



Rural Development

October 8, 2019

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TO: State Directors and Area Directors
Rural Development

FROM: Bruce W. Lammers /s/ **Bruce W. Lammers**
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SUBJECT: Multi-Family Housing
Electronic Customer File
Imaging System Deployment & Implementation

The purpose of this Unnumbered Letter (UL) is to provide the Multi-Family Housing (MFH) field office personnel with guidance and direction relating to the implementation of the Multi-Family Housing, Electronic Customer File (ECF) system. The ECF system was established and designed to provide a secure method to manage the Electronic Filing and Retrieval of Loan Documents for all Rural Development programs and will now include **Multi-Family Housing**. Documents can be uploaded into ECF through Outlook, PowerPoint, Word, Excel or PDF. ECF will allow MFH to move towards a digital process and reduce the need of physical file storage space.

With the issuance of this UL, MFH personnel will begin to scan, upload and utilize the ECF system for electronic document storage. It is the Agency's expectation that all required documents identified in the **Multi-Family Housing Index Document of Records** of existing case files will be scanned and uploaded into the ECF system one-year from the date of this UL. As loan making and servicing activities continue, documents received will be scanned and uploaded within 30 days of receipt. States will be responsible to implement the requirements of this UL.

[Multi-Family Housing – User Document Help Guide](#)

The ***Multi-Family Housing User Document Help Guide*** was created to provide MFH personnel with technical assistance, guidance and understanding when utilizing the ECF system.

- **How to Create and Save Searches** – for future searching. *Save one search method for searching at the state level, save alternate search method for search at a local office method and more.*

EXPIRATION DATE:
October 31, 2020

FILING INSTRUCTIONS:
Housing Programs

- **How to Search for a Document** by (*Document Classification, Document Type, Document Added By, MFH Borrower ID and MFH Borrower Name and many more*).
- **How to Upload Any Documents Into ECF** via (*Microsoft Outlook, Excel, E-Mail, Word, PowerPoint and PDF*). **(When titling/naming a document; follow the guidance outlined on page 13 of the Multi-Family Housing User Document Help Guide)*.

An electronic version ***Multi-Family Housing User Document Help Guide*** may be obtained via the SharePoint site:

https://usdagcc.sharepoint.com/sites/rd_hcfp/mfh/MultiHousing%20Family%20Information/MFH%20ECF%20Info/MFH-ECF%20User%20Guide%20003-%2002-01-2019.pdf

Multi-Family Housing – Index Document of Records

The ***Multi-Family Housing Index Document of Records (Attachment A)*** identifies required MFH documents which are to be scanned and uploaded into ECF. Once completed, the original documents identified as scan and retain as indicated on (***Attachment A***), should be kept in a case file in accordance with RD Instruction 2033-A.

Moving forward, as **Section 515 & Section 514** documents are received, MFH personnel should scan and upload all current documents into the ECF system, and dispose of documents, in accordance with RD Instruction 2033-A (e.g.- shredding or recycling, as applicable), except any documents and correspondences related to loans made or assumed between **December 21, 1979 to December 14, 1989**, as explained below in the section; **Office of General Counsel (OGC) Requirement**.

https://usdagcc.sharepoint.com/sites/rd_hcfp/mfh/MultiHousing%20Family%20Information/MFH%20ECF%20Info/MFH-ECF%20Index%20Document%20of%20Records%203-12-2019.pdf

Office of General Counsel Requirement

(Please Note): based on issues precipitated in the Prepayment Lawsuit Agreement, the Office of General Council, in a letter dated ***April 13, 2017, Retention of Records Pertaining to Prepayment Litigation Claims***, has been determined any loan made or assumed during the period of **December 21, 1979 to December 14, 1989**, could be the subject of future litigation. In accordance with RD Instruction 2033-A; 2033.6; (c) (7) **Litigation Hold**. “Litigation holds that are issued impose a freeze on all records involved regardless of the medium. The records must be preserved in their native [original] format and kept secure until the litigation hold is lifted by OGC.” Consequently, to ensure records and documents regarding these loans are adequately preserved. It is deemed by the Agency to retain all **Section 515 loans made or assumed during the period of December 21, 1979 to December 14, 1989**, until such notice is lifted by OGC. This would also include any electronic correspondence, (e-mail) and data stored in the Multi-Family Integrated System (MFIS).

It should also be noted for clarity, the above applies for any and all **Section 515** loans made or assumed during the above time frame mentioned, even if not named as part of the Prepayment Litigation Agreement. All documents must be retained in the manner of the fore mentioned, until further OGC guidance is issued.

Multi-Family Housing Electronic Customer File Classification/Document Type Structure

New to the MFH Program, is the ***Multi-Family Housing ECF Classification/Document Type Structure***. This guide has been created to assist MFH personnel in becoming familiar with how MFH documents are indexed within the ECF system. Documents will be filed in a specific classification document structure, rather than the eight-position filing system currently used for program case files. Below is an example of the ***Multi-Family Housing ECF Classification/Document Type Structure***.

ECF Classification: USDA/Rural Development/Rural Housing Services/Multi-Family Housing Document Type Structure:

- ❖ Section 514 – FLH on Farm
- ❖ Section 515 – RRH & Sections 514/ 516 FLH Off Farm
- ❖ Section 515 – RRH & Sections 514/516 FLH Off Farm/Correspondence
- ❖ Section 515 – RRH & Sections 514/516 FLH Off Farm/Design & Construction
- ❖ Section 515 – RRH & Sections 514/516 FLH Off Farm/Legal Documents
- ❖ Section 515 – RRH & Sections 514/516 FLH Off Farm/Processing
- ❖ Section 515 – RRH & Sections 514/516 FLH Off Farm....etc.

The electronic version of the ***Multi-Family Housing ECF Classification/Document Type Structure***, may be obtained via the SharePoint site:

https://usdagcc.sharepoint.com/sites/rd_hcfp/mfh/MultiHousing%20Family%20Information/MFH%20ECF%20Info/%20MFH-ECF%20Document%20Classification-05-21-2019.pdf

State Law will dictate if an electronic signature may be used for legal action(s).

Should you have any questions, regarding this UL please contact Ancil Green, Portfolio Management Division, on (202)690-0760.

MULTI-FAMILY HOUSING INDEX DOCUMENT OF RECORDS
MFH Section 514 On-Off FLH/Section 515 Electronic Customer Files

Borrower Name: _____

Borrower ID#: _____

The listed documents will be scanned and uploaded into ECF and the originals will be retained in a “Lockable File Cabinet” in accordance with RD Instructions 2033-A.

Form # or Reference*	Description of Record	Scan & Retain
Form RD 440-15	<i>Security Agreements</i>	
Form RD 3560-52	<i>Promissory Note(s)</i>	
Form RD 3560-21	<i>Assumption Agreement(s)</i>	
Form RD 3560-16	<i>Reamortization Agreements</i>	
Form RD 3560-9	<i>Interest Credit Agreement(s)</i>	
Form RD 3560-27	<i>Rental Assistance Agreement</i>	
Form RD 3560-27-A	<i>Operating Assistance Agreements</i>	
Form RD 3560-42	<i>Farm Labor Housing Grant Agreement</i>	
Form RD 402-1	<i>Deposit Agreement</i>	
Form RD 3560-50	<i>MFH Conversion Agreement (PASS)</i>	
Form RD 1927-10	<i>Final Title Opinion</i>	
Form RD 3560-1	<i>Application for Partial Release, Subordination or Consent</i>	
Form RD 3560-22	<i>Offer to Convey Security</i>	
Form RD 3560-57	<i>Application for Settlement of Indebtedness</i>	
Form RD 2024-30	<i>Non-Contractual Program Loan Cost Expense Certification</i>	
	Real Estate Mortgage(s)/Deed of Trust(s)	
	Loan Agreement(s)/Resolutions	
	Final Title Policy	
	Subordination Agreement	
	Guarantee (if applicable)	
	Consolidated Loan Agreements/Resolutions	
	Lien(s)	
	Letter(s) of Credit (if applicable)	
	UCC Financing Statements	
	Restrictive-Use Covenants/Restrictive-Use Provisions	
	MPR Debt Deferral Agreement	
	MPR Grant Agreement	
	MPR Conditional Commitment	

Other Documents To Be Scanned But Do Not Have To Be Maintained In A Case File

Form # or Reference	Description of Record	Scan
	Third-Party Financing	
	Third-Party Mortgage(s)	
	Third-Party Grant/Loan Documents	
	HUD Project-Based Section 8 Contracts	
	Capital Needs Assessment	
	Current Workout Plan	
	Prepayment Request - if not in MFIS/Pre-Trac	
	Preliminary Assessment Tool (PAT)	

Security Rural Development Records are to be maintained in “Lockable File Cabinet” except when in use in accordance with RD Instruction 2033-A; 2033.5(a)(3)(i)(2).