

## **Amendment to the Memorandum of Understanding Pertaining to SMI Designated Units**

This Amendment is made effective as of this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between New Hampshire Housing Finance Authority of Bedford, New Hampshire (the “Authority”); the State of New Hampshire, Department of Health and Human Services (“DHHS”) and \_\_\_\_\_ (the “Developer”). The Authority, DHHS and the Developer are herein sometimes referred to as the “Parties”.

WHEREAS, the Parties entered into a certain document entitled Memorandum of Understanding (*or* Memorandum of Understanding (No LIHTC Application)) dated \_\_\_\_\_ ; and,

WHEREAS, the Developer committed certain of its rental units as SMI Designated Units, as defined in the Memorandum of Understanding, for the consideration of points applied toward its FY2015 LIHTC application or to be applied toward a future LIHTC application; and,

WHEREAS, in Section 6 of this Memorandum it is explained that the Authority was applying for federal rental assistance through the Department of Housing and Urban Development’s Section 811 Program and that if this funding were received by the Authority, that the SMI Designated Units under the Memorandum would be eligible to be placed into the Section 811 Program, for additional points; and,

WHEREAS, it is now established that the Authority has received funding through the Section 811 Program and that the Developer wishes to amend the Memorandum to confirm interest in participating in the Section 811 Program.

NOW THEREFORE, the Parties hereby amend the Memorandum as follows:

1. By striking in their entirety Sections 6.2 and 6.3 of the Memorandum describing the potential for Section 811 Program funding and substituting the following:

6.2 Also, NHHFA has received additional rental assistance for individuals with SMI from the Department of Housing and Urban Development through the Section 811 Project Rental Assistance Program (the “Section 811 Program”). The Section 811 Program provides subsidized rental

assistance to the tenant in the form of assistance that is attached to the unit through a contract entered into between the Developer and the administrator of the Program, NHHFA. The Developer may choose to participate in the Section 811 Program by committing the SMI Designated Units as outlined in Exhibit B. The Developer needs to affirmatively acknowledge below the intention to participate in the Section 811 Program.

- The Developer will enter into a Rental Assistance Contract with NHHFA to participate in the Section 811 Rental Assistance Program and will commit its SMI Designated Units to the Program.

In all other respects, the Memorandum shall stand as written.

**NHHFA:**

**NEW HAMPSHIRE HOUSING  
FINANCE AUTHORITY**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness

**DHHS:**

**NEW HAMPSHIRE DEPARTMENT OF  
HEALTH AND HUMAN SERVICES**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness

**DEVELOPER:**

\_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

\_\_\_\_\_  
Witness