



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR HOUSING-  
FEDERAL HOUSING COMMISSIONER

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Special Attention of:

Notice: H 2011-17

All Multifamily Hub and Program Center  
Directors and Development Staff

Issued: August 15, 2011  
Expires: August 31, 2011

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Cross Reference:  
Mortgagee Letter 2011-27

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SUBJECT: HUD Amendment to the American Institute of Architects (AIA) Document B108 (formerly B181-1994), Standard Form Agreement Between Owner and Architect for a Federally Funded or Federally Insured Project (Amendment)

### **Purpose**

The purpose of this Notice is to transmit the new Amendment to the AIA Document B108 (Form HUD-92408-M). The American Institute of Architects (AIA) has published a new Owner/Architect Agreement, B108-2009 *Standard Form of Agreement Between Owner and Architect for a Federally Funded or Federally Insured Project (Agreement)*, and has retired the B181-1994 *Standard Form of Agreement Between Owner and Architect for Housing Services* on May 31, 2011.

The Amendment to the AIA Document B108 has been updated and will replace the version found in the Multifamily Accelerated Processing (MAP) Guide, Appendix 12B.2, Handbook 4460.1 REV-2, Appendix 2 and other handbook citations. The new Amendment (Form HUD-92408-M) is a required submission document as part of the Multifamily closing in connection with Firm Commitments issued or reissued. This Amendment is required for Firm Commitment applications submitted for FHA's multifamily housing insurance that require licensed professional services. This Notice is not applicable to health care programs administered by the Office of Healthcare Programs.

### **Background**

The AIA Document B108 contain terms and conditions that are unique to Federally Funded or Federally Insured Projects, reflects current industry practice, and provides greater transparency about services provided while still protecting HUD's interest. While the Agreement is structured so that either the owner or the architect may provide construction cost estimates to the government, for FHA purposes, only the owner can provide cost estimates to FHA. The Amendment to the AIA Document B108 contains language and provisions specifically required by HUD that modify, complete, or supersede provisions of the AIA Document B108.

This Notice supersedes the MAP Guide and Handbook references to the AIA Document B181 Standard Form and specifically the *Amendment to AIA Document B181, Standard Form of Agreement Between Owner and Architect for Housing Services* in Appendix 12B.2, MAP Guide and Handbook 4460.1 REV-2, Appendix 2.

The information collection requirements contained in this Amendment have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) on July 8, 2011. The valid OMB Control Number for the Amendment is 2502-0029. In accordance with the Paperwork Reduction Act, HUD may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a currently valid OMB control number.

If you have any questions concerning this Notice, please contact Joseph Sealey, Director, Technical Support Division at (202) 402-2559. “Persons with hearing or speech impairments may access this number via TTY by calling the Federal Information Relay Service at (800) 877-8339.”

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Carol J. Galante  
Acting Assistant Secretary for Housing –  
Federal Housing Commissioner

[Attachment](#)

Amendment – Form HUD-92408-M