



March 27, 2023

Frequently Asked Question on Lender-Funded Counseling Agreements

Q: Can National and Regional Intermediaries and State Housing Finance Agencies (SHFA) facilitate a single lender-funded counseling agreement on behalf of participating agencies in their affiliate network?

A: Yes, National and Regional Intermediaries and SHFAs may facilitate a single lender-funded counseling agreement on behalf of participating agencies in their affiliate network, if the agreement meets applicable requirements, including HUD's Housing Counseling Program requirements ([24 CFR Part 214](#), and [HUD Handbook 7610.1](#)) and CFPB Real Estate Settlement Procedures Act (RESPA) ([12 U.S.C. 2601 et seq.](#), and [Reg. X](#)) requirements. In particular, the level of counseling payment to the participating agencies must not exceed a level that is commensurate with the services provided and must be reasonable and customary for the area; the agreement and the contractual relationships among the Lender, Intermediaries, SHFAs, and participating agencies must be disclosed to the client as required in [24 CFR 214.303\(g\)](#). See [24 CFR 214.313\(e\)](#).

Please direct any questions on this or other housing counseling topics to housing.counseling@hud.gov or to your agency's HUD Point of Contact (POC).