

Exhibit 4.40
SUPPORTIVE HOUSING NOTICE OF FUNDING AVAILABILITY
PROJECT BASED VOUCHER REGULATIONS ACKNOWLEDGEMENT

As part of the 2023 Supportive Housing Notice of Funding Availability NOFA Amendment application, we, _____, hereby acknowledge the following Code of Federal Regulations that are specific to the Project Based Voucher program.

Applicant to initial before each item and sign and date the bottom of the page.

_____ 1. Prior to the Agreement to Enter HAP Contract (AHAP) for Rehabilitated or Constructed units or HAP contract for Existing units, the property must meet the applicable environmental review requirements. **24 C.F.R. § 983.58; PIH Notice 2016-22.**

_____ 2. For Newly Constructed and Rehabilitated units, the owner will obtain, before execution of the AHAP, a subsidy layering review finding the assistance is not excessive by HUD or a housing credit agency approved by HUD. **24 C.F.R. § 983.55; 79 Fed. Reg. 57955 (Sept. 26, 2014); PIH Notice 2013-11.**

_____ 3. For Newly Constructed and Rehabilitated units, the owner cannot begin construction or rehabilitation work prior to the execution of the AHAP. **24 C.F.R. §§ 983.53(d), 983.151-.153; Form HUD-52531A.**

_____ 4. For Newly Constructed and Rehabilitated units, the owner will comply with the Uniform Relocation Act, if applicable. **24 C.F.R. § 983.7; Form HUD-52531A § 1.13.**

_____ 5. For Newly Constructed and Rehabilitated units, the owner will comply with equal employment opportunity requirements. **24 C.F.R. § 983.154(c)(2); Form HUD-52531A.**

_____ 6. For Newly Constructed and Rehabilitated projects with 9 or more units, the owner will comply with Davis-Bacon wage requirements. **24 C.F.R. § 983.154(b); Form HUD-52531A.**

_____ 7. For newly constructed or substantially rehabilitated buildings with more than 4 rental units selected or rehabilitated while under a HAP contract after 1/19/17, broadband infrastructure will be installed, or an exception must be documented. **24 C.F.R. § 983.157.**

Signed,

Name of Authorized Official

Title

Signature of Authorized Official

Date