

**ADDENDUM TO THE
SUBSIDY LAYERING REVIEW
MEMORANDUM OF UNDERSTANDING
BY AND AMONG THE
RURAL HOUSING SERVICE (NEVADA);
U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (SAN FRANCISCO
OFFICES OF MULTIFAMILY AND PUBLIC HOUSING); AND
NEVADA HOUSING DIVISION**

PARTIES:

This Addendum (the “**Addendum**”) to the attached Memorandum of Understanding (“**MOU**”) is entered into by and among the U.S. Department of Housing and Urban Development’s San Francisco Offices of Multifamily Housing and Public Housing, as such authority is delegated to the Regional Administrator by separate Delegations of Authority from Carol J. Galante, Acting Assistant Secretary for Housing-Federal Housing Commissioner, and Sandra B. Henriquez, Assistant Secretary for Public and Indian Housing (“**HUD SF**”), with oversight responsibility for Nevada, the Nevada Housing Division (“**NHD**”) and the U.S. Department of Agriculture Rural Development’s Rural Housing Service in Nevada (“**RD**”) (each, individually, a “**Party**”, or collectively, the “**Parties**”; each singular reference to a Party shall refer jointly, severally and collectively to the Parties as set forth herein).

PURPOSE:

The Parties wish to enter into this Addendum to amend the scope of this MOU to include Section 8 project-based vouchers. Therefore, this Addendum shall be incorporated into the MOU and the section of the MOU entitled “**SCOPE OF AGREEMENT**” shall be amended in its entirety to the following:

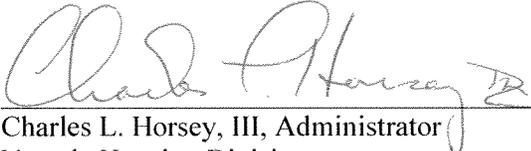
SCOPE OF AGREEMENT:

Under this MOU, RD, through its State Director for Rural Development, HUD SF, through its Regional Administrator, and NHD, through its Administrator, agree to engage in cooperative efforts to enable each agency to assure that only the necessary assistance is provided through each federal program. This MOU will cover applications for new construction as well as applications for transfer and/or rehabilitation. The Parties acknowledge that this MOU, to the extent that it applies to HUD assistance, is expressly limited to project applications under HUD’s “Section 202 Supportive Housing for the Elderly” and “Section 811 Supportive Housing for Persons with Disabilities” capital advance programs, Section 8 project-based voucher units, and FHA multifamily insurance programs for the State of Nevada, and shall specifically exclude applications for mortgage insurance under the following programs: Sections 213, 220, 221(d)(3), 221(d)(4), and 231 of the National Housing Act (12 U.S.C. 1707, et. seq.) (HUD-assisted projects subject to this MOU shall be referred to herein as “**Applicable HUD Projects**”). The Parties also acknowledge that this MOU, to the extent that it applies to NHD Assistance, is expressly limited to applications for LIHTC funding.

Should Section 8 project-based vouchers be part of the funding stream, NHD will follow the delegation subsidy layering review guidelines as described in the Federal Register Notice FR-5417-N-1, Administrative Guidelines: Subsidy Layering Reviews for Proposed Section 8 Project-Based Housing Assistance Payment Contracts. Therefore, and only for this specific MOU, this addendum will replace the "Intent of Participation" Letter that is required under the aforementioned Federal Register Notice FR-5417-N-1. **NHD** reserves the right to defer the **Applicable HUD project** applications back to **HUD SF** for subsidy layering review and/or modifying this Addendum.

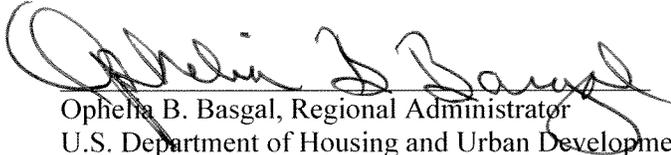
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ACCEPTANCE AND SIGNATURE OF EACH PROVIDING PARTY:



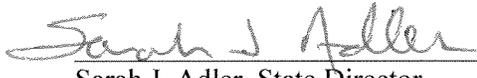
Charles L. Horsey, III, Administrator
Nevada Housing Division

9-6-12
Date



Ophelia B. Basgal, Regional Administrator
U.S. Department of Housing and Urban Development

9/14/12
Date



Sarah J. Adler, State Director
USDA Rural Development

Sept. 6, 2012
Date