

# ASSET MANAGEMENT E-SIGNATURE POLICY

## Overview

An electronic signature (“e-signature”) is an electronic process that indicates acceptance of and intent to sign an agreement or form. The federal Electronic Signatures in Global and National Commerce Act (“ESIGN”) and the Uniform Electronic Transaction Act set forth in Public Act 305 of 2000 establish requirements for the permissible use of e- signatures. Compliance with ESIGN and UETA is designed to ensure the validity and enforceability of a transaction involving records signed electronically with an e-signature, notwithstanding that the signature is provided in electronic format.

## Policy

In connection with the programs administered by the Asset Management Division, the Michigan State Housing Development Authority will accept e-signatures on the eligible program documents listed below, subject to all requirements set forth by UETA, ESIGN, and, as applicable, Fannie Mae, U.S. Treasury, FHA, VA, HUD and USDA-Rural Development. The use by Project Sponsors and Partners of e-signatures for eligible program documents is currently voluntary.

## Eligible Program Documents

### ASSET MANAGEMENT FORMS

All of the below documents can be found on MSHDA’s [Management Agents Procedures web pages](#).

- Identity of Interest form (450B)
- Affirmative Fair Housing Marketing Plan Form (440A)
- AFHMP Update Certification (440D)
- Insurance Claim Release Request (521A)
- Lease Agreement – Section 236
- Lease Agreement – Section 8
- Management Agreement – MSHDA Financed (401)
- Management Agreement – Section 8 (401-S8)
- Management Agreement – Section 236 (401-S236)
- Fee Addendum to Management Agreement (401A)
- Marketing Addendum to Management Agreement (401B)
- Premium Management Fee Application and Certification Form (415A)
- Reserve Draw Request Forms
- Owner’s Utility Allowance Certification (451C1)
- New Management Agent Application (420A)
- Pension Plan Certification (421A)

- Agent Change Compliance Certification (430A)
- Pet Regulations Compliance Certification (430B)
- CNA Certification Letter (320B)
- Owner's Utility Allowance Certification (Section 8)
- Utility Allowance Decrease Notice (Section 8)
- SSAM Financial Review Template (Attachment 2)
- SSAM Rent Schedule
- SSAM MI-HOME Rent Schedule
- SSAM Utility Allowance Calculation Template
- SSAM Budget Template
- SSAM Reserve Draw Request Forms

## HUD FORMS

All of the below documents can be found on the [HUD Handbooks and Forms website](#).

- HUD 52670 (HAP Voucher)
- HUD 52670-A Part 2 (Special Claims Schedule)
- HUD 52671-A (Special Claims for Unpaid Rent/Damages)
- HUD 52671-C (Special Claims for Regular Vacancies)
- Appendix 3 of Notice H 2002-10 (Owner's Certification of Compliance)
- Appendix 4 of Notice H 2002-10 (Unit Turnover)
- Appendix 5 of Notice H 2002-10 (AAF RCS Adjustment Worksheet)
- Rent Comparability Study
- Owner's Cover Letter to the RCS
- Owner's Checklist for RCS
- HUD 9834 including Addendums
- HUD 92458 (Rent Schedule)
- HUD 9638 (MU2M Renewal Contract)
- HUD 9637 (Basic Renewal Contract)
- SF 1199 (Direct Deposit)
- HUD 9624 (Contract Renewal Request)
- HUD 9625 (OCAF Worksheet)
- HUD 93181 (Addendum to Renewal Contract for Capital Repairs)
- HUD 93182 (Addendum to Renewal Contract for Capital Repairs ~ Post Rehab)

## REQUIRED COMPLIANCE FORMS

Any forms between the Resident and Owner/Agent including the following required MSHDA forms. All of the below documents can be found on the [MSHDA Compliance Forms web page](#). (HOME, HTF and NSP have not been approved by HUD to use electronic signatures.)

### *Tenant File*

- Affidavit of Income Self Certification
- Tent Income Certification (TIC)
- MSHDA Checklist
- Under \$5,000 Asset Certification
- Student Verification
- Annual Student Eligibility Certification LIHTC & Tax-Exempt Bond

- Annual HOME Certification of Student Status
- Authorization to Release Information for Section 8 Participants
- Certification of Zero Income
- Employment Verification
- Income Certification for 125-150% AMGI
- LIHTC Lease Addendum

*Other Required forms between Owner/Agent and MSHDA*

- Notice of Change in Management Agent
- Notice of Change in Ownership
- Notice of Building Casualty Loss
- Change in System Contact Form
- Common Area Unit Designation
- Owner's Certification of File Audit Corrections
- Owner's Certification of Repairs
- Extension Request for Physical Items
- LIHTC/1602/TCAP Owner's Certification of Continued Program Compliance
- HOME/NSP Owner's Certification of Continued Program Compliance
- First Year Credit Statement

*Compliance Processes Forms*

- Request to Eliminate Recertifications
- Temporary Emergency Housing for Displaced Individuals Affect by a Major Disaster
- VAWA forms
- Qualified Contract forms
- Utility Allowance/Actual Consumption forms

## **Project Sponsors and Partners Approval Process**

To submit Eligible Program Documents with an e-signature, Project Sponsors and Partners must receive initial approval from MSHDA, and recertification on an annual basis thereafter.

Initial approval:

Complete and submit the Partner Certification for Use of Electronic Signatures (Appendix A) of this document to the MSHDA e-signature mailbox at [mshdacompli@michigan.gov](mailto:mshdacompli@michigan.gov). MSHDA will notify the Participating Sponsor and Partner of its approval by email.

Annual recertification:

Participating Project Sponsors and Partners must comply with annual recertification requirements of MSHDA to continue submitting Eligible Program Documents with an e-signature. The Partner Recertification Form (Appendix B) must be completed and submitted to the MSHDA e-signature mailbox at [mshdacompli@michigan.gov](mailto:mshdacompli@michigan.gov) no later than March 1st of each year.