



Definitions:

Attorney-Representative: A person who has demonstrated to HUD, in accordance with 5 U.S.C. § 500, that they are a licensed attorney in good standing who is authorized to represent a Claimant before HUD for purposes of the Claimant obtaining an SF MIP refund. A licensed attorney who represents a client is also known as an “attorney-in-law” to distinguish from an “attorney-in-fact” with a written “power of attorney” document, who need not be a licensed attorney. In this context, the term includes an employee of the licensed attorney, such as an administrative assistant, paralegal, or similar.

Claimant: A person who was a mortgagor on an FHA-insured single-family mortgage and claims they are owed an SF MIP refund.

Claimant Procedures:

A Claimant may apply for an unclaimed refund through actions by a third party who is their Attorney-Representative. As an initial step, HUD will require documentation that is adequate and in accordance with 5 U.S.C. § 500 to establish the third-party’s status as a Claimant’s Attorney-Representative. Once the Attorney-Representative’s status is established, HUD and its refund contractors are permitted to, and will be instructed to, interact with the attorney throughout the process of applying for an unclaimed SF MIP refund as though the Attorney-Representative (or their employee) were the Claimant themselves. HUD will not, however, send cash refunds to such representatives. Any refund payment will be sent directly to the Claimant at the address and/or bank account information provided by the Claimant’s signed refund application form HUD-27050-B.

Required Documentation: In accordance with 5 U.S.C. § 500, an attorney seeking to represent a Claimant before HUD must submit to HUD a written declaration, signed by the attorney, that they are currently a member in good standing of the bar of the highest court of the U.S. State or territory in which they practice and are authorized to represent the borrower on whose behalf they are acting to claim an SF MIP refund.

The interactions with a verified Attorney-Representative may include:

- sending the refund application form HUD-27050-B to the Attorney-Representative at the email or postal address designated or requested by the Attorney-Representative;

- communicating with the Attorney-Representative about any missing information or documentation needed to complete a refund application;
- answering Attorney-Representative questions about the status of a refund application or about a step in the process to the same extent they would answer such questions posed directly by a Claimant; and
- processing a refund application submitted by the Attorney-Representative.

Although HUD will interact with Attorney-Representatives as it would with a Claimant during the refund application process, it will not send refund checks to attorneys. Refund payments will be sent directly to Claimants at the address provided in the refund application form HUD-27050-B.