenant) (Delaware Statutory Trust) (6449.DST.Master Tenant).
10. Master Lessee Estoppel Certificate (Delaware Statutory Trust) (6469.DST).
11. Delaware Statutory Trust Master Lease Review Checklist (6480.DST). (Do not deliver checklist with loan documents; retain in servicing file.)
12. Subordination Agreement (Delaware Statutory Trust Master Lease) (6493.DST).
13. Property Level Assignment of Leases and Rents (Delaware Statutory Trust) (6494.DST).

**J. Expanded Housing Choice.**

1. Payment Guaranty (Pricing Incentive Recapture) (6020.PIR) (required even when a 6015 is not otherwise required).
2. Modifications to Multifamily Loan and Security Agreement (Expanded Housing Choice) (6273).
3. Supplemental Annual Loan Agreement Certification (Expanded Housing Choice) (6620.Supplemental.Expanded Housing Choice).

**K. FHA Risk Sharing Mortgage Loans.**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (FHA Risk Sharing Loans) (6102.14).
2. Modifications to Multifamily Loan and Security Agreement (FHA Risk Sharing Loans) (6205).
3. Modifications to Security Instrument (FHA Risk Sharing Mortgage Loans) (6316).
4. Borrower’s Certificate (Multifamily Affordable Housing/FHA Risk Sharing Loans) (6410).

**L. Green Mortgage Loans.**

1. Modifications to Multifamily Loan and Security Agreement (Green Rewards Mortgage Loan) (6241).
2. Modifications to Multifamily Loan and Security Agreement (Green Rewards/Solar Mortgage Loan) (6264).
3. Modifications to Multifamily Loan and Security Agreement (Green Building Certification) (6267).

**M. Ground Leases.**

1. Modifications to Multifamily Loan and Security Agreement (Ground Lease Defaults) (6206) and Ground Lease Review Checklist (6479) (formerly Form 4665). (Do not deliver checklist with loan documents; retain in servicing file.)
2. Modifications to Security Instrument (Ground Lease Provisions) (6308).
3. Ground Lessor Estoppel Certificate (6495).
4. For use when Ground Lessor is a Borrower Affiliate or is otherwise joining into the Security Instrument:
  - (a) See Modifications to Security Instrument (Ground Lease Provisions) (6308) for attached form of Joinder and Consent of Ground Lessor.
  - (b) UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Ground Lessor) (6449.Ground Lessor).

**N. HAP Contracts (Section 8).**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Section 8 HAP Contract) (6102.02).
2. Modifications to Multifamily Loan and Security Agreement (Section 8 HAP Contract) (6216).
3. Choose only the applicable one:
  - (a) Assignment of Housing Assistance Payments Contract (6403).
  - (b) Assignment of Housing Assistance Payments Contract (Credit Enhancement) (6404).
4. Choose only the applicable one:

- (a) Consent to Assignment of HAP Contract to FNMA as Security for FNMA Credit Enhancement (6411).
  - (b) Consent to Assignment of HAP Contract as Security for FNMA Financing (6412).
5. When a Rent Restabilization Reserve is required:
- (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Restabilization Reserve) (6102.18).
  - (b) Modifications to Multifamily Loan and Security Agreement (Restabilization Reserve) (6233).
6. For use when the Mortgaged Property is encumbered by an agency regulatory agreement or recorded use restriction under which all or a portion of the residential units are restricted for occupancy by tenants with limited incomes and which restricts the rents that can be charged for those units:
- (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6102.23).
  - (b) Modifications to Multifamily Loan and Security Agreement (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6253).
7. Section 8 Housing Assistance Payments (HAP) Contract Review Sheet and Certification (6422).

**O. Healthy Housing Rewards™.**

Choose only the applicable one:

- 1. For use when there are Enhanced Resident Services™ at the Mortgaged Property,
  - (a) Modifications to Multifamily Loan and Security Agreement (Healthy Housing Rewards™ – Enhanced Resident Services™) (6263).
  - (b) Payment Guaranty (Pricing Incentive Recapture) (6020.PIR) (required even when a 6015 is not otherwise required).
- 2. For use when Healthy Housing Rewards design elements are, or will be, incorporated at the Mortgaged Property, Modifications to Multifamily Loan and Security Agreement (Healthy Housing Rewards™ – Healthy Design) (6265).

**P. Legal Non-Conforming Use or Legal Non-Conforming Status.**

1. Limited Payment Guaranty (6020.LPG).
2. ~~1.~~ Modifications to Multifamily Loan and Security Agreement (Legal Non-Conforming Status) (6275).

**Q. Manufactured Housing.**

1. [Intentionally Deleted.]
2. Choose only the applicable one:
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Manufactured Housing Community) (6102.01).
  - (b) For use when Borrower is a Non-Traditional Entity (non-profit, government-owned, resident-owned) and tenant site lease protections are not required, Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Manufactured Housing Community - Non-Traditional Ownership) (6102.01.NT).
3. Choose only the applicable one:
  - (a) Modifications to Multifamily Loan and Security Agreement (Manufactured Housing Community) (6208).
  - (b) For use when Borrower is a Non-Traditional Entity (non-profit, government-owned, resident-owned) and tenant site lease protections are not required, Modifications to Multifamily Loan and Security Agreement (Manufactured Housing Community - Non-Traditional Ownership) (6208.NT).
4. Modifications to Security Instrument (Manufactured Housing Community) (6307).
5. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Manufactured Housing Community) (6434).
6. Opinion of Borrower’s Counsel on origination of Manufactured Housing Community Mortgage Loan [with Enforceability Opinion] (6401.MHC).
7. For use when a Seasonal Working Capital Reserve is required, Seasonal Working Capital Reserve Fund and Security Agreement (Manufactured Housing Community) (6433).

**R. Maryland IDOT Mortgage Loans.**

**[CONTACT FANNIE MAE FOR INFORMATION]**

**S. Master Leases.**

**[DRAFTING NOTE: If Borrower is a Delaware Statutory Trust, use the Delaware Statutory Trust documents set forth in Section III.H.]**

1. In lieu of the Loan Agreement specified in Section I above, use Multifamily Loan and Security Agreement (Non-Recourse) (Master Lease) (6001.NR.ML) (the “**Master Lease Loan Agreement**”).
2. In lieu of a Schedule 1 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Fixed Rate) (Master Lease) (6101.FR.ML).
  - (b) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 5/5 (SOFR)) (Master Lease) (6101.ARM.ML 5/5 (SOFR)).
  - (c) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 7/6 (SOFR)) (Master Lease) (6101.ARM.ML 7/6 (SOFR)).
  - (d) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Structured ARM (SOFR)) (Master Lease) (6101.SARM.ML (SOFR)).
3. In lieu of a Schedule 2 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Fixed Rate) (Master Lease) (6102.FR.ML).
  - (b) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 5/5 (SOFR)) (Master Lease) (6102.ARM.ML 5/5 (SOFR)).
  - (c) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 7/6 (SOFR)) (Master Lease) (6102.ARM.ML 7/6 (SOFR)).

- (d) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Structured ARM (SOFR)) (Master Lease) (6102.SARM.ML (SOFR)).
4. Schedules 3-9 to the Master Lease Loan Agreement are as otherwise required for the Loan Agreement (with Schedules 5-9 embedded in the Master Lease Loan Agreement).
  5. Modifications to Security Instrument (Master Lease Transactions) (6317.ML).
  6. Choose only the applicable one:
    - (a) Assignment of Management Agreement (6405), for use when the Management Agreement is between the property manager and Borrower.
    - (b) Assignment of Management Agreement (Master Lease) (6405.ML), for use with non-Sharia Master Lease structures when the Management Agreement is between the property manager and Master Lessee.
    - (c) Assignment of Management Agreement (Master Lease) (Alternate) (6405.ML.ALT), for use with Sharia Master Lease structures when the Management Agreement is between the property manager and Master Lessee.
  7. Choose only the applicable one:
    - (a) Subordination, Assignment and Security Agreement (Master Lease) (6446.ML), for use with non-Sharia and non-HTC Master Lease structures, or with 1031 exchange transactions where a master lease is in place.
    - (b) Tenant/Landlord Subordination and Assignment Agreement (Master Lease) (6468.ML), for use with Sharia or HTC Master Lease structures.
  8. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Borrower) (Master Lease) (6449.ML.Borrower).
  9. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Master Tenant) (Master Lease) (6449.ML.Master Tenant).
  10. Master Lessee Estoppel Certificate (6469.ML).
  11. Master Lease Review Checklist (6480) (formerly Form 4201). (Do not deliver checklist with loan documents; retain in servicing file.)

**T. Mezzanine Loan Financing.**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Mezzanine Financing) (6102.10).
2. Modifications to Multifamily Loan and Security Agreement (Mezzanine Financing) (6209).
3. Mezzanine Lender Certification (Mezz) (6439).
4. The following Loan Documents shall be used as and when required:
  - (a) Completion Guaranty (Mezzanine) (6437) (to be used if (i) a Mortgage Loan with DLA Mezz Mezzanine Financing that finances Repositioning Rehabilitation and Fannie Mae requires a completion guaranty, or (ii) a Mortgage Loan with DUS Plus Mezzanine Financing that finances rehabilitation and the DUS Lender requires a completion guaranty).
  - (b) CI Mezz Acknowledgment and Waiver [Mortgage Loan with Loss Sharing] (Mezzanine Financing) (6438) (CI Mezz only, and only if Lender retains loss sharing).
  - (c) Intercreditor Agreement (6440) (DLA Mezz Mezzanine Financing only) (contact the Fannie Mae Deal Team for the form of Intercreditor Agreement).
  - (d) Cash Management and Security Agreement (if applicable).
  - (e) Deposit Account Control Agreement (if applicable).

**U. New York CEMA Loans.**

For New York State properties, where Lender has agreed to consolidate an existing loan on the Property with the Mortgage Loan:

1. Gap Note (based on 6010).
2. Modifications to Multifamily Loan and Security Agreement (New York Gap Note Modifications) (6234).
3. Gap Mortgage (based on 6025.NY).
4. Consolidation, Extension and Modification Agreement (6025.NY.CEMA) in addition to the 6025.NY form.
5. If a New York Gap Note is necessary, in addition to the Summary of Loan Terms identified in Section II above, use one of the following, as applicable:

- (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (New York Gap Note Modifications) (Interest Rate Type – Fixed Rate) (6102.19.FR).
- (b) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (New York Gap Note Modifications) (Interest Rate Type – ARM (SOFR)) (6102.19.ARM (SOFR)).
- (c) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (New York Gap Note Modifications) (Interest Rate Type – Hybrid ARM (SOFR)) (6102.19.HYARM (SOFR)).
- (d) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (New York Gap Note Modifications) (Interest Rate Type – Structured ARM (SOFR)) (6102.19.SARM (SOFR)).

**V. Phased Properties.**

- 1. Modifications to Multifamily Loan and Security Agreement (Phased Properties – Future Cross) (6247).
- 2. Modifications to Multifamily Loan and Security Agreement (Phased Properties – Full Cross) (6248).
- 3. Modifications to Multifamily Loan and Security Agreement (Phased Properties – One Way Cross) (6249).
- 4. Modifications to Multifamily Loan and Security Agreement (Phased Properties – First and Last Right) (6250).
- 5. Modifications to Security Instrument (Phased Properties – Full Cross) (6319).

**W. Preferred Equity.**

- 1. Guaranty of Non-Recourse Obligations (Preferred Equity Transaction) (6015.PE).
- 2. Guaranty of Non-Recourse Obligations (Preferred Equity Guarantor) (6015.PEG).
- 3. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Preferred Equity Transaction) (6102.20).
- 4. Modifications to Multifamily Loan and Security Agreement (Preferred Equity Transaction) (6236).

**X. Puerto Rico Properties.**

- 1. To be delivered with any Fixed Rate Mortgage Loan for Puerto Rico:

- (a) Mortgage Note (Puerto Rico – Fixed Rate) (6010.PR) (in addition to 6010)
- (b) Multifamily Pledge, Assignment of Leases and Rents, Security Agreement, and Fixture Filing (Puerto Rico) (6025.PR1)
- (c) Deed of Constitution of Mortgage (Puerto Rico) (Fixed Rate) (6025.PR2)
- (d) Modifications to Multifamily Loan and Security Agreement (Puerto Rico Modifications) (6242.PR)
- (e) Opinion(s) of Borrower’s Counsel on Origination of Mortgage Loan [with Enforceability Opinion] (Puerto Rico) (6401.PR) (in lieu of 6401)
- (f) Assignment of Collateral Agreements and Other Loan Documents (Puerto Rico) (6402.PR) (in lieu of 6402)
- (g) UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Borrower) (Puerto Rico) (6421.PR) (in lieu of 6421)

2. Contact the Fannie Mae Deal Team for Variable Mortgage Loans for Puerto Rico.

**Y. Quarterly Financial Reporting Waiver (Mortgage Loans with an original principal balance of \$6,000,000 or less).**

Modifications to Multifamily Loan and Security Agreement (Quarterly Income and Expense Statements and Rent Roll – Exemption) (6214).

**Z. Recourse Mortgage Loans.**

In lieu of the Loan Agreement specified in Section I above, use Multifamily Loan and Security Agreement (Recourse) (6001.R).

**AA. Refinance Mortgage Loans.**

1. To be delivered with the Refinance Mortgage Loan:

- (a) Modifications to Multifamily Loan and Security Agreement (First Lien – Permitted Subordinate Debt with Cross Default) (6212).
- (b) Modifications to Security Instrument (First Lien – Permitted Subordinate Debt with Cross-Default) (6314).

2. Contact the Fannie Mae Deal Team for Mortgage Loans executed in connection with Refi Plus.

**BB. Seniors Housing.**

1. In lieu of the Loan Agreement specified in Section I above, use Multifamily Loan and Security Agreement (Non-Recourse) (Seniors Housing) (6001.NR.SRS) (the “**Seniors Loan Agreement**”).
2. In lieu of a Schedule 1 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Fixed Rate) (Seniors Housing) (6101.FR.SRS).
  - (b) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 5/5 (SOFR)) (Seniors Housing) (6101.ARM.SRS 5/5 (SOFR)).
  - (c) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – ARM 7/6 (SOFR)) (Seniors Housing) (6101.ARM.SRS 7/6 (SOFR)).
  - (d) Schedule 1 to Multifamily Loan and Security Agreement – Definitions Schedule (Interest Rate Type – Structured ARM (SOFR)) (Seniors Housing) (6101.SARM.SRS (SOFR)).
3. In lieu of a Schedule 2 identified in Section II above, use one of the following, as applicable:
  - (a) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Fixed Rate) (Seniors Housing) (6102.FR.SRS).
  - (b) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 5/5 (SOFR)) (Seniors Housing) (6102.ARM.SRS 5/5 (SOFR)).
  - (c) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – ARM 7/6 (SOFR)) (Seniors Housing) (6102.ARM.SRS 7/6 (SOFR)).
  - (d) Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Interest Rate Type – Structured ARM (SOFR)) (Seniors Housing) (6102.SARM.SRS (SOFR)).
4. Schedules 3-8 to the Seniors Loan Agreement are as otherwise required for the Loan Agreement (with Schedules 5-8 embedded in the Seniors Loan Agreement).

5. Choose only the applicable one:
  - (a) For Affiliated Property Operators:
    - (i) Modifications to Security Instrument (Seniors Housing) (6310.SRS.AFF).
    - (ii) For Skilled Nursing properties, Modifications to Security Instrument (Seniors Housing – Skilled Nursing) (6310.SRS.SN.AFF).
  - (b) For Unaffiliated Master Lessees:
    - (i) Modifications to Security Instrument (Seniors Housing) (6310.SRS).
    - (ii) For Skilled Nursing properties, Modifications to Security Instrument (Seniors Housing – Skilled Nursing) (6310.SRS.SN).
6. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Borrower) (Seniors Housing) (6449.SRS.Borrower).
7. UCC Financing Statements (UCC-1s) and Assignments of UCC Financing Statements (UCC-3s) (or UCC-1s with UCC-1Ad Addendum) – with Schedule A to UCC Financing Statement (Property Operator) (Seniors Housing) (6449.SRS.Operator).
8. Opinion of [Property Operator’s] [Borrower’s] Counsel on Origination of Mortgage Loan (Seniors Housing) (6450.SRS).
9. In connection with any Master Lease or Operating Lease: Operating Lease Estoppel Certificate (Seniors Housing) (6470.SRS).
10. For Unaffiliated Master Lessees, Subordination, Non-Disturbance and Attornment Agreement and Assignment of Leases and Rents (Operating Lease) (6483.SRS).
11. For Unaffiliated Property Managers, Assignment of Management Agreement (Seniors Housing – Unaffiliated Property Manager) (6484.SRS).
12. Collateral Assignment of Contracts (Seniors Housing) (6485.SRS).
13. If a license is required to operate the Mortgaged Property as the designated Seniors Housing Facility, Collateral Assignment of Licenses (Seniors Housing) (6486.SRS).
14. The following Loan Documents shall be used as and when required:

- (a) If a reserve is required for entrance fees at the Mortgaged Property:
  - (i) Modifications to Multifamily Loan and Security Agreement (Seniors Housing – Entrance Fees) (6224.SRS).
  - (ii) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Seniors Housing – Entrance Fees) (6102.15.SRS).
  
- (b) For Skilled Nursing properties:
  - (i) Modifications to Multifamily Loan and Security Agreement (Seniors Housing – Skilled Nursing) (6230.SRS.SN).
  - (ii) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Seniors Housing – Skilled Nursing) (6102.16.SRS.SN).
  
- (c) If a transition reserve is required for Medicaid or other government receivables:
 

Choose only the applicable one:

  - (i) Modifications to Multifamily Loan and Security Agreement (Seniors Housing - Medicaid Transition Reserve) (6237.SRS).
  - (ii) For Skilled Nursing properties, Modifications to Multifamily Loan and Security Agreement (Seniors Housing – Government Receivables Transition Reserve) (6237.SRS.SN).

Choose only the applicable one:

  - (iii) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Medicaid Transition Reserve) (6102.21.SRS).
  - (iv) For Skilled Nursing properties, Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Government Receivables Transition Reserve) (6102.21.SRS.SN).
  
- (d) Modifications to Multifamily Loan and Security Agreement (Post-Closing License Transfer) (6239.SRS).
  
- (e) Choose only the applicable one:
  - (i) Government Receivables Depository Agreement (Seniors Housing) (6447.SRS).

- (ii) For Skilled Nursing properties, Government Receivables Depository Agreement (Seniors Housing – Skilled Nursing) (6447.SRS.SN).
  - (f) Choose only the applicable one:
    - (i) Government Receivables Collection Account Agreement (Seniors Housing) (6471.SRS).
    - (ii) For Skilled Nursing properties, Government Receivables Collection Account Agreement (Seniors Housing – Skilled Nursing) (6471.SRS.SN).
  - (g) Choose only the applicable one:
    - (i) Amendment to Multifamily Loan and Security Agreement (Medicaid Transition Reserve) [For use with 6000 Series Documents] (6630.SRS) (post-closing).
    - (ii) For Skilled Nursing properties, Amendment to Multifamily Loan and Security Agreement (Government Receivables Transition Reserve) [For use with 6000 Series Documents] (6630.SRS.SN) (post-closing).
  - (h) Amendment to Multifamily Loan and Security Agreement (Post-Closing License Transfer) [For use with 6000 Series Documents] (6631.SRS) (post-closing).
15. Seniors Checklist (6487.SRS) (do not deliver checklist with loan documents; retain in servicing file).

**CC. Shared Use Properties.**

- 1. Modifications to Multifamily Loan and Security Agreement (Shared Use of Essential Elements) (6276).
- 2. Modifications to Security Agreement (Joinder and Consent (Affiliate-Owned Common Elements)) (6324).

**DD. ~~CC.~~ Solar Photovoltaic – Existing System (Non-Green Rewards Mortgage Loan).**

Modifications to Multifamily Loan and Security Agreement (Mortgage Loan with Installed Solar Photovoltaic System) (6270).

**EE. Sponsor-Dedicated Workforce Housing.**

- 1. Modifications to Multifamily Loan and Security Agreement (Sponsor-Dedicated Workforce Housing) (6271.SDW).

2. Modifications to Security Instrument (Sponsor-Dedicated Workforce Housing) (6325)
3. Supplemental Annual Loan Agreement Certification (Sponsor-Dedicated Workforce Housing) (6620.Supplemental.SDW)

**FF. ~~DD.~~ Sponsor-Initiated Affordability Restrictions.**

1. Payment Guaranty (Pricing Incentive Recapture) (6020.PIR).
2. Modifications to Multifamily Loan and Security Agreement (Sponsor-Initiated Affordability Restrictions) (6271).
3. Sponsor-Initiated Affordability Agreement (6490).

**GG. ~~EE.~~ Streamlined Rate Lock Mortgage Loans.**

Streamlined Rate Lock Agreement (Preliminary Underwriting Completed Prior to Rate Lock) (6430).

**HH. ~~FF.~~ Supplemental Mortgage Loans.**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Supplemental Lien – Senior Loan Terms) (6102.09).
2. Modifications to Multifamily Loan and Security Agreement (Supplemental Lien – Senior Loan Terms) (6211).
3. Modifications to Security Instrument (Supplemental Lien – Senior Loan Terms) (6313).
4. If the Supplemental Mortgage Loan is originated contemporaneously with a senior Mortgage Loan, the following Loan Documents shall be required for the senior Mortgage Loan:
  - (a) Modifications to Multifamily Loan and Security Agreement (First Lien – Permitted Subordinate Debt with Cross Default) (6212).
  - (b) Modifications to Security Instrument (First Lien – Permitted Subordinate Debt with Cross-Default) (6314).

**II. ~~GG.~~ Tax Credit Properties.**

1. Choose only the applicable one:
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Tax Credit Properties) (6102.03).

- (b) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Tax Credit Properties – No Equity Investor) (6102.03.ALT).
- 2. Choose only the applicable one:
  - (a) Modifications to Multifamily Loan and Security Agreement (Tax Credit Properties) (6219).
  - (b) Modifications to Multifamily Loan and Security Agreement (Tax Credit Properties – No Equity Investor) (6219.ALT).
- 3. Modifications to Security Instrument (Tax Credit Properties) (6315).
- 4. For use when the Mortgaged Property is encumbered by an agency regulatory agreement or recorded use restriction under which all or a portion of the residential units are restricted for occupancy by tenants with limited incomes and which restricts the rents that can be charged for those units:
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6102.23).
  - (b) Modifications to Multifamily Loan and Security Agreement (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6253).

#### **IV. Miscellaneous Loan Documents.**

In addition to the Loan Documents specified in Section I, the Loan Agreement Schedules required for the applicable Interest Rate Type in Section II, and any additional Loan Documents specified in Section III for Asset Classes, Special Product Features and Execution Types, the following Loan Documents are required as and when applicable:

##### **A. Achievement Agreement.**

- 1. Achievement Agreement (6455).
- 2. Letter of Credit (with form of Sight Draft) (if applicable) (4663).
- 3. Letter of Credit Delivery Certification form (if applicable) (4664).
- 4. Legal Opinion of Letter of Credit Issuer’s Counsel (if applicable) (4653).

**B. Rehabilitation Reserves.**

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Rehabilitation Reserve - [Moderate][Substantial] Rehabilitation) (6102.13).
2. Modifications to Multifamily Loan and Security Agreement (Rehabilitation Reserve – Moderate Rehabilitation) (6222.MOD).
3. Modifications to Multifamily Loan and Security Agreement (Rehabilitation Reserve – Substantial Rehabilitation) (6222.SUB).
4. Completion Guaranty (6018) or Completion Guaranty [4000 Series post-closing] (6632) or Completion Guaranty [6000 Series post-closing] (6633).
5. Omnibus Assignment of Contracts, Plans, Permits, and Approvals (6472).
6. Agreement and Assignment Regarding General Contractor’s Contract (6473).

**C. Replacement Reserve Deposits.**

1. For Replacement Reserve Deposits Partially or Fully Waived:
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Replacement Reserve – Deposits Partially or Fully Waived) (6102.04).
  - (b) Modifications to Multifamily Loan and Security Agreement (Replacement Reserve – Deposits Partially or Fully Waived) (6220).
2. For Alternate Funding of Replacement Reserve Deposits (at origination):
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Replacement Reserve – Alternate Funding) (6102.05).
  - (b) Modifications to Multifamily Loan and Security Agreement (Replacement Reserve – Alternate Funding) (6221).
3. For Alternate Funding of Replacement Reserve Deposits (post-closing):
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Replacement Reserve – Alternate Funding) (6102.05).
  - (b) Amendment to Multifamily Loan and Security Agreement (Replacement Reserve Alternate Funding) (6613).

**D. Waiver of Imposition Deposits.**

1. Modifications to Multifamily Loan and Security Agreement (Waiver of Imposition Deposits) (6228).

**E. Single Asset Entity Waiver.**

1. Modifications to Multifamily Loan and Security Agreement (Single Asset Entity Waiver – Additional Assets Permitted) (6217).
2. Modifications to Multifamily Loan and Security Agreement (Single Asset Entity Waiver) (6218).

**F. Subordinate Financing.**

For any Mortgage Loan secured by a Property with permitted non-Fannie Mae subordinate debt, choose only the applicable one:

1. Subordination Agreement (Conventional) (6414).
2. Subordination Agreement (Affordable) (6456).

**G. SNDA.**

Subordination, Non-Disturbance and Attornment Agreement (6415).

**H. Estoppel Certificates.**

1. Tenant Estoppel Certificate (6413).
2. Ground Lessor Estoppel Certificate (6495).
3. See Modifications to Multifamily Loan and Security Agreement (Fractured/Commercial Condominium Provisions) (6258) for form of Fractured/Commercial Condominium Estoppel Certificate.
4. Master Lessee Estoppel Certificate (6469.ML).
5. Master Lessee Estoppel Certificate (Delaware Statutory Trust) (6469.DST).
6. Operating Lease Estoppel Certificate (Seniors Housing) (6470.SRS).

**I. ERISA.**

For any Mortgage Loan where there is an ERISA Plan or Governmental Plan: Modifications to Multifamily Loan and Security Agreement (Employee Benefit Plan - ERISA or Governmental Plans) (6235) (if applicable).

**J. Assumption Agreements.**

For assumptions of Mortgage Loans consented to by Fannie Mae:

1. For assumptions of Mortgage Loans documented on the 6000 Series Loan Documents:
  - (a) Assumption and Release Agreement (6625).
  - (b) Assumption and Release Agreement (Guarantor Transfer) (6626).
2. For assumptions of Mortgage Loans documented on the 4000 Series Loan Documents:
  - (a) Assumption and Release Agreement (Full Property and Loan Assumption) (4000 Series Loan Documents) (6627).
  - (b) Assumption and Release Agreement (Key Principal Transfer) (4000 Series Loan Documents) (6628).

**K. Tax-Exempt Bond Financing – Previous or Current.**

For use on Fannie Mae Credit Enhancement Mortgage Loans and when the proceeds of a Mortgage Loan will pay off existing tax-exempt bond financing on the Mortgaged Property [NOTE: LENDER MAY COMBINE 6238 INTO 6253 TO ADDRESS ANY REDUNDANCY IF THE BOND REGULATORY AGREEMENT IS LISTED AS A RENT RESTRICTION AGREEMENT ON 6102.23.]:

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Bond Regulatory Agreement) (6102.22).
2. Modifications to Multifamily Loan and Security Agreement (Bond Redemption and Bond Regulatory Agreement) (6238).
3. Modifications to Security Instrument (Bond Regulatory Agreement) (6318).
4. When the Bond Regulatory Agreement also restricts the rents that can be charged for those units restricted for occupancy by tenants with limited incomes:
  - (a) Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6102.23).
  - (b) Modifications to Multifamily Loan and Security Agreement (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6253).

**L. Tax Abatement or Tax Exemption.**

For a Mortgaged Property with a tax abatement or tax exemption (such as a PILOT):

1. Modifications to Multifamily Loan and Security Agreement (Tax Abatement or Exemption) (Form 6251).

**M. Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing.**

For use when the Mortgaged Property is encumbered by an agency regulatory agreement or recorded use restriction under which all or a portion of the residential units are restricted for occupancy by tenants with limited incomes and which restricts the rents that can be charged for those units:

1. Modifications to Multifamily Loan and Security Agreement – Addenda to Schedule 2 – Summary of Loan Terms (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6102.23).
2. Modifications to Multifamily Loan and Security Agreement (Rent Restriction Agreement - Scorecard Exclusions for Affordable Housing) (6253).

**N. Consent to United States Jurisdiction.**

For use when Guarantor is a Foreign Entity or Person:

1. Agreement to Submit to United States Jurisdiction (6476).
2. Opinion(s) of Borrower’s Counsel on Origination of Mortgage Loan (if applicable).

**O. Partial Release.**

For use with the release of unimproved land and non-income producing improvements:

1. Modifications to Multifamily Loan and Security Agreement (Partial Release of Mortgaged Property) (6257).

**P. Transfers of Ownership Interests.**

The following are optional modification templates that may be used in whole or in part to document various types of transfers, including those described in Lender Letter 17-12 (and any replacements thereto).

1. Modifications to Multifamily Loan and Security Agreement (Transfers of Ownership Interests; No Change of Control) (6240.T2).
2. Modifications to Multifamily Loan and Security Agreement (Transfers of Ownership Interests; Change of Control; Same Key Principal) (6240.T3).

3. Modifications to Multifamily Loan and Security Agreement (Transfers of Ownership Interests; Change of Control – Replacement or Divestment of Key Principal) (6240.T4).

**Q. SPE Recourse.**

For use when indicated by Fannie Mae (typically when the Mortgage Loan is both at least \$100 million and has an LTV of seventy percent (70%) or greater) or upon Borrower's election (for any Mortgage Loan):

1. Modifications to Multifamily Loan and Security Agreement (SPE Recourse) (6254).

**R. Cash Management.**

For use when a cash management plan is required:

1. Modifications to Multifamily Loan and Security Agreement (Cash Management) (6256).

**S. Operations and Maintenance Plans.**

For use when O&M Plans are required:

1. Compliance Agreement for Asbestos Operations and Maintenance Plan (6420.Asbestos).
2. Compliance Agreement for Lead-Based Paint Operations and Maintenance Plan (6420.Lead-Based Paint).
3. Compliance Agreement for Mold Operations and Maintenance Plan (6420.Mold).
4. Compliance Agreement for Radon Operations and Maintenance Plan (6420.Radon).

**T. Underwriting Certificates.**

For use during underwriting:

1. Multifamily Underwriting Certificate (Borrower) (6460.Borrower).
2. Multifamily Underwriting Certificate (Key Principal/Principal) (6460.Key Principal).

**U. Oil, Gas, and Mineral Rights.**

For use when the right to explore, excavate, or remove oil, gas, or other minerals from the Mortgaged Property has been granted (e.g., lease, easement, deed reservation):

1. Modifications to Multifamily Loan and Security Agreement (Oil, Gas, and Mineral Rights) (6262).

**V. King County, Washington Mortgaged Properties.**

For use when the Mortgaged Property is located in King County, Washington:

1. Modifications to Multifamily Loan and Security Agreement (King County, WA) (6266).

**W. [Intentionally Deleted]**

**X. Paycheck Protection Program Loan.**

For use when there is a Paycheck Protection Program Loan:

1. Modifications to Multifamily Loan and Security Agreement (Paycheck Protection Program Loan) (6269).

**Y. Table of Contents.**

For use with the delivery to Fannie Mae's Certification and Custody group:

1. Multifamily Mortgage Loan Delivery Package Table of Contents (6502).

**Z. Annual Loan Agreement Certifications.**

1. Annual Loan Agreement Certification (Borrower) (6620.Borrower)
2. Annual Loan Agreement Certification (Guarantor) (6620.Guarantor)
3. Supplemental Annual Loan Agreement Certification (Expanded Housing Choice) (6620.Supplemental.Expanded Housing Choice)
4. Supplemental Annual Loan Agreement Certification (Sponsor-Dedicated Workforce Housing) (6620.Supplemental.SDW)

**AA. Insurance Premiums - Financing.**

1. Modifications to Multifamily Loan and Security Agreement (Financing of Insurance Premiums) (6272).

**BB. Radon Testing and Remediation.**

1. Modifications to Multifamily Loan and Security Agreement (Radon Testing and Remediation) (6277).
2. Schedule 2 to Multifamily Loan and Security Agreement – Summary of Loan Terms (Radon Testing and Remediation) (6102.27).

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| <u>Delete</u>   | 21        |
| <u>Move From</u>  | 0         |
| <u>Move To</u>  | 0         |
| <u>Table Insert</u>   | 0         |
| <u>Table Delete</u>   | 0         |
| <u>Table moves to</u>   | 0         |
| <u>Table moves from</u>   | 0         |
| Embedded Graphics (Visio, ChemDraw, Images etc.)  | 0         |
| Embedded Excel  | 0         |
| Format changes  | 0         |
| <b>Total Changes:</b>   | <b>65</b> |