

## VA/FHA AMENDATORY CLAUSE AND REAL ESTATE CERTIFICATION

Buyer(s) _____
Seller(s) _____
Property Address or Tax ID # _____ (the "Property")

Buyer and Seller agree that this VA/FHA Amendatory Clause and Real Estate Certification is a part of the Sale Agreement.

(select 1 or 2)

1.  **VA CLAUSE:** It is expressly agreed that, notwithstanding any other provisions of this Sale Agreement, the Buyer shall not incur any penalty by forfeiture of earnest money or otherwise be obligated to complete the purchase of the Property described herein, if the contract purchase price or cost exceeds the reasonable value of the Property established by the Department of Veterans Affairs. The Buyer shall, however, have the privilege and option of proceeding with the consummation of this Sale Agreement without regard to the amount of the reasonable value established by the Department of Veterans Affairs.

2.  **FHA CLAUSE:** It is expressly agreed that notwithstanding any other provisions of this contract, the purchaser shall not be obligated to complete the purchase of the property described herein or to incur any penalty by forfeiture of earnest money deposits or otherwise, unless the purchaser has been given, in accordance with HUD/FHA or VA requirements, a written statement by the Federal Housing Commissioner, Department of Veterans Affairs, or a Direct Endorsement lender setting forth the appraised value of the property of not less than \$\_\_\_\_\_.\*. The purchaser shall have the privilege and option of proceeding with consummation of the contract without regard to the amount of the appraised valuation. The appraised valuation is arrived at to determine the maximum mortgage the Department of Housing and Urban Development will insure. HUD does not warrant the value or condition of the Property. The purchaser should satisfy himself/herself that the price and condition of the property are acceptable.

\*Mortgagees must ensure the actual dollar amount of the sales price stated in the contract has been inserted in the amendatory clause. Increases in the sale price require a revised amendatory clause.

3. **REAL ESTATE CERTIFICATION:** The Borrower, seller, and the real estate agent or broker involved in the sales transaction certify, to the best of their

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knowledge and belief, that (a) the terms and conditions of the sales contract are true and (b) any other agreement entered into by any parties in connection with the real estate transaction is part of, or attached to, the sales agreement.

**4. WARNING:** The Buyer, Seller, and real estate agents fully understand that it is a federal crime punishable by fine or imprisonment, or both to knowingly make any false statement concerning any of the above facts as applicable under the provisions of 18 U.S.C. § 1012 and § 1014.

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Buyer \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Buyer \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

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Seller \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Seller \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

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Buyer's Agent 1 \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Buyer's Agent 1 Firm \_\_\_\_\_

Buyer's Agent 2 \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Buyer's Agent 2 Firm \_\_\_\_\_

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Seller's Agent 1 \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Seller's Agent 1 Firm \_\_\_\_\_

Seller's Agent 2 \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print Name \_\_\_\_\_

Seller's Agent 2 Firm \_\_\_\_\_

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