

Recording requested by:

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**RENTAL DEMONSTRATION POST-CONVERSION RESTRICTIVE COVENANTS  
NON-STANDARD VERSION**

This Rental Demonstration Post-Conversion Restrictive Covenants Non-Standard Version (these Covenants”), dated as of   3  , is by and between the U.S. Department of Housing and Urban Development, with an address of 451 Seventh Street, S.W., Washington, DC 20410, Attention: Office of Recapitalization, Office of Multifamily Housing (“HUD”), and   4  , a public body corporate and politic duly organized under the laws of the   5  , with an address of   6   (the “PHA”).

WHEREAS, the PHA owns certain real property described in **Exhibit A**, attached hereto and incorporated herein (the “Property”). The development of the Property, the operation of the Property, and/or the acquisition of the site or sites thereof was financed with assistance provided by HUD and the Property was previously used for public housing purposes pursuant to agreements by and between HUD and the PHA.

WHEREAS, the public housing assistance related to this Property has been converted to Rental Assistance Demonstration (“RAD”) Project Based Voucher (“PBV”) or Project Based Rental Assistance (“PBRA”) Section 8 assisted housing, located at another site, pursuant to a transfer of assistance under the RAD administered by HUD. HUD and the PHA have released the Property from any declaration of restrictive covenants, declaration of trust and/or obligation associated with the prior public housing uses of the Property recorded at   7   in the records of   8   dated   9  . In lieu of the prior restrictions, HUD and the PHA desire to restrict the ongoing use of the Property as set forth in these Covenants.

NOW THEREFORE, in consideration of the promises and covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the PHA does hereby acknowledge and declare that it is possessed of and holds in trust for the benefit of HUD, for the purposes hereinafter stated, the Property.

The PHA hereby declares and acknowledges that during the existence of the trust hereby created, HUD has been granted and is possessed of an interest in the above described Property, specifically the right to require the PHA to remain seized of the title to the Property and to refrain from transferring, conveying, assigning, leasing, subleasing, mortgaging, pledging, or otherwise encumbering or permitting or suffering any transfer, conveyance, assignment, lease, mortgage, pledge or other encumbrance of the Property or any part thereof, any appurtenances

thereto, or any rent, revenues, income, or receipts therefrom or in connection therewith, or any interest in any of the same, except that the PHA may (a) lease dwellings, other spaces and facilities in the Property for RAD Section 8 purposes, or (b) convey or dedicate land for use as streets, alleys, or other public right-of-way, and grant easements for the establishment, operation, and maintenance of public utilities; or (c) upon request by HUD, convey title to or deliver possession of the Property to HUD.

The endorsement by a duly authorized officer of HUD upon (a) any instrument of conveyance or dedication of Property, or any interest therein, for use as streets, alleys, or other public right-of-way, or for the establishment, operation and maintenance of public utilities, or (b) any instrument of release made by the PHA of the Property shall be effective to release such Property from the trust hereby created.

*Remainder of this page intentionally left blank.*

IN WITNESS WHEREOF, the PHA by its duly authorized representative, has caused its name to be subscribed hereto, on the date first written above.

*PHA hereby certifies that the statements and representations contained in this instrument and all supporting documentation are true, accurate, and complete and that each signatory has read and understands the terms of these Covenants. This instrument has been made, presented, and delivered for the purpose of influencing an official action of HUD, and may be relied upon by HUD as a true statement of facts contained therein.*

PHA: [ 10 ], a public body corporate and politic

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

*A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.*

[ 11 ]

[ 12 ]

ss.

On \_\_\_\_\_, 20\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under penalty of perjury under the laws of this State or Commonwealth that the foregoing paragraph is true and correct. Witness my hand and official seal.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**Warning:**

Any person who knowingly presents a false, fictitious, or fraudulent statement or claim in any matter within the jurisdiction of the U.S. Department of Housing and Urban Development is subject to criminal penalties, civil liability, and administrative sanctions.

**EXHIBIT A**  
**LEGAL DESCRIPTION OF THE PROPERTY**

**Address:** [ 13 ]

Real property in the City of \_\_\_\_\_, County of \_\_\_\_\_,  
State/Commonwealth of \_\_\_\_\_, described as follows:

[ 14 ]

## INSTRUCTIONS:

1. Insert the name and address of the PHA requesting the release of the DOT or of their attorneys.
2. Insert the name and address of the PHA requesting the release of the DOT or of their attorneys.
3. Insert the day, month and year.
4. Insert the legal name of the PHA.
5. Insert the place of legal formation, e.g., Commonwealth of Virginia.
6. Insert the PHA's legal address.
7. Insert the document number or book and page recording information for the Release.
8. Insert the name of the Local Recording Entity where the Release is recorded (e.g., Office of the Register of Deeds for Fairfax County, Virginia).
9. Insert the day, month and year of the Release.
10. Insert the legal name of the PHA.
11. Insert the name of the State or Commonwealth.
12. Insert the name of the County.
13. Insert street address and any other tax map identification
14. Insert complete metes and bounds legal description or other legal description (such as a reference to a plat map) which is legally sufficient in the State or Commonwealth.