



Believable Banking Mortgage Product Training

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#### **Purpose of Training**

• Explain Believable Banking Mortgage Product Guidelines

Review FHA Manual Underwriting

#### **BBHM Agenda**

- Uses
- Information Qualification
- Affordability
- Payment History
- Debts
- Income
- Rental
- Asset Qualification



#### **Uses**

Purchase Money Mortgage

- Purchase/Renovation dis. The unique mortgage structure
- Rate/Term Refinance and post-purchase counseling
- Refinance & Renovation







#### Goals

## Rebuild Neighborhoods

- Help families build wealth helping revitalize helping revitalize mortgage structure
- Create safety and security post-purchase counseling





#### **Believable Banking Affordable Mortgage Product**

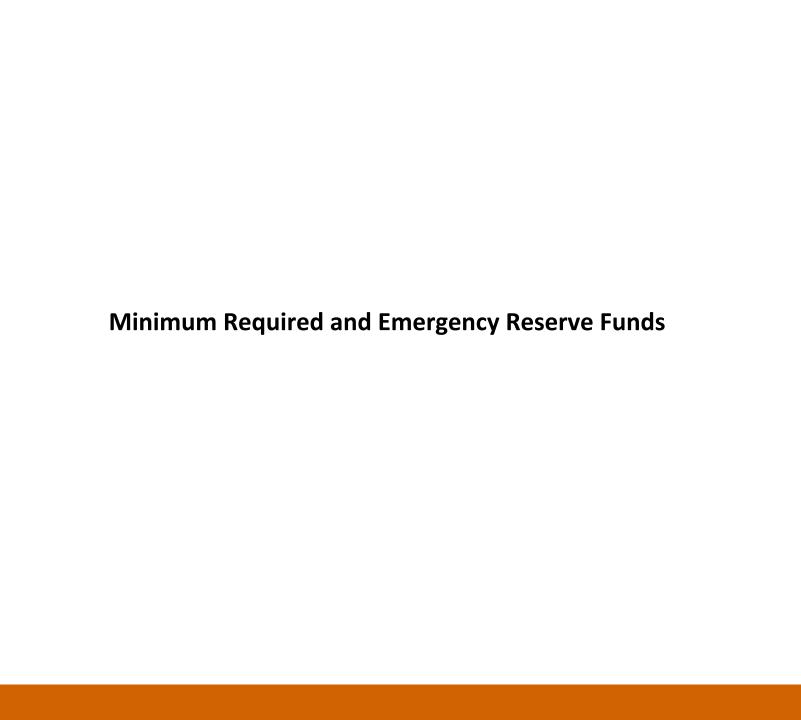
#### **Feature**s

- Up to 100% LTV
- Not Credit Score Driven
- MI not required
- \$1,000 minimum contribution from Borrower
- Condominiums are eligible
- Multiunit properties also permitted
- Applicant may not own another property at the time of BBHM closing

#### **Believable Banking Affordable Mortgage Product**

#### Features, continued

- 15- or 30-year fixed rate product
- Interest





What is Payment Shock?

#### **Reserve Requirements**

One Month reserve of PITI if the payment differential is \$0 - \$300 greater than current rent.

Two month's reserve of PITI if the payment differential is over \$300 greater than current rent

#### **Emergency Reserve Fund**

Fund established at closing with monthly payments included in escrow through year 7.

Fund can be used to assist mortgagor if mortgagor has difficulty making mortgage payments

Mortgagor must participate in pre-default counseling with housing counseling agency in order to access Emergency Reserve Fund.

#### **Payment History Qualification**

Applicants should have an on time payment history over the past 12 months

#### **Household Members**

A credit history should be determined for all household members intended to be on the mortgage.

#### **Alternative Credit**

MSB considers no credit to be good credit

#### **Alternative Credit Triggers**

- Applicant has an ITIN
- All accounts reported on the credit report are closed and high % of accounts show a late payment history
- Applicant has filed bankruptcy and has not reestablished lines of credit
- There are late payments in the past 12 months on one of the few open accounts

#### **Bankruptcy**

Not eligible for BBHM approval if one of the following has occurred:

- Abused the bankruptcy process
- Bankruptcy was for the purpose of discharging debt that was not provided on abusive terms
- Bankruptcy included a foreclosure

#### **Medical Debt**

Midland States Bank will not automatically disqualify an applicant because of medical debt.



#### **Pay Day Loans**

Applicants may not have a payday loan balance at the time of application. Any payday loan taken out after qualification will be grounds for revocation of loan approval.



### **FHA Manual Underwriting**

#### The Role of the Underwriter

#### **Duty of Care/Due Diligence**

#### **Specific Underwriter Responsibilities**

- Review appraisal reports, compliance inspections, and credit analyses to ensure reasonable conclusions, sound reports, and compliance with HUD requirements
- Determine the acceptability of the appraisal, inspections, the Borrower's capacity to repay the mortgage, and the overall acceptability of the mortgage for FHA insurance.
- Identify any inconsistencies in information obtained by the Mortgagee in the course of reviewing the Borrower's application regardless of the materiality of such information to the origination and underwriting of the mortgage
- Resolve any inconsistencies identified before approving the Borrower's application and document the inconsistencies and their resolutions of the inconsistencies in the file.

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

**Underwriting of Credit and Debt** 

Underwriter must determine creditworthiness of the borrower, which includes analyzing the borrower's overall pattern of credit behavior and the credit report.

The lack of traditional credit history or the borrower's decision not to use credit may NOT be used as the sole basis for rejecting the mortgage application

Compensating factors cannot be used to compensate for any derogatory credit

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

**Underwriting of Credit and Debt** 

Underwriter must ensure that there are no other unpaid obligations incurred in connection with the mortgage transaction or the purchase of the property

**Underwriting of Income** 

Underwriter must review income of a borrower and verify that it has been supported with the proper documentation

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

**Underwriting of assets** 

Underwriter must review the assets of a Borrower and verify that they have been supported with the proper documentation

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

#### **Calculating Qualifying Ratios**

For all transactions except non-credit qualifying Streamline Refinances, the underwriter must calculate the Borrower's total mortgage payment to Effective Income Ratio and the total fixed payment to Effective Income ratio, or DTI, and verify compliance with the ratio requirements listed in the approvable ratio requirements chart.

The Mortgagee must exclude any obligation that is wholly secured by existing assets of the Borrower from the calculation of the Borrower's debts, provided the assets securing the debt are also not considered in qualifying the borrower.

#### **Duty of Care/Due Diligence**

#### **Specific Underwriter Responsibilities**

#### **Calculating total mortgage payment**

- P&I
- Real Estate Taxes
- Hazard insurance
- Flood insurance, as applicable
- MIP
- HOA or condo association fees or expenses
- Ground rent
- Special assessments
- Payments for any acceptable secondary financing
- Any other escrow payments

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

**Estimating Real Estate Taxes** 

Mortgagee must use accurate estimates of monthly tax escrows when calculating the total mortgage payment.

#### **Condo Utility Expenses**

The portion of the condominium fee that is clearly attributable to utilities may be subtracted from the HOA fees before computing qualifying ratios, provided the Borrower provides proper documentation, such as statements from the utility company.

**Duty of Care/Due Diligence** 

**Specific Underwriter Responsibilities** 

**Temporary Interest Rate buy downs** 

The mortgagee must use the note rate when calculating P&I for Mortgages that involve a temporary interest rate buy down.

Calculating Total Fixed Payment

#### **Credit Requirements**

Mortgagee must either obtain a Tri-Merged Credit Report or a Residential
 Mortgage Credit Report from an independent consumer reporting agency.

Question: What is the difference between a Tri-Merged Credit Report and a Residential Mortgage Credit Report?

#### **Credit Report Requirements**

#### The credit report must include:

- Name of Mortgagee ordering the report
- Name, address and telephone number of the consumer-reporting agency
- Name and SSN of each borrower; and
- Primary repository from which any particular information was pulled, for each account listed
- All inquiries made within the last 90 days
- All credit and legal information not considered obsolete under the Fair Credit Reporting Act (FCRA), including information for the last seven years regarding:
- Bankruptcies
- Judgment
- Lawsuits
- Foreclosures tax liens

#### For each borrower debt listed:

- The date the account was opened;
- High credit amount
- Required monthly payment amount
- Unpaid balance
- Payment history

Updated Credit Report or Supplement to the Credit Report

#### **Credit Report Requirements**

#### **Updated Credit Report or Supplement to the Credit Report**

Mortgagee must obtain an updated credit report or supplement if the underwriter identifies inconsistencies between any information in the mortgage file and the original credit report.

Any open debt listed on the mortgage application but not referenced in the credit report must be verified using the procedures for Independent Verification of Non-Traditional Credit Providers.

#### **Credit Report Requirements**

#### **Requirements for Residential Mortgage Credit Report**

- Detailed account of Borrower's employment history;
- Verify each Borrower's current employment and income through an interview with the Borrower's employer or explain why such an interview was not completed;
- Contain a statement attesting to the certification of employment for each Borrower and the date the information was verified; and
- Report a credit history for each trade line within 90 Days of the credit report for each account with a balance

### General Credit Requirements Credit Report Requirements

#### **Non-Traditional and Insufficient Credit**

Mortgagee must obtain either a Non-Traditional Mortgage Credit Report (NTMCR) from a credit reporting company or independently develop the borrower's credit history if the Borrower does not have a credit score.

NTMCR provided by a credit reporting agency must include:

- the existence of all credit providers
- Proof that the credit was extended to the Borrower
- Creditor has a published address or telephone number
- High credit limit
- Current status of the account
- 12-month history of the account

How does one obtain a NTMCR?

#### **Credit Report Requirements**

#### **Non-Traditional and Insufficient Credit**

- Required monthly payment
- Unpaid balance
- Payment history in the delinquency categories (for example, 0x30 and 0x60)

Mortgagee may independently verify the borrower's credit references by documenting the existence of the credit provider and that the provider extended credit to the Borrower

#### **Credit Report Requirements**

#### **Sufficiency of Credit References**

A Borrower's credit history must include three Credit references, including at least one of the following:

- Rental housing payments (subject to independent verification if the Borrower is a renter)
- Telephone service
- Payments to Fingerhut
- Utility company reference (gas, electric, water, television service or internet service)

## **Types of Credit History**

### Alternative unreported recurring debt

- Insurance premiums that are not payroll deducted
- Payments to child care providers made to businesses that provide such services
- School Tuition (what does this mean)
- Retail Store credit cards
- Rent-to-own
- Payment of medical bills not covered by insurance
- A documented 12-month history of savings evidenced by regular deposits resulting in an increased balance to the account

## **Types of Credit History**

# Alternative unreported recurring debt

- An automobile lease
- A personal loan from an individual with repayment terms in writing and supported by cancelled checks to document payments
- Documented 12-month history of payment by the Borrower on an account for which the Borrower is an authorized user

## **Evaluating Credit History**

The underwriter must examine the Borrower's overall pattern of credit behavior, including history of paying previous housing and related expenses, including utilities; installment debts; and revolving accounts

## **Evaluating Credit History**

## **Definition of Satisfactory Credit:**

Borrower has made all housing and installment debt payments on time for the previous 12 months and has no more than two 30-day late mortgage payments or installment payments in the previous 24 months.

#### **General Liabilities and Debts**

Mortgagee must determine the Borrower's monthly liabilities by reviewing all debts listed on the credit report, URLA and required documentation.

All applicable monthly liabilities must be included in the qualifying ratio.

Closed-end debts do not have to included if they will be paid off within 10 months and the cumulative payments of all such debts are less than equal to 5 percent of the Borrower's gross monthly income.

Question: If the Borrower is over the 5 percent figure, what can the Borrower do to be within the guidelines?

If Borrower chooses to do this, what does the Borrower need to keep in mind?

## **Undisclosed Debt and Inquiries**

Any debts revealed during the application process that was not listed on the mortgage application and/or credit report must be verified by the mortgagee. The mortgagee must:

- Verify the actual monthly payment amount
- Include the payment amount in the agreement in the Borrower's monthly liabilities and debt
- Determine that any unsecured funds borrowed were not/will not be used for the Borrower's Minimum Required Investment
- Borrower must provide a written explanation from the Borrower for all inquiries shown on the credit report that were made in the preceding 90 days.

## **Undisclosed Debt and Inquiries**

Federal Debt

Any debt owed to the federal government for which regular payments are being made.

The Mortgagee is required to include the debt. The amount of the payment must be included in the calculation of the Borrower's DTI.

## **Alimony, Child Support and Maintenance**

For Alimony, if the Borrower's income was not reduced by the amount of the monthly alimony obligation in the Mortgagee's calculation of the Borrower's gross income, the Mortgagee must verify and include the monthly obligation in its calculation of the monthly debt.

Child Support and Maintenance are to be treated as a recurring liability and the Mortgagee must include the monthly obligation in the Borrower's liabilities and debt.

Mortgagee must obtain official signed divorce decree, separation agreement, maintenance agreement or other legal order and Mortgagee must obtain the Borrower's pay stubs covering no less than 28 consecutive days to verify whether the Borrower is subject to any order of garnishment relating to Alimony, Child Support, and/or Maintenance.

## **Alimony, Child Support and Maintenance**

The Mortgagee must calculate the Borrower's monthly obligation from the greater of:

- The amount shown on the most recent decree or agreement establishing the Borrower's payment obligation; or
- The monthly amount of the garnishment.

(Illinois is not a community property state)

## **Deferred Obligations**

Deferred Obligations refer to liabilities that have been incurred but where payment is deferred or has not yet commenced, including accounts in forbearance.

Question: Who can identify a deferred obligation a buyer might have?

## **Deferred Obligations**

## **Calculation of Monthly Obligation**

Mortgagee must use the actual monthly payment to be paid on a deferred liability, whenever available.

If actual monthly payment is not available for installment debt, the Mortgagee must utilize the terms of the debt or 5% of the outstanding balance to establish the monthly payment.

For a student loan, if the actual monthly payment is zero or not available, the Mortgagee must utilize 2 % of the outstanding balance to establish the monthly payment

### **Installment Loans**

The Mortgagee must include the monthly payment shown on the credit report, loan agreement or payment statement to calculate the Borrower's debts.

Question: If the credit report does not show a monthly payment amount, how should the Mortgagee determine the monthly payment?

## **30-Day Accounts**

The Mortgagee must use the credit report to document that the Borrower has paid the balance on the account monthly for the previous 12 months. The Mortgagee must use the credit report to document the balance, and must document that funds are available to pay off the balance, in excess of the funds and Reserves required to close the Mortgage.

### **Business Debt in Borrower's Name**

Business Debt in Borrower's Name refers to liabilities reported on the Borrower's personal credit report, but payment for the debt is attributed to the Borrower's business.

### **Business Debt in Borrower's Name**

Business debt is reported on the Borrower's personal credit report must be included in the DTI calculation unless the Mortgagee can document that the debt is being paid by the Borrower's business and the debt was considered in the cash flow analysis of the Borrower's business.

### **Disputed Derogatory Credit Accounts**

Disputed Charge Off, collection and accounts with late payments in the last 24 months.

If Borrower has \$1,000 or more collectively in Disputed Derogatory Credit Accounts, the Mortgagee must include a monthly payment in the Borrower's debt calculation.

## **Disputed Derogatory Credit Accounts**

Excluded from the cumulative balance:

- Disputed medical accounts
- Disputed derogatory credit resulting from identify theft, credit card theft or unauthorized use

(Community property issues are not included because Illinois is not a community property state)

Non-derogatory Disputed Account and Disputed Accounts Not Indicated on the Credit Report

- Disputed accounts with zero balance
- Disputed accounts with late payments aged 24 months or greater
- Disputed payments that are current and paid as agreed

If Borrower is disputing non-derogatory accounts, or is disputing accounts which are not indicated on the credit report as being disputed, the Mortgagee must analyze the effect of the disputed accounts on the Borrower's ability to repay the loan. If the dispute results in the Borrower's monthly debt payments utilized in computing the DTI ration being less than the amount indicated on the credit report, the Borrower must provide documentation of the lower payments.

## **Contingent Liabilities**

Question: What is the definition of Contingent Liabilities?

## **Contingent Liabilities**

Question: What is the definition of Contingent Liabilities?

A Contingent Liability is a liability that may result in the obligation to repay only where a specific event occurs. For example, a contingent liability exists when an individual can be held responsible for the repayment of a debt if another legally obligated party defaults on the payment. Contingent liabilities may include Cosigner liabilities and liabilities resulting from a mortgage assumption without release of liability.

The Mortgagee must include monthly payments on contingent liabilities in the calculation of the Borrower's monthly obligations unless the Mortgagee verifies that there is no possibility that the debt holder will pursue debt collection against the Borrower should the other party default or the legally obligated party has made 12 months of timely payments.

Mortgagee must obtain the agreement creating the contingent liability or assumption agreement and deed showing transfer of title out of the Borrower's name.

Cosigned Liabilities – Mortgagee must obtain documentation to evidence that the other party to the debt has made on-time payments for the previous 12 months and has no history of delinquent payments on the loan.

Court Ordered Divorce Decree – Mortgagee must obtain a copy of the divorce decree ordering the spouse to make payments

### **Collection Accounts**

If the credit reports used in the analysis show cumulative outstanding collection account balances of \$2,000 or greater, the Mortgagee must:

- Verify that the debt is paid in full at the time of or prior to settlement using an acceptable source of funds;
- Verify the Borrower has made payment arrangements with the creditor; or
- If a payment arrangement is not available, calculate the monthly payment using 5% of the outstanding balance of each collection and include the monthly payment in the Borrower's DTI ratio.

(Leaving out community property because Illinois is not a community property state)

Mortgagee must provide the following:

- Evidence of payment in full, if paid prior to settlement
- The payoff statement, if paid at settlement; or
- The payment arrangement with creditor, if not paid prior to or at settlement

No documentation required if the Mortgagee uses %5 of the outstanding balance

## **Charge Off Accounts**

What is the definition of a Charge Off account?

Charge Off Account refers to a Borrower's loan or debt that has been written off by the creditor.

Charge off accounts do not need to be included in the Borrower's liability or debt

## **Private Savings Clubs**

#### Definition

Private Savings Club refers to a non-traditional method of saving by making deposits into a member-managed resource pool.

If the Borrower is obligated to continue making ongoing contributions, under the pooled savings agreement then obligation must be included in Borrower's total debt.

## **Obligations Not Considered Debt**

- Medical collections
- Federal, state and local taxes, if not delinquent and no payments required
- Automatic deductions from savings, when not associated with another type of obligation
- FICA and other retirement contributions, such as 401 (k) accounts
- Collateralized loans secured by depository accounts
- Utilities
- Child care
- Commuting costs
- Union dues
- Insurance, other than property insurance
- Open accounts with zero balances
- Voluntary deductions, when not associated with another type of obligation

## **General Income Requirements**

Mortgagee must document the Borrower's income and employment history, verify the accuracy the amounts of income being reported and determine if the income can be considered as Effective Income in accordance with the requirements listed below.

Mortgagee may only consider income if it is legally derived and, when required, properly reported as income on the Borrower's tax returns.

Negative income must be subtracted from the Borrower's gross monthly income and not treated as a recurring monthly liability unless otherwise noted.

## **Employment Related Income**

Income that is reported on IRS Form W-2

Mortgagee must document and verify the Borrower's most recent two years of employment and income using one of the following methods:

- Obtain most recent paystubs covering a minimum of 30 consecutive days (weekly or bi-weekly, 28 days)
- A written Verification of Employment (VOE) covering two years
- An electronic verification acceptable to FHA
- Re-verification must be completed within 10 Days prior to the closing date

## **Alternative Current Employment Documentation**

### Mortgagee must:

- Obtain copies of the pay stubs covering the most recent 30 consecutive Days that show the Borrower's Y-T-D earnings
- Obtain copies of the Original IRS W-2 forms from the previous two years
- Document current employment by telephone, sign and date the verification documentation and note name, title and telephone # of person with whom employment was verified.

## **Primary Employment**

Mortgagee can use the current salary to calculate income

For employees who are paid hourly and whose hours do not vary, the mortgagee must consider the Borrower's current hourly rate to calculate Effective Income.

For employees whose hours vary, the Mortgagee must average the income over the previous two years.

## **Part-Time Employment**

Not the Borrower's primary employment and is performed for less than 40 hours per week.

Mortgagee may use part-time employment as Effective Income if the Borrower has a part-time job uninterrupted for the past two years and the current position is likely to continue.

Mortgagee must average the income over the previous two years. Mortgagee can use 12-month average if Mortgagee can document an increase in pay

### **Overtime and Bonus Income**

Mortgagee may use Overtime and Bonus Income as Effective income if the Borrower has received this income for the past two Years and it is reasonably expected to continue.

To calculate Bonus/Overtime Effective Income, Mortgagee must average the income earned over the previous two years. If the Overtime or Bonus income decreases by 20% or more from the previous year, the Mortgagee must use the Current year's income.

## **Seasonal Employment**

Mortgagee may consider Employment Income from Seasonal Employment use Overtime and Bonus Income as Effective income if the Borrower has received this income for the past two Years and it is reasonably expected to continue.

Mortgagee must average the income earned over the previous two full years to calculate Effective Income

**Employer Housing Subsidy** 

Mortgagee must verify and document existence and the amount of the housing subsidy. The subsidy may not be used to offset the mortgage payment.

## **Employed by Family-Owned Business**

Employment income earned from a business owned by the Borrower's family, but in which the Borrower is not an owner.

Mortgagee must verify and document that the Borrower is not an owner in the family-owned business by using official documents showing the ownership percentage. Mortgagee must also obtain copies of signed personal tax returns or tax transcripts.

Effective Income is calculated the same as a salaried or hourly employee.

### **Commission Income**

Commission Income refers to income that is paid contingent upon the conducting of a business transaction or the performance of a service.

Mortgagee may use commission income as Effective Income if the Borrower earned the income for at least one Year in the same or similar line of work verify and document that the Borrower is not an owner in the family-owned business by using official documents showing the ownership percentage. Mortgagee must also obtain copies of signed personal tax returns or tax transcripts.

Effective Income is calculated the same as a salaried or hourly employee.

## **Self-Employment Income**

Self-Employment Income refers to income generated by a business in which the Borrower has a 25% or greater ownership interest.

Mortgagee may consider Self-Employment Income if the Borrower has been self-employed for at least two years. If the Borrower has been self-employed between one and two years, the Mortgagee may consider the income as Effective Income if the Borrower was previously employed in the same line of work or a related occupation for at least two years

Income should be obtained from a business with stable or increasing earnings.

If income from businesses shows a greater than 20% decline in Effective Income over the analysis period, the Mortgagee must document that business income is now stable. Mortgagee can document the reduction in income was due to an extenuating circumstance, the Borrower can demonstrate the income has been stable or increasing for a minimum of 12 months, and the Borrower qualifies using the reduced income.

## **Self-Employment Income**

## **Required Documentation**

- Signed, completed Individual and Business federal tax returns for two years
- In lieu of tax returns, the Mortgagee may obtain a signed IRS Form 4506, Form 4506T or Form 8821
- YTD Profit and Loss (P&L) and balance sheet if more than a quarter has elapsed since date of most recent calendar or fiscal year-end tax return
- Business credit report for all corporations and "S" corporations

# **Self-Employment Income**

### **Calculation of Effective Income**

The Mortgagee must calculate gross Self-Employment Income by using the lesser of:

- The average gross Self-Employment Income earned over the previous two years; or
- The average gross Self-Employment Income earned over the previous one year

# Additional Required Analysis of Stability of Employment Income

Frequent Changes in Employment

If the Borrower has changed employers more than three times in the previous 12-months, Mortgagee must:

- Obtain transcripts of training and education demonstrating qualification for a new position; or
- Employment documentation evidencing continual increases in income and/ or benefits

## **Additional Required Analysis of Stability of Employment Income**

## **Addressing Gaps in Employment**

For Borrowers with a six month or longer gap of employment, the Mortgagee may consider the Borrower's current income as effective Income if it can verify and document that:

- The Borrower has been employed in the current job for at lease six months at the time of case number assignment; and
- A two year work history prior to the absence from employment using standard or alternative employment verification

# **Additional Required Analysis of Stability of Employment Income**

## **Addressing Temporary Reduction in Income**

For Borrowers with a temporary reduction of income due to a short-term disability or similar temporary leave, the Mortgagee may consider the Borrower's current income as Effective Income, if it can verify and document that:

- The Borrower intends to return to work;
- The Borrower has the right to return to work; and
- The Borrower qualifies for the Mortgage taking into account any reduction of income due to the circumstance

For Borrowers returning to work before or at the time of the first mortgage payment due date, the Mortgagee may use the Borrower's pre-leave income

# Additional Required Analysis of Stability of Employment Income

# **Addressing Temporary Reduction in Income**

For Borrowers returning to work after the time of the first mortgage payment due date, the Mortgagee may use the Borrower's current income plus available surplus liquid asset Reserves, above and beyond any required reserves, as an income supplement up to the amount of the Borrower's pre-leave income. The amount of the monthly income supplement is the total amount of surplus reserves divided by the number of months between the first payment due date and the Borrower's intended due date to return to work.

#### **Required Documentation**

- A written statement from the Borrower confirming the Borrower's intent to return to work and the intended date of return;
- Documentation generated by current employer confirming the Borrower's eligibility to return to current employer after temporary leave; and
- Documentation of sufficient liquid assets used to supplement the Borrower's income through intended date of return to work with current employer.

#### **Other Sources of Effective Income**

## **Disability Benefits**

Benefits received from the Social Security Administration, Veterans Affairs or a private disability provider.

Mortgagee must verify and document the Borrower's receipt of benefits from the SSA, VA or private disability insurance provider. Mortgagee must obtain documentation that established award benefits to the Borrower.

For SSA, obtain a copy of the last Notice of Award and one of the following:

- Federal tax return
- The most recent bank statement evidencing receipt of income from the SSA
- Proof of Income or "Budget" letter
- Copy of the Borrower's form SSA-1099/1042S

**Other Sources of Effective Income** 

**Disability Benefits** 

**VA Disability** 

For VA, obtain a copy of the Veteran's last benefits letter and one of the following:

- Federal tax returns
- The most recent bank statement evidencing receipt of income from the VA

### **Other Sources of Effective Income**

## **Disability Benefits**

Benefits received from the Social Security Administration, Veterans Affairs or a private disability provider.

For private disability benefits, obtain documentation from the private disability insurance provider showing the amount of the assistance and the expiration of benefits, if any, and one of the following:

- Federal tax return
- The most recent bank statement evidencing receipt of income from the insurance provider

**Other Sources of Effective Income** 

Alimony, Child Support and Maintenance Income

Required Documentation

Mortgagee must obtain a fully executed copy of the Borrower's final divorce decree, legal separation agreement, court order, or voluntary payment agreement with documented receipt.

#### Other Sources of Effective Income

### Military Income

- Base pay
- Basic allowance for housing
- Clothing allowances
- Flight or hazard pay
- Basic allowance for subsistence
- Proficiency pay

#### **Education benefits may not be used as Effective Income**

**Required Documentation** 

Mortgagee must obtain a copy of the Borrower's military Leave and Earnings Statement (LES). Mortgagee must verify the expiration term of service date on the LES. If the expiration dates is within the first 12 months of the mortgage, Military Income may only be used if the Borrower represents their intent to continue military service

#### **Other Sources of Effective Income**

### **Mortgage Credit Certificates**

Mortgage Credit Certificates refer to government mortgage payment subsidies other than Section 8.

Mortgagee must verify and document that the Governmental Entity subsidizes the Borrower's mortgage payments either through direct payments or tax rebates.

MCC income that is not used to directly offset the mortgage payment before calculating the qualifying ratios may be included as Effective Income. Current subsidy rate must be used.

#### Other Sources of Effective Income

### **Section 8 Homeownership Vouchers**

**Required Documentation** 

Mortgagee must verify and document the Borrower's receipt of the housing choice voucher subsidy. The mortgagee may consider that this income is reasonably likely to continue for three years.

Section 8 subsidy can only be used as Effective Income if it is not used to offset the monthly mortgage payment. The Mortgagee must use the current subsidy rate to calculate the Effective Income.

### **Other Sources of Effective Income**

#### **Other Public Assistance**

**Required Documentation** 

Mortgagee must verify and document the income received from the government agency. Public assistance cannot be used as Effective Income if subsidy is due to expire within three years of the date on the Mortgage application.

If the documentation does not have an expiration date, the Mortgagee may consider the income effective and reasonably likely to continue.

### **Other Sources of Effective Income**

### **Automobile Allowances**

**Required Documentation** 

Mortgagee must verify and document the automobile allowance received from the employer for the last two years

Mortgagee must also obtain IRS Form 2106, Employee Business Expenses, for the last two years

#### Other Sources of Effective Income

Mortgagee must determine the portion of the allowance that can be considered Effective Income.

#### **Retirement Income**

**Social Security** 

Mortgagee must verify and document the Borrower's receipt of income and that is is likely to continue for a three Year period from the date of the case number assignment

#### Other Sources of Effective Income

Required Documentation

Obtain any one of the following:

- federal tax returns
- Most recent bank statement evidencing receipt of income from the SSA
- Proof of Income letter
- Copy of Borrower's SSA Form-1099/1042S, Social Security Benefit Statement

In addition to VOI, Mortgagee must document the continuance of this income by obtaining from the Borrower:

- A copy of the Notice of Award Letter
- Equivalent documentation that established awards benefited to the Borrower.
   Any income from the SSA set to expire within three years may not be used as Effective Income

### **Other Sources of Effective Income**

#### **Pension**

Mortgagee must verify and document the Borrowers receipt of periodic payments from the Borrower's pension and that the payments are likely to continue for at least three years.

Mortgagee must also obtain one of the following:

- Federal tax returns
- The most recent bank statement evidencing receipt of income from the former employer
- A copy of the Borrower's pension/retirement letter from the former employer

#### Other Sources of Effective Income

# Individual Retirement Account and 401(k)

Mortgagee must verify and document the Borrowers receipt of recurring payments from the Borrower's IRA/401k distribution and that the payments are likely to continue for at least three years.

Mortgagee must also obtain the most recent IRA/401(k) statement and one of the following:

- Federal tax returns
- The most recent bank statement evidencing receipt of income

### **Other Sources of Effective Income**

#### **Rental Income**

# **Rental Income Received from the Subject Property**

The Mortgagee may consider Rental Income from existing and prospective tenants if documented in accordance with the following requirements

Rental Income from the subject Property may be considered Effective Income when the Property is a two- to four-unit dwelling, or an acceptable one- to four-unit Investment property.

#### Other Sources of Effective Income

### Rental Income, continued

Rental Income from the subject Property may be considered Effective Income when the Property is a two- to four-unit dwelling, or an acceptable one- to four-unit Investment property.

Required Documentation

Limited or No History of Rental Income

Two to Four Units

Mortgagee must verify and document the proposed Rental Income by obtaining an appraisal showing fair market rent (use Fannie Mae Form 1025/Freddie Mac Form 72) and the prospective leases, if available

### **Other Sources of Effective Income**

Rental Income, continued

One Unit

The Mortgagee must verify and document the proposed rental income by obtaining a FNMA 1004/FHLMC 70, Uniform Residential Appraisal Report, FNMA 1007/FHLMC

#### **Other Sources of Effective Income**

### Rental Income, continued

One Unit

The Mortgagee must verify and document the proposed rental income by obtaining a FNMA 1004/FHLMC 70, Uniform Residential Appraisal Report, FNMA 1007/FHLMC 1000, Single Family Comparable Rent Schedule and FNMA 216/FHLMC 998, Operating Income Statement, showing fair market rent and, if available, the prospective lease.

# History of Rental Income

If Borrower has a history of Rental Income from the subject property since the previous tax filing, the Mortgagee must verify and document the existing rental income by obtaining the existing lease, rental history over the previous 24 months that is free of unexplained gaps greater than three months and the Borrower's most recent tax returns, including Schedule E, from the previous two years.

#### Other Sources of Effective Income

Rental Income, continued

**Calculation of Effective Income** 

# **Limited of No History of Rental Income**

Mortgagee must use the lesser of:

- The monthly operating income reported on FHLMC 998;
  - or
- 75% percent of the lesser of:
- Fair market rent reported by the appraiser
- The rent reflected in the lease or other agreement

### **Other Sources of Effective Income**

Rental Income, continued

History of Rental Income

Mortgagee must calculate the Rental Income by averaging the amount shown on the Schedule E

#### **Other Sources of Effective Income**

# **Rental Income from Other Estate Holdings**

If rental income is being derived from the property that is being vacated by the Borrower, the Borrower must be relocating to an area more than 100 miles from the Borrower's current Principal Residence. The Mortgagee must obtain a lease agreement of at least one year after the mortgage is closed and evidence of the payment of the security department or first month's rent.

### **Limited or No History of Rental Income**

Mortgagee must obtain an appraisal evidencing market rent and that the Borrower has at least 25% equity in the property.

#### **Two- to Four-Units**

Mortgagee must verify and document the proposed Rental Income by obtaining an appraisal showing fair market rent (use FNMA 1025/FHLMC72, Small Residential Income Property Appraisal Report) and the prospective leases if available.

#### **Other Sources of Effective Income**

# Rental Income from Other Estate Holdings, continued

#### **One Unit**

Mortgagee must verify and document the proposed rental income by obtaining a FNMA 1004/FHLMC 70, Uniform Residential Appraisal Report, FNMA 1007/FHLMC 1000, single family comparable Rent Schedule and FNMA 216/FHLMC 998, Operating Income Statement, showing fair market rent and, if available the prospective lease.

### **History of Rental Income**

The Mortgagee must obtain the Borrower's last two years of tax returns with schedule E.

#### Other Sources of Effective Income

### **Boarders of the Subject Property**

Rental income from boarders is only acceptable if the Borrower has a two year history of receiving income from boarders that is shown on the tax return and the Borrower is currently receiving Boarder income.

#### **Investment Income**

## **Capital Gains and Losses**

**Expected Income** 

Expected Income refers to income from cost-of-living adjustments, perfomance raises, a new job, or retirement that has not been, but will be received within 60 days of mortgage closing.

Mortgagee may consider Expected Income as Effective Income except when Expected Income is to be derived from a family-owned business

#### Other Sources of Effective Income

Mortgagee must verify and document the existence and amount of Expected Income with the employer in writing and that it is guaranteed to begin within 60 days of mortgage closing. Retirement income should verified and assured to start within 60 days of the mortgage closing.

#### **Trust Accounts**

#### **Annuities or Similar**

Mortgagee must verify and document the legal agreement establishing the annuity and guaranteeing the continuation of the annuity for the first three years of the Mortgage. Mortgagee must obtain a bank statement or transaction history that documents the frequency, duration and amount of the distribution.

#### **Notes Receivable**

#### Other Sources of Effective Income

#### Non-Taxable Income

- Some portion of SSA income
- Some federal government retirement income
- Railroad retirement benefits
- Some state government retirement income
- Certain types of disability and public assistance payments
- Child support
- Military allowances
- Other income that is documented as being exempt from federal income taxes

Required Documentation

Calculation of Effective Income

### **General Asset Requirements**

## **Earnest Money Deposit**

Mortgagee must verify and document the amount and source of funds if the amount of the earnest money deposit exceeds 1% of the sales price or is excessive based on the Borrower's history of accumulating savings, by obtaining the following:

- A copy of the Borrower's cancelled check;
- Certification from the deposit-holder acknowledging receipt of fund; or
- VOD or bank statement that the average balance was sufficient to cover the amount of earnest money deposit at the time of the deposit

## **General Asset Requirements**

If the source of the earnest money was a gift, the Mortgagee must verify that the gift is in compliance with Gifts policies.

#### **Cash to Close**

Mortgagee must document all funds that are used for the purpose of qualifying for a closing or mortgage, including those to satisfy debt or pay costs outside of closing.

Mortgagee must verify and document that the Borrower has sufficient funds from an acceptable source to facilitate closing.

# **General Asset Requirements**

# **Determining the amount needed for closing**

#### Reserves

Mortgagee must verify and document Reserves equivalent to one month's PITI after closing for one- to two-unit properties

Mortgagee must verify and document Reserves equivalent to three month's PITI after closing for three- to four-unit properties.

## **General Asset Requirements**

# Source Requirements for the Borrower's Minimum Required Investment

Mortgagee may only permit the Borrower's MRI to be provided by a source permissible under section 203 (b)(9) of the National Housing Act, which requires at least 3.5% of the adjusted value of the property.

Funds for the MRI must NOT come from:

- The Seller of the property
- Any other person or entity who financially benefits from the transaction directly or indirectly;
- Anyone who is or will be reimbursed, directly or indirectly, by any party included in (1) or (2) above.

### **General Asset Requirements**

# Source Requirements for the Borrower's Minimum Required Investment

What is the exception to the above?

When the MRI is provided by someone other than the Borrower, the Mortgagee must document the nature and source of those funds.

What can the Mortgagee use to document the provision of wired funds?

# **General Asset Requirements**

# **Checking and Savings Accounts**

Mortgagee must verify and document the existence of and amounts in the Borrower's checking and savings accounts.

**Required Documentation** 

VOD and the Borrower's most recent statement for each account. If VOD is not obtained, a statement showing the previous month's ending balance for the most recent month is required. If the previous month's balance is not shown, the mortgagee must obtain statements(s) for the most recent two months.

### **General Asset Requirements**

#### **Cash on Hand**

Mortgagee must verify that the Borrower's Cash on Hand is deposited in a financial institution or held by the escrow/title company.

**Required Documentation** 

Mortgagee must obtain an explanation from the Borrower describing how the funds were accumulated and the amount of time it took to accumulate the funds.

# **General Asset Requirements**

#### **Retirement Accounts**

Mortgagee may include up to 60% of the value of assets, less any existing loans, from the Borrower's retirement accounts, such as IRAs, thrift savings plans, 401 (k) plan and Keogh accounts, unless the Borrower provides conclusive evidence that a higher percentage may be withdrawn after subtracting any federal income tax and withdrawal penalties.

### Required Documentation

Mortgagee must obtain the most recent monthly or quarterly statement to verify and document the existence and amounts in the Borrower's retirement accounts, the Borrower's eligibility for withdrawals, and the terms and conditions fro withdrawal from any retirement account.

## **General Asset Requirements**

#### **Stocks and Bonds**

Mortgagee must determine the value of the stocks and bonds from the most recent monthly or quarterly statement. If stocks and bonds are not held in a brokerage account, the current value of the stocks and bonds must be determined through third party verification. Savings Bonds

# Required Documentation

Mortgagee must verify and document the existence of the Borrower's stocks and bonds by obtaining the brokerage statement(s) for each account for the most recent two months. For stocks and bonds not held in a brokerage account, Mortgagee must obtain a copy of each stock or bond certificate.

# **General Asset Requirements**

# **Private Savings Clubs**

Mortgagee may consider Private Savings Club funds that are distributed to and received by the Borrower as an acceptable source of funds. Mortgagee must verify and document the establishment and duration of the club and the Borrower's receipt of funds from the club.

**Required Documentation** 

Mortgagee must obtain the club's account ledgers and receipts, and a verification from the club treasurer that the club is still active.

## **General Asset Requirements**

## **Gifts (Personal and Equity)**

Acceptable sources of Gifts funds

- Borrower's Family member
- Borrower's employer or labor union
- A close friend with a clearly defined and documented interest in the Borrower
- A charitable organization
- A governmental agency or public entity that has a program providing homeownership assistance to low- or moderate-income families or first-time homebuyers.

## **General Asset Requirements**

#### Reserves

Surplus gift funds may not be considered as cash reserves

**Donor's Source of Funds** 

Cash on Hand is not an acceptable source of donor gift funds

**Required Documentation** 

Mortgagee must obtain a gift letter signed and dated by the donor and Borrower that includes the following:

Donor's name, address and telephone number

### **General Asset Requirements**

## Gifts (Personal and Equity), continued

- The donor's relationship to the borrower
- The dollar amount of the gift
- A statement that no repayment is required

**Documenting the Transfer of Gifts** 

If the gift funds have been verified in the Borrower's account, obtain the Borrower's bank statement showing the withdrawal and evidence of the deposit in the Borrower's account.

If the gift funds are not verified in the Borrower's account, obtain the certified check or money order or cashier's check or wire transfer or other official check, and a bank statement showing withdrawal from the donor's account.

If the gift funds are paid directly to the Settlement agent, the Mortgagee must verify that the settlement agent received the funds from the donor for the amount of the gift, and that the funds were from an acceptable source.

### **General Asset Requirements**

### **Standards for Gifts for Equity**

Who may provide Gifts of Equity

Only Family members may provide equity credit as a gift on property being sold to other family members.

**Required Documentation** 

A gift letter which includes the following:

- Donor's name address and telephone
- Donor's relationship to the Borrower
- The dollar amount of the gift
- A statement that no repayment is required

### **General Asset Requirements**

## **Interested Party Contributions**

Sellers, real estate agents, builders, developers or other parties with an interest in the transaction

Interested parties may contribute up to 6% of the sales price towards the Borrower's origination fees, other closing costs and discount points.

#### Also includes:

- Interested Party payment for permanent and temporary interest rate buy downs and other payment supplements
- Payments of mortgage interest for fixed rate mortgages
- Mortgage payment protection insurance
- Payment of the UFMIP

## **General Asset Requirements**

## **Interested Party Contributions, continued**

Interested party contributions above 6% are considered an inducement to purchase.

Payment of real estate commissions or fees, typically paid by the Seller under local or state law or local custom, is not considered an interested party contribution.

Required Documentation

Mortgagee must document the total interested party contributions on form HUD-92900-LT, closing disclosure or similar legal document, and the sales contract.

### **General Asset Requirements**

#### **Inducements to Purchase**

Inducements to purchase refer to certain expenses paid by the seller and/or another interested party on behalf of the Borrower and result in a dollar-for-dollar reduction to the purchase price when computing the Adjusted Value of the Property before applying the appropriate LTV percentage

Inducements include, but are not limited to:

- Contributions exceeding 6% of the purchase price
- Contributions exceeding the origination fees, other closing costs and discount points
- Decorating allowances
- Repair allowances
- Excess rent credit
- Paying off consumer debt
- Personal property
- Sales commission on the Borrower's present residence
- Below market rent except for Borrowers who meet the Identity of Interest exception for Family Members

### **General Asset Requirements**

### Inducements to Purchase, continued

Replacement of existing personal property items listed below are not considered an inducement, provided the replacement is made prior to closing and no cash allowance is given to the Borrower.

### Personal Property

- Range
- Refrigerator
- Dishwasher
- Washer
- Dryer
- Carpeting
- window treatment
- Other items determined appropriate by HOC

## **General Asset Requirements**

### Inducements to Purchase, continued

### **Sales Commission**

An inducement to purchase exists when the seller and/or interested party agrees to pay any portion of the Borrower's sale commission on the sale of the Borrower's present residence.

An inducement also exists when a Borrower is not paying a real estate commission on the sale of their present residence and the same real estate broker or agent is involved with both transactions and the Seller is paying a real estate commission that exceeds what is typical for the area.

**General Asset Requirements** 

Inducements to Purchase, continued

**Rent Below Fair Market** 

Rent may be an inducement to purchase when the sales agreement reveals that the Borrower has been living in the Property rent free of has an agreement to occupy the property at a rental amount considerably below fair market rent.

When might a below market payment not be considered an inducement to purchase?

## **General Asset Requirements**

Inducements to Purchase, continued

### **Down payment Assistance Programs**

Nonprofit entities may not provide gifts to pay off:

- Installment loans
- Credit cards
- Collections
- Judgments
- Liens
- Similar debts

Mortgagee must ensure that gift provided by a charitable organization meets its appropriate FHA requirements, and the transfer of funds is properly documented.

### **General Asset Requirements**

### Inducements to Purchase, continued

Secondary Financing

Secondary financing provided by governmental entities and HOPE grantees

FHA will insure mortgage provided:

- Secondary financing disclosed at the time of application
- No costs associated with the secondary financing are financed into the FHA-insured mortgage
- The insured first mortgage does not exceed the FHA nationwide Mortgage Limit for the area in which the property is located
- The secondary financing payments are included in the total mortgage payments

**General Asset Requirements** 

Inducements to Purchase, continued

- Any secondary financing of the Borrower's MRI fully complies with the additional requirements set forth in source requirements for the Borrower's MRI
- The secondary financing does not result in cash back to the Borrower except for the refund of Earnest money deposit or other Borrower costs paid outside of closing
- The second lien does not provide a balloon payment within 10 years from the date of execution

## **General Asset Requirements**

### Inducements to Purchase, continued

### **Required Documentation**

- Documentation showing the amount of funds provided to the Borrower for each transaction
- Copies of the loan instruments
- A letter from the governmental entity on their letterhead evidencing the relationship between them and

### **General Asset Requirements**

### Inducements to Purchase, continued

### **Secondary Financing provided by HUD-Approved Nonprofits**

A HUD-Approved Nonprofit is an agency approved by HUD to act as a mortgagor using FHA mortgage insurance, purchase the Department's REO properties at a discount, and provide secondary financing.

FHA will insure first mortgage on a property that has a second mortgage or lien held by a HUD-approved nonprofit provided that:

- The secondary financing is disclosed at the time of application
- No costs associated with the secondary financing are financed into the FHA-insured first mortgage
- The secondary financing payments must be included in the total mortgage payment
- The secondary financing must not result in cash back to the Borrower except for the refund of earnest money deposit or other Borrower costs paid outside of closing
- The secondary financing may not be used to meet the Borrower's MRI

## **General Asset Requirements**

### Inducements to Purchase, continued

# **Secondary Financing provided by HUD-Approved Nonprofits**

- There is no maximum CLTV for secondary financing loans provided by HUD-Approved nonprofits
- The second lien may not provide for a balloon payment within 10 years from the date of execution

Required documentation

Mortgagee must obtain from the provider of any secondary financing:

- Documentation showing the amount of funds provided to the Borrower for each transaction
- Copies of the loan instruments

**General Asset Requirements** 

Inducements to Purchase, continued

**Family Members** 

**Required Documentation** 

Mortgagee must obtain from the provider of any secondary financing:

- Documentation showing the amount of funds provided to the Borrower and the source of funds
- Copies of the loan instruments

**General Asset Requirements** 

Inducements to Purchase, continued

**Private Individuals and Other Organizations** 

**Required Documentation** 

- Documentation showing the amount of funds provided to the Borrower for each transaction; and
- Copies of the loan instruments

### **General Asset Requirements**

#### Loans

A loan refers to an arrangement in which a lender gives money or property to a borrower and the borrower agrees to return the property or repay the money.

#### **Collateralized Loans**

Loans secured against deposited funds, where repayment may be obtained through extinguishing the asset, do not require consideration of repayment for qualifying purposes. The Mortgagee must reduce the amount of the corresponding asset by the amount of the collateralized loan.

Only an independent third party may provide the borrowed funds for collateralized loans. Seller, real estate agent or broker, lender or other interested party may not provide such funds.

### **General Asset Requirements**

#### Loans

## Unacceptable borrowed funds include

- Unsecured signature loans
- Cash advances on credit cards
- Borrowing against household goods/furniture
- Other similar unsecured financing

Any loan of the Borrowers MRI must also comply with the additional requirements discussed in Source Requirements for the Borrower's MRI

### **Required Documentation**

The Mortgagee must verify and document the existence of the Borrower's assets used to collateralize the loan, the promissory note securing the asset, and the loan proceeds.

**General Asset Requirements** 

Loans

**Retirement Account Loans** 

**Required Documentation** 

The Mortgagee must verify and document the existence and amounts in the Borrower's retirement accounts and outstanding loan balance.

## **General Asset Requirements**

### Loans, Continued

#### **Disaster Relief Loans**

Loans from a governmental entity that provide immediate housing assistance to individuals displaced due to natural disaster.

Secured or unsecured disaster relief loans administered by the small business administration may also be used. SBA loan must subordinate to FHA loan if subject property used to secure loan.

Monthly payment?

**Required Documentation** 

The Mortgagee must verify and document the promissory note

### **General Asset Requirements**

#### **Grants**

#### **Disaster Relief Grants**

Disaster relief grants may be used for the Borrower's MRI.

**Required Documentation** 

Mortgagee must verify and document the Borrower's receipt of the grant and terms of use.

Federal Home Loan Bank Homeownership Set-Aside Grant Program (AHP)

AHP set-aside funds used for the Borrower's MRI must comply with the source requirements for the Borrower's MRI.

## **General Asset Requirements**

#### **Grants**

#### **Disaster Relief Grants**

Disaster relief grants may be used for the Borrower's MRI.

**Required Documentation** 

Mortgagee must verify and document the Borrower's receipt of the grant and terms of use.

### **General Asset Requirements**

#### **Grants**

## Federal Home Loan Bank Homeownership Set-Aside Grant Program (AHP)

AHP set-aside funds used for the Borrower's MRI must comply with the source requirements for the Borrower's MRI.

**Required Documentation** 

Mortgagee must verify and document the Borrower's receipt of the grant and terms of use.

Mortgagee must verify and document that the retention agreement required by the FHLB is recorded against the property and results in a deed restriction, and not a second lien.

# **General Asset Requirements**

**Employer Assistance** 

Sale of Personal Property

Trade-In of Manufactured Housing

Sale of Real Property

Real Estate Commission from the sale of a subject property

**Sweat Equity** 

**Trade Equity**