

**EXHIBIT E**

**SPECIAL TERMS AND CONDITIONS**

**Federal Grant Identification**

**HUD Grant Number: (enter here)**

**CDFA Number: 14.218**

**Date HUD Grant Agreement signed by HUD: (enter here)**

The following are special terms and conditions which supplement and amend certain earlier provisions of this Agreement. The sections being supplemented or amended are referenced in parentheses.

**1. Scope of Work**

**A. Unit Mix**

# of Bedrooms	DR-MHP Assisted Units	All restricted units (Including DR-MHP Assisted Units)	Non-Restricted Units	Total Units	Income Limit
					30% AMI
					35% AMI
					40% AMI
					45% AMI
					50% AMI
					55% AMI
					60% AMI
					65% AMI
			1	1	Mgr. Unit
Totals					

**B. Environmental Mitigation Measures**

As identified in the NEPA Environmental Review document, the Sponsor shall complete or coordinate completion of each mitigation measure and shall supply documentation evidencing completion to the Department. Measures include:

**[include full text of the mitigation measures here]**

**2. Joint and Several Liability**

**[ULTIMATE BORROWER]** (“LP”) is an affiliate of **[SPONSOR]** (“Corp”). The Department acknowledges that the LP will be considered the Ultimate Borrower of the

**EXHIBIT E**

DR-MHP Loan funds and as such will execute the DR-MHP Loan Documents. For the purposes of this Standard Agreement, LP and Corp will be collectively referred to herein as “Sponsor”. As such, the LP and Corp are jointly and severally liable for all the obligations of a Recipient as set forth in this Agreement. Satisfactory performance of any duties and obligations under this Agreement, and any other agreements by either the LP or Corp, will be deemed as performance by the Recipient.

At a minimum, the Recipient-controlled general partner of LP must perform the substantial management duties identified in BOE Rule 140.1(a)(10) as items (A), (H), (I) and (K).

**3. DR-MHP Loan Amount**

Rental New Construction Project Construction Financing Loan \$xxxxxxx

**4. Project Milestones**

	<b>Project Milestone</b>	<b>Date to be Completed</b>
1	Submit all necessary construction loan closing documents to HCD	[30 days prior to loan closing]
2	Construction loan closing	[No later than 20 months from DR-MHP Award]
3	Project construction completion	[Within 18 months of construction loan closing]
4	Project funds expenditure deadline	[Within 5 years of grant date]
5	Project lease-up completion	[Within 6 months of COO]
6	Submit all necessary permanent loan closing documents to HCD	[30 days prior to perm loan closing]
7	Permanent loan closing	[Insert date]
8	Project closeout in Grants Network	[Insert date]
9	Expiration of Agreement	[55 years from project closeout]

**5. Payee**

The authorized Payee(s) is/are as specified below.

Name: enter name \$ Amount:XXXX

**6. Special Terms and Conditions**

## EXHIBIT E

The following Special Terms and Conditions are applicable to this Project and specific to this Standard Agreement. In the event of any inconsistencies or conflicts between these Special Terms and Conditions and any of the terms of this Agreement, the Special Terms and Conditions control.

- A. Exhibit A, Authority, Purpose and Scope of Work: no special terms or conditions.
- B. Exhibit B, Budget Detail and Payment Provisions: no special terms or conditions.
- C. State of California General Terms and Conditions: no special terms or conditions.
- D. Exhibit D, CDBG-DR Terms and Conditions: no special terms or conditions.