



Fannie Mae®

**COUNSEL DESIGNATION REQUEST
FOR CREDIT ENHANCEMENT MORTGAGE LOAN TRANSACTIONS**

Date: _____

From: Lender Name: _____

Contact Name: _____

Telephone: _____

E-mail: _____

To: Fannie Mae Legal Department

Attention: Multifamily - Debt Production

Telephone: 202-752-3378

E-mail: counsel_designations@fanniemae.com

Date: _____

1. Project Name: _____

Project Location Address: _____

City Number of Units: _____

State Age of Project: _____

Zip: _____

Construction Lender, if any: _____

2. Lender: _____

Contact: _____

Telephone: _____

E-mail: _____

3. Borrower Name: _____

Address: _____

City _____

State _____

Zip _____

EIN: _____

Key Principals: _____

Please attach organization charts for Borrower and all Key Principals to this Counsel Designation Request.

If available, Lender should attach organizational charts for Borrower and all Key Principals to this Counsel Designation Request.

4. Estimated Tax-Exempt Bond Amount: _____

5. Type of Fannie Mae Transaction (Check all applicable descriptions.):

A. Existing Credit Enhancement Mortgage Loan:

_____ Asset Management Matter or _____ Pay Off

_____ Original Fannie Mae Counsel:

B. New Credit Enhancement Mortgage Loan (includes refinancings):

_____ MTEB

_____ MBS Exchange

_____ Credit Enhancement Instrument or _____ M.TEB or

_____ Secondary Market/Custodial Receipt or _____ Direct Bond Purchase or

_____ Other: _____

Existing Credit Enhancement Mortgage Loan:

_____ Asset Management Matter or _____ Pay Off

_____ Forward

_____ Immediate

_____ Substitution

_____ Moderate Rehabilitation

_____ Large Loan

_____ Tax-Exempt Bond or Taxable Bond

_____ Fixed Rate

_____ Rate Reset or _____ Fixed to Term

_____ Variable Rate (submit separately Counsel Designation Request (Interest Rate Hedge Transaction) (Form 4625.A))

New Construction/Substantial Rehabilitation Index Rate
 Unfunded Forward or Funded Forward
~~Moderate Rehabilitation~~
 New Issue Refunding Substitution
~~Large Loan~~

Taxable Tail

 Yes or No
 Bonds
 Conventional Subordinate Loan

If Fannie Mae Supplemental Mortgage Loan

 MBS or Cash

Bond Financing

Bond Issuer:

Estimated Closing Date:

Estimated Bond Amount:

 New Issue or Refinance

Tax-Exempt Bond Type:

 40% of Units at 60% AMI or 20% of Units at 50% AMI
 501(c)(3)
 Other: _____

Other Sources of Financing/Subsidies:

 Project Based Section 8 Housing Assistance Payments Contract

 Other HUD Program: _____

 Tax Abatement/Exemption or PILOT Program

 Subordinate Financing

Explain briefly if any holdback of funds (for example, for construction or rehabilitation) is expected:

6. ~~Tax Exempt Bond Type:~~

~~_____ 40% of Units at 60% AMI _____ or _____ 20% of Units at 50% AMI~~

~~_____ 501(c)(3)~~

~~_____ Other: _____~~

7. Tax Credits:

Does/will the Mortgaged Property qualify for 4% Low Income Housing Tax Credits? (Note: LIHTC may not be available, for example, because Borrower is a 501(c)(3) entity.)

_____ Yes _____ No

If yes, what are the names of the tax credit investors (limited partners or non-managing members of Borrower)?

If tax credit investor information is not known because tax credits have not yet been applied for or the tax credit investor has not been identified, determine this information at the earliest possible time and report it to Fannie Mae and its designated counsel.

~~_____ This information is not known because the tax credits have not yet been applied for or the tax credit investor has not been identified. (Note: Determine this information at the earliest possible time and report information to Fannie Mae's designated counsel and Fannie Mae as required by the Guide.)~~

8. Does Property qualify as a Multifamily Affordable Housing Property?

_____ Yes _____ No

Percentage of Low-Income Restricted Units:

_____ % of Units at 60% of AMI

_____ % of Units at 50% of AMI

_____ % of Units at ___% of AMI
_____ % of Units at ___% of AMI

Rent Restriction(s):

_____ % of _____ % of Units at _____% of AMI
_____ % of _____ % of Units at _____% of AMI

9. ~~List all former marketing names for the Mortgaged Property, and list any former addresses for the Mortgaged Property if the address has ever changed. If none, please indicate "N/A."~~

10. ~~Estimated Closing Date:~~ _____

11. ~~Bond Issuer:~~ _____

12. ~~Name of Construction Lender if New Construction/Substantial Rehabilitation:~~

13. ~~If Lender is requesting Fannie Mae to assign a particular law firm to the transaction, please name the firm:~~

14. ~~Will Fannie Mae counsel draft the bond or real estate documents, or review title insurance and survey?~~

_____ Yes _____ No

~~15 Non-standard Documentation~~

Specify any aspect of the transaction that may require non-standard documentation:

~~Other Transaction Counsel:~~

Lender's _____ Counsel:

Borrower: _____

Bond Counsel: _____

Borrower's Counsel: _____

Construction Lender's Counsel (if any): _____

16. Taxable Tail: _____ Yes _____ No
_____ Bonds _____ Conventional Subordinate Loan

Estimated Amount: \$ _____

If conventional subordinate loan:

Fannie Mae Supplemental Mortgage Loan: _____ Yes _____ No
If yes: _____ MBS _____ Cash

17. Specify any other aspect that suggests waivers or non-standard documentation will be required:

Lender requests Fannie Mae to engage counsel for this transaction and agrees to pay the fees and expenses of Fannie Mae's designated counsel in accordance with the Guide.

Are you requesting Fannie Mae to assign a particular law firm to the transaction?

_____ Yes or No

If yes, list name of firm:

If yes, provide the reason for the specific request:

LENDER CONFIRMS THAT IT HAS ACCURATELY DESCRIBED THE UNDERLYING TRANSACTION AND REQUEST FOR FANNIE MAE TO RETAIN COUNSEL TO PROVIDE LEGAL SERVICES. LENDER AGREES TO PAY THE FEES AND EXPENSES OF FANNIE MAE'S DESIGNATED COUNSEL IN ACCORDANCE WITH THE GUIDE.

LENDER:

By: _____

Name: _____

Title: _____