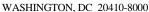
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT





Date: April 1, 2020

Mortgagee Letter 2020-06

To: All FHA-Approved Mortgagees

All Direct Endorsement Underwriters

All FHA Roster Appraisers

All FHA-Approved 203(k) Consultants All HUD-Approved Housing Counselors All HUD-Approved Nonprofit Organizations

All Governmental Entity Participants

All Real Estate Brokers All Closing Agents

Subject

FHA's Loss Mitigation Options for Single Family Borrowers Affected by the Presidentially-Declared COVID-19 National Emergency in Accordance with the CARES Act

Purpose

The purpose of this Mortgagee Letter (ML) is to inform mortgagees of special Loss Mitigation Home Retention Options available to Single Family borrowers, as well as an extension period for Home Equity Conversion Mortgages (HECM), affected by the COVID-19 Presidentially-Declared National Emergency in accordance with the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). Furthermore, this ML supersedes FHA's Presidentially-Declared Major Disaster Areas (PDMDA) guidance listed in SF Handbook 4000.1 for Borrowers impacted by the COVID-19 National Emergency.

Effective Date

The exclusion of the COVID-19 National Emergency from FHA's PDMDA guidance in Handbook 4000.1 is effective immediately. For Mortgagees that have begun using FHA's PDMDA Loss Mitigation Options, i.e. Forbearance and Standalone Partial Claims (III.A.3.c), they must convert those options to the COVID-19 National Emergency Loss Mitigation Options listed in this ML.

The sections entitled Forbearance for Borrowers Affected by the COVID-19 National Emergency and Extension Period for Home Equity Conversion Mortgages Affected by the COVID-19 National Emergency are effective immediately.

The Mortgagees must implement all other procedures set forth in this ML no later than April 30, 2020, but may begin using the new procedures immediately.

Mortgagees may approve the initial COVID-19 Forward Forbearance or HECM Extension Period no later than October 30, 2020.

Public Feedback

HUD welcomes feedback from interested parties for a period of 30 calendar days from the date of issuance. To provide feedback on this policy document, please send feedback to the FHA Resource Center at answers@hud.gov. HUD will consider the feedback in determining the need for future updates.

Affected Programs

This guidance applies to all FHA Title II Single Family mortgage programs.

Affected Topics

This ML will add Handbook 4000.1, Section III.A.3.d Presidentially-Declared COVID-19 National Emergency guidance. This ML also excludes PDMDAs declared as a result of COVID-19 from being covered by the Presidentially-Declared Major Disaster Areas guidance in Handbook 4000.1 Section III.A.3.c. for Borrowers affected by the COVID-19 National Emergency.

This ML will extend deadlines found in:

- Mortgagee Letter 2015-10, Home Equity Conversion Mortgage (HECM) Due and Payable Policies
- Mortgagee Letter 2015-11, Loss Mitigation Guidance for Home Equity Conversion Mortgages (HECMs) in Default due to Unpaid Property Charges
- 24 C.F.R. §206.125, Acquisition and Sale of Properties and §206.205, Property Charges

Background

HUD is working to provide mortgagees and borrowers with additional Loss Mitigation Home Retention Options due to the COVID-19 National Emergency, and to clarify requirements around these options and to fully implement the CARES Act. HUD anticipates that financial impacts of COVID-19 on many borrowers will include a combination of wage reductions, job losses or interruptions, and the inability to work for a variety of reasons, such as a lack of telework options or lack of child care — on top of potential impacts of contracting COVID-19. To alleviate concerns and burdens, as well as relieve additional stress and uncertainty on borrowers and mortgagees impacted by the COVID-19 National Emergency, the U.S. federal

government is putting forward a number of policies and programs. The Loss Mitigation Options put forward in this ML are part of this broader effort.

Summary of Changes

Changes to HUD's Loss Mitigation Options for Borrowers Affected by the COVID-19 National Emergency include:

- Forbearance for Borrowers Affected by the COVID-19 National Emergency
- COVID-19 National Emergency Standalone Partial Claim
- Exclusion of Borrowers impacted solely by the COVID-19 National Emergency from FHA's PDMDA Guidance in Handbook 4000.1 for the purposes of this National Emergency
- Extension Period for Home Equity Conversion Mortgages Affected by the COVID-19 National Emergency

HUD Single Family Housing Policy Handbook 4000.1 The above-mentioned policy changes will be incorporated into Handbook 4000.1 as appears below.

Programs and Products (III.A.3.)

d. Presidentially-Declared COVID-19 National Emergency

Presidentially-Declared COVID-19 National Emergency Servicing and Loss Mitigation Program

Loss Mitigation for Borrowers Affected by the COVID-19 National Emergency

The Mortgagee must not deny COVID-19 National Emergency Home Retention Options to Borrowers that experience an adverse impact on their ability to make on-time Mortgage Payments due to the COVID-19 National Emergency and satisfy the loss mitigation criteria set forth in this section.

(A) Forbearance for Borrowers Affected by the COVID-19 National Emergency

If a Borrower is experiencing a financial hardship negatively impacting their ability to make on-time Mortgage Payments due to the COVID-19 National Emergency and makes a request for a forbearance, the Mortgagee must offer the Borrower a forbearance, which allows for one or more periods of reduced or suspended payments without specific terms of repayment.

The Mortgagee may utilize any available methods for communicating with a Borrower regarding a forbearance to meet these requirements. Acceptable methods of communication regarding a forbearance include, but are not limited to, emails, texts, fax, teleconferencing, websites, or sending out a general communication advising Borrowers

that forbearance is granted provided the Borrower emails a request or calls their Servicer.

The initial forbearance period may be up to 6 months. If needed, an additional forbearance period of up to 6 months may be requested by the Borrower and must be approved by the Mortgagee.

The term of either the initial or the extended forbearance may be shortened at the Borrower's request.

The Mortgagee must waive all Late Charges, fees, and penalties, if any, as long as the Borrower is on a Forbearance Plan.

(B) COVID-19 National Emergency Standalone Partial Claim

For any Owner-Occupant Borrower who receives a *Forbearance for Borrowers Affected by the COVID-19 National Emergency*, the Mortgagee must evaluate the Borrower for the COVID-19 National Emergency Standalone Partial Claim no later than the end of the forbearance period(s).

(1) Eligibility for COVID-19 National Emergency Standalone Partial Claim

The Mortgagee must ensure the following eligibility requirements are met:

- The Mortgage was current or less than 30 Days past due as of March 1, 2020.
- The Borrower indicates they have the ability to resume making on-time mortgage payments.
- The Property is owner-occupied.

(2) Terms of the COVID-19 National Emergency Standalone Partial Claim

The Mortgagee must ensure that:

- the Borrower's accumulated late fees are waived; and
- the COVID-19 National Emergency Standalone Partial Claim amount includes only arrearages, which consists of Principal, Interest, Taxes, and Insurance; and
- the COVID-19 National Emergency Standalone Partial Claim does not exceed the maximum statutory value of all Partial Claims for an FHA-insured Mortgage, as listed in Statutory Maximum for Partial Claims (III.A.2.k.v(D)(2)(a)); and
- the Borrower(s) receives only <u>one</u> COVID-19 National Emergency Standalone Partial Claim.

(3) Required Documentation for COVID-19 National Emergency Standalone Partial Claim

The Mortgagee must submit all required documentation for Partial Claims as listed under Delivery of Partial Claim Documents (III.A.2.k.v(J)(6)).

The Mortgagee is automatically granted a 90-day extension to the 6-month deadline for the recorded mortgage.

If a Mortgagee experiences additional delays out of their control, including past the automatic 90-day extension for the recorded mortgage, that impact delivery of the Partial Claim documents, Mortgagees may file requests for an additional extension in accordance with Requests for Extensions of Time for Delivery of Partial Claim Documents (III.A.2.k.v(J)(7)).

(C) Single Family Default Monitoring System (SFDMS) Reporting Requirements for Borrowers Affected by the COVID19 National Emergency in Loss Mitigation

Servicers must report the Default/Delinquency Reason Codes that apply to the Borrower at the end of each reporting cycle and must update the code as the Borrower's circumstances change.

(D) Required Financial Evaluation for other Loss Mitigation Home Retention Options

The Mortgagee must evaluate any Borrower not brought current through a "COVID-19 National Emergency Standalone Partial Claim" Option for other Loss Mitigation Home Retention Options (III.A.2.k) and Home Disposition Options (III.A.2.l).

Borrowers who are Delinquent due to a forbearance received following a COVID-19 National Emergency Declaration are deemed to satisfy the eligibility requirements for FHA Loss Mitigation Home Retention and Home Disposition Options.

(E) Terms of the Mortgage are Unaffected

Nothing in this Mortgagee Letter confers any right to a Borrower to any loss mitigation or any other action by HUD or the Mortgagee. Further, nothing in this Mortgagee Letter interferes with any right of the Mortgagee to enforce its private contractual rights under the terms of the Mortgage. All private contractual rights and obligations remain unaffected by anything in this Mortgagee Letter. Where a Mortgagee chooses to enforce its contractual rights after expiration of COVID-19

National Emergency forbearance, the standard time frames to initiate foreclosure and reasonable diligence in prosecuting foreclosure following expiration of a foreclosure moratorium will apply.

(F) Reporting to Consumer Reporting Agencies of Borrowers Impacted by COVID-19 National Emergency

Any Borrower who is granted a "Forbearance for Borrowers Affected by the COVID-19 National Emergency" and is otherwise performing as agreed is not considered to be delinquent for purposes of credit reporting.

FHA requires Servicers to comply with the credit reporting requirements of the Fair Credit Reporting Act (FCRA); however, FHA encourages Servicers to consider the impacts of the COVID-19 National Emergency on Borrowers' financial situations and any flexibilities a Servicer may have under the FCRA when taking any negative credit reporting actions.

(G) Exclusion of COVID-19 from FHA's Presidentially-Declared Major Disaster Areas (PDMDA) (III.A.3.c) Guidance in Handbook 4000.1

For Borrowers impacted by the COVID-19 National Emergency and whose Mortgaged Property is located in a COVID-19 PDMDA, the policy in this ML applies in lieu of FHA's PDMDA guidance listed in Presidentially-Declared Major Disaster Areas (III.A.3.c), for the purposes of this National Emergency only.

For Mortgagees that have begun using FHA's PDMDA Loss Mitigation Options (III.A.3.c), they must convert to the COVID-19 National Emergency Loss Mitigation Options listed in this ML.

Extension
Period for
HECMs
Affected by the
PresidentiallyDeclared
COVID-19
National
Emergency

Extension Period for Home Equity Conversion Mortgages Affected by the COVID-19 National Emergency

Pursuant to the COVID-19 National Emergency, upon request of the Borrower, the Mortgagee must delay submitting a request to call a loan due and payable. The initial extension period may be up to 6 months. If needed, an additional period of up to 6 months may be approved by HUD. The term of either the initial or the extended extension period may be shortened at the Borrower's request. The Mortgagee must waive all Late Charges, fees, and penalties, if any, as long as the Borrower is in an extension period.

For loans that have become automatically due and payable, entered into a deferral period, or became due and payable with HUD approval, the Mortgagee may also take an automatic extension for any deadline relating to foreclosure and claim submission for a period of up to 6 months. If needed, an additional period of up to 6 months may be approved by HUD.

Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB Control Numbers 2502-0059, 2502-0524, 2502-0611, 2502-0589, 2502-0429, 2502-0584, and 2502-0189. 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.

Questions

Any questions regarding this Mortgagee Letter may be directed to the FHA Resource Center at 1-800-CALL-FHA. Persons with hearing or speech impairments may reach this number by calling the Federal Relay Service at 1-800-877-8339. For additional information on this Mortgagee Letter, please visit www.hud.gov/answers.

Signature

Brian D. Montgomery Assistant Secretary for Housing – Federal Housing Commissioner

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-8000

Date: March 27, 2020

Mortgagee Letter 2020-05

To: All FHA-approved Mortgagees

All Direct Endorsement Underwriters

All FHA Roster Appraisers

All FHA-Approved 203(k) Consultants All HUD-Approved Housing Counselors All Governmental Entity Participants

All Real Estate Brokers All Closing Agents

Subject

Re-verification of Employment and Exterior-Only and Desktop-Only Appraisal Scope of Work Options for FHA Single Family Programs Impacted By COVID-19

Purpose

The purpose of this Mortgagee Letter is to inform Mortgagees and Appraisers of:

- FHA Single Family's modification to the re-verification of employment requirements due to the Presidentially-Declared COVID-19 National Emergency Declaration
- FHA Single Family's Exterior-Only or Desktop-Only Appraisal inspection option, which limits face-to-face contact for certain transactions affected by the Presidentially-Declared COVID-19 National Emergency Declaration

Effective Date

The Appraisal guidance in this Mortgagee Letter is effective immediately for appraisal inspections completed on or before May 17, 2020. The re-verification of employment guidance in this Mortgagee Letter is effective immediately for cases closed on or before May 17, 2020.

Policy updates in this ML are temporary and will not be incorporated into the HUD Single-Family Housing Policy Handbook 4000.1.

Mortgagee Letter 2020-05

Public Feedback

HUD welcomes feedback from interested parties for a period of 30 calendar days from the date of issuance. To provide feedback on this policy document, please send feedback to the FHA Resource Center at answers@hud.gov. HUD will consider the feedback in determining the need for future updates.

Affected Programs

These changes apply to FHA Single Family Title II Forward and Reverse Mortgage Programs.

Background

On March 13, 2020, President Trump declared a National Emergency concerning the Coronavirus (COVID-19) Outbreak and initiated actions to stem the threat to public health and the American economy. Many of these actions include the need to avoid contact with other people or to stay at home. Also, many employers have suspended non-essential operations in compliance with State and Local government directives. This has hampered the ability of Mortgagees to fully comply with FHA requirements for reverification of employment, either verbal or electronic, to be completed within 10 Days prior of the date of the Note.

In recognition of the current situation throughout the country, and in support of initiatives to combat the spread of COVID-19, the Department of Housing and Urban Development (HUD) is making modifications to the reverification of employment and Acceptable Appraisal Reporting Forms and Protocols (Appraisal Protocols) by allowing exceptions for Exterior-Only and Desktop Appraisal inspections in certain transactions.

To maintain the stability of the MMIF, while concurrently aiding the housing market generally, FHA is providing alternatives for re-verification of employment, and exceptions to FHA's Appraisal Protocols as further outlined in this ML. FHA's remaining Appraisal Protocols, and Income and Employment requirements remain unchanged and are still required.

Summary of Changes

- 1. Changes to FHA's re-verification of employment:
 - FHA is allowing flexibilities related to the Mortgagee's process of completing re-verification of employment, which includes verbal verification of employment. This is applicable for all FHA Title II forward and reverse mortgage programs, where re-verification of employment is required.
- 2. Changes to FHA's Appraisal Protocols are as follows:
 - Most Single Family forward and HECM for Purchase transactions may utilize an optional Exterior-Only or Desktop-Only Appraisal inspection scope of work.
 - Traditional HECM, HECM-to-HECM refinances, Rate and Term Refinances and Simple Refinances of properties may utilize an optional Exterior-Only inspection scope of work.
 - All appraisals made in connection with the servicing of FHA's forward or reverse mortgage portfolios may utilize either the Exterior-Only or Desktop-Only Appraisal inspection scope of work.
 - No changes are made to Streamline Refinances, which do not require appraisals or to the appraisal requirements for FHA's Cash-Out refinance, 203(k), and certain purchase transactions.

Reverification of **Forward**

Mortgagees do not need to provide a re-verification of employment within 10 days of the Note date as described in Handbook 4000.1, Sections II.A.4.c.ii(C)(1)-(2) and II.A.5.b.ii(C)(1)-(2) Traditional and Alternative **Employment** Current Employment Documentations, provided that the Mortgagee is not aware of any loss of employment by the borrower and has obtained:

- For forward purchase transactions, evidence the Borrower has a minimum of 2 months of Principal, Interest, Taxes and Insurance (PITI) in reserves; and
- A year-to-date paystub or direct electronic verification of income for the pay period that immediately precedes the Note date, or
- A bank statement showing direct deposit from the Borrower's employment for the pay period that immediately precedes the Note date.

Reverification of Employment HECM

Mortgagees do not need to provide a re-verification of employment within 10 days of disbursement as described in Section 3.8 and 3.9 of the HECM Financial Assessment and Property Charge Guide, provided that the Mortgagee is not aware of any loss of employment by the borrower and has obtained:

- A year-to-date paystub or direct electronic verification of income for the pay period that immediately precedes the Note date, or
- A bank statement showing direct deposit from the Borrower's employment for the pay period that immediately precedes the Note date

HUD Single Family Housing Appraisal Policy

When applicable, as described below, the appraiser may amend the scope of work to perform an Exterior-Only (viewing from the street) or Desktop-Only. The Appraiser may rely on supplemental information from other reliable sources such as Multiple Listing Service (MLS), and Tax Assessor's Property Record to prepare an appraisal report. The Appraiser may rely on information from an interested party to the transaction (borrower, real estate agent, property contact, etc.) with clear appraisal report disclosure when additional verification is not feasible. The appraisal report must contain adequate information to enable the intended users to understand the extent of the inspection that was performed.

The Exterior-Only and Desktop-Only Appraisal options must continue to be reported on the current FHA approved appraisal forms with amended certifications and scope of work disclosures.

Appraisal Forms and Amended Certifications

The optional Exterior-Only and Desktop-Only appraisals must be reported on the existing Acceptable Appraisal Reporting Forms by Property and Assignment Type. These forms will require amended certifications and clear scope of work disclosures. Mortgagees are reminded that Exterior Appraisal forms Fannie Mae 2055 and Fannie Mae 1075 are not FHA approved forms and are not compatible with FHA's Electronic Appraisal Delivery (EAD) portal.

The appraisal report must include a signed certification indicating whether the Appraiser did or did not personally inspect the subject property and the extent of the inspection. FHA has provided <u>model certifications</u> for the Exterior-Only and Desktop-Only scope of work.

Mortgagee Letter 2020-05

Exterior-Only Option

The required protocols and exhibits under the Exterior-Only Option are:

- Appraiser will observe the Property and Improvements from the street.
- The Appraisal will be completed "AS IS" unless Minimum Property Requirements (MPR) related deficiencies are observed from the street or otherwise known.
- The Appraiser may utilize extraordinary assumptions when necessary.
- No sketch, interior photos or rear exterior photographs are required.

Desktop-Only Option

The required protocols and exhibits under the Desktop-Only Option are:

- Appraiser will not physically observe the Property and Improvements.
- The Appraisal will be completed "AS IS" unless MPR related deficiencies are known.
- The Appraiser may utilize extraordinary assumptions when necessary.
- No sketch, interior photos, exterior photographs are required.
- No comparable viewing nor photos are required.

FHA Purchase Transactions

FHA will accept appraisals for both forward and HECM for Purchase transactions with an optional Exterior-Only or Desktop-Only scope of work by the Appraiser. These flexibilities are not permitted on New Construction, Construction to Permanent, Building on Own Lands and 203(k) purchases.

FHA Refinance and Traditional HECM

FHA will accept appraisals for Traditional HECM, HECM-to-HECM Refinance, Rate and Term Refinance, and Simple Refinance with an optional Exterior-Only scope of work by the Appraiser. These flexibilities are not permitted on Cash out Refinances and 203(k) refinances.

FHA Single Family Servicing

FHA will accept appraisals for both forward and HECM servicing with an optional Exterior-Only or Desktop-Only scope of work by the Appraiser.

Mortgagee Letter 2020-05

Form 1004D Part B Completion Report

When an Appraisal Update and/or Completion Report (Form 1004D) Part B is required to evidence the completion of required repairs, FHA will permit a letter signed by the borrower affirming that the work was completed with further evidence of completion, which may include photographs of the completed work, paid invoices indicating completion, occupancy permits, or other substantially similar documentation. All completion documentation must be retained in the case binder. These flexibilities are not permitted on New Construction, Construction to Permanent, Building on Own Lands, and 203(k) transactions.

Paperwork Reduction Act

The information collection requirements contained in this document are approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB control number 2502-0538 and 2502-0059. 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.

Questions

For additional information on this ML, please visit www.hud.gov/answers or call FHA's Resource Center at 1-800-CALLFHA (1-800-225-5342). Persons with hearing or speech impairments may reach this number via TTY by calling the Federal Relay Service at 1-800-877-8339.

Signature

Brian D. Montgomery
Assistant Secretary for Housing
-Federal Housing Commissioner

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-8000



Date: March 18, 2020

Mortgagee Letter 2020-04

To: All FHA Approved Mortgagees

All Direct Endorsement Underwriters

All FHA Roster Appraisers

All FHA Roster Inspectors

All FHA Approved 203(k) Consultants

All HUD Approved Housing Counselors

All HUD Approved Nonprofit Organizations

All Governmental Entity Participants

All Real Estate Brokers

All Closing Agents

Subject

Foreclosure and Eviction Moratorium in connection with the Presidentially-

Declared COVID-19 National Emergency

Purpose

The purpose of this Mortgagee Letter (ML) is to inform mortgagees of a foreclosure and eviction moratorium for all FHA-insured Single Family

mortgages for a period of 60 days.

Effective Date

This Mortgagee Letter is effective immediately upon issuance.

Public Feedback

HUD welcomes feedback from interested parties for a period of 30 calendar days from the date of issuance. To provide feedback on this policy document, please send feedback to the FHA Resource Center at answers@hud.gov.

HUD will consider the feedback in determining the need for future updates.

Affected Programs

This guidance applies to all FHA Title II Single Family forward and Home

Equity Conversion Mortgage (reverse) mortgage programs.

Background

The President of the United States proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency as of March 1, 2020. As a result of this unprecedented global pandemic, many jurisdictions have reduced services, businesses have closed, and other activities have been

curtailed. In addition, this pandemic impedes the ability of Americans to work and provide for their families. This directly impacts the financial well-being of individuals, families, and businesses. Therefore, as part of a broader federal government effort, the Secretary of HUD is authorizing a moratorium on foreclosures. Furthermore, Americans have been asked to remain in their homes to stem the tide of COVID-19. To ensure families are not displaced during this critical period, the Secretary of HUD is also authorizing a moratorium on evictions for FHA-insured properties.

Moratorium on Foreclosures and Evictions and Extension of Deadlines

Properties secured by FHA-insured Single Family mortgages are subject to a moratorium on foreclosure for a period of 60 days. The moratorium applies to the initiation of foreclosures and to the completion of foreclosures in process.

Similarly, evictions of persons from properties secured by FHA-insured Single Family mortgages are also suspended for a period of 60 days.

In addition, deadlines of the first legal action and reasonable diligence timelines are extended by 60 days.

Paperwork Reduction Act

The information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) and assigned OMB Control Numbers 2502-0429, 2502-0583 and 2502-0584. 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.

Questions

Any questions regarding this Mortgagee Letter may be directed to the FHA Resource Center at 1-800-Call-FHA. Persons with hearing or speech impairments may reach this number by calling the Federal Relay Service at 1-800-877-8339. For additional information on this Mortgagee Letter, please visit www.hud.gov/answers.

Signature

Brian D. Montgomery Assistant Secretary for Housing – Federal Housing Commissioner