

April 18, 2019

Washington State Housing Finance Commission  
Seattle, Washington

Re: Washington State Housing Finance Commission  
Downpayment Assistance Program

Ladies and Gentlemen:

We serve as general counsel to the Washington State Housing Finance Commission (the "Commission"), a public body corporate and politic organized and existing under Laws of 1983, Ch. 161, codified at Revised Code of Washington Ch. 43.180. In that capacity we have assisted the Commission with the creation of its various downpayment assistance programs.

This opinion is given to satisfy the requirements of the U.S. Department of Housing and Urban Development Mortgage Letter 19-06, dated April 18, 2019 regarding Downpayment Assistance and Operating in a Governmental Capacity (the "Mortgagee Letter"). We understand that the guidance included in the Mortgagee Letter will be incorporated into an update to the HUD Single Family Housing Policy Handbook 4000.1.

It is our opinion that the Commission is an instrumentality of the State of Washington, the jurisdiction within which it operates its programs, consistent with the definition of "state" as defined in Section 201(d) of the National Housing Act (12 U.S.C. §1707(d)) and as further described in Section 528 of the National Housing Act (12 U.S.C. §1735f-6) and 24 CFR 203.32(b).

This opinion may be distributed to and used by mortgage lenders participating in the Commission's Homeownership Programs to satisfy the requirements in the Mortgagee Letter for the collection of information from Governmental Entities who are providing secondary financing to borrowers. The opinion expressed in this letter is limited to the matter stated herein, and no opinion is implied or may be inferred beyond the matter expressly stated.

Very truly yours,

PACIFICA LAW GROUP LLP

