

## Electronic Signature Policy for Housing Finance & Development Division

### Policy

The Housing Finance and Development Division (HFDD) will accept and permit the use of electronic signatures provided that 1) the electronic signature software has the capability to audit or authenticate the signature, and 2) there are no existing restrictions imposed by State or Federal law.

A solution such as DocuSign or Adobe software, should be utilized in the signature process to satisfy E-SIGN and/or UETA requirements. To minimize the cost of printing and mailing, HFDD staff are encouraged to use electronic signature, whenever the option is possible.

The following examples are documents and processes that are permitted to use electronic signatures:

- Onboarding forms
  - Building Access Cards
  - New Hire Authorization Form
  - Hire Compensation Request
- LURC internal review process
- Draws
  - HOME draws
  - CHIP grant payments\*
- Check disbursement requests
- PCC internal review process
- Procurement agreements
- Electronically submitted IRS forms
- HUD Resident Recertifications forms\*, including but not limited to the following:
  - HUD-50059
  - Lease agreements/addendums
  - HUD9887/9887A
  - Affidavits of unemployment and zero income, and
  - State lifetime sex offender forms

The following examples are documents and processes that require a wet ink signature and **are not eligible for electronic signature**:

- Requests for Release of Funds for environmental reviews
- LURCs/LURAs
- Loan Documents
- IRS forms that an individual or entity elects to submit by mail
- HUD Resident Recertification forms\*
- CHIP grant payments\*

DCA will evaluate any request to accept electronic signatures for Housing-related business transactions, with individuals and organizations outside of DCA, on a case-by-case basis going

forward and will update our policies accordingly. Periodically, DCA will update the list of documents approved for electronic signature on the DCA website.

\* HUD will allow electronic signatures as long as they obtain original, “wet” signatures on these documents at a later date.

### **Electronic Signature Compliance Monitoring Policy**

The owner is responsible for ensuring that tenant files are in accordance with IRS and/or HUD rules and regulations, and that the signature is that of the tenant. Additionally, the owner is responsible for ensuring investor and syndicator acceptance of the use of electronic signatures. Should issues arise as a result of electronically signed documents, DCA reserves the right to require ‘wet’ signatures. Wet signatures are required for the initial tenant certification.

Owners/Management Companies of properties being monitored by DCA intending to take advantage of DCA’s electronic signature policy must take the following actions:

- **Owner/Management Policy:** Initially, and upon any change in the Owner/Management Company, the Owner/Management company must develop and implement a policy and procedure for the use of electronic signatures. DCA has no liability for owner/management company electronic signature policies that do not meet IRS and/or HUD rules and regulations.
- **DCA Request for Documents:** Hard copies of the tenant files must be provided to DCA upon request.
- **File Format:** All tenant files must be made available in a format compatible with DCA software.
- **Hard Copies:** The Owner/Management policy must provide an accommodation to residents who request to review and sign hard copies of documents.