

Request for Waiver of Housing Directive

U.S. Department of Housing and Urban Development
Office of Housing
Federal Housing Commissioner

OMB Approval No. 2502-0029
(Expires 04/30/2020)

1. Field Office HUD Headquarters	2. Program and DAS (e.g., multifamily development) Office of Housing Counseling
3. Waiver Requested by (person, entity, HUD employee) Office of Housing Counseling	
4. Waiver Item (directive number, date, paragraph, etc.) HUD Handbooks 7610.1, REV-5 (Counseling Program Handbook) and 7610.0 (HECM Protocol Handbook). Relief Sought Waiver of Housing Counseling Program Handbook 7610.1 REV-5 (Housing Counseling Handbook) Appendix 4, section III.C Step 2, and Attachment B.12, and HECM Counseling Protocol Handbook 7610.0 (HECM Protocol Handbook), Chapter 3.1.b (HECM Counselor Checklist) and Chapter 7-B-12 (Using Financial Interview Tool).	
5. Did a check of SharePoint indicate Prior Approval of a factually similar waiver? <input type="checkbox"/> Yes (skip No. 6) <input type="checkbox"/> No (go to No. 6)	If previously approved, give Counsel's name and date of approval.
6. Counsel Determination. The Waiver Proposal does not conflict <input checked="" type="checkbox"/> conflicts <input type="checkbox"/> with statutory or regulatory provisions (cite rule or provision)	

Counselor (signature) 	Date February 28, 2019
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7. Employee Justification (attach additional pages if necessary)

NHA section 255(f) and HECM regulations at 24 CFR 206.41 address HECM counseling and require that a prospective borrower must receive adequate counseling, which involves discussions regarding options other than a reverse mortgage and financial implications. 24 CFR 214.3 defines counseling, in part, as "[c]ounselor to client assistance that addresses unique financial circumstances or housing issues [of the client]..." In addition, the Housing Counseling Handbook at Appendix 4, Section III. C. Step 2, states, in part, that "the counselor must create a budget using the Financial Interview Tool (FIT) discussed in Attachment B.12 [of the Handbook] based on the client's income, assets, debt and expenses." Attachment B.12 [of the Handbook] provides that "[c]ounselors will use the National Council on Aging's (NCOA) web-based FIT to meet the budget requirement." The contract between the Department and NCOA for administering FIT expired on January 8, 2018. Therefore, HECM counselors are now prohibited from accessing FIT for purposes of providing HUD HECM counseling. As a result, OHC needs to waive the above-referenced Handbook provisions which mandate the use of FIT. HECM counselors must, however, continue to meet all other statutory and regulatory counseling requirements and policies as clarified in the Handbooks, such as creating a budget.

Field Office Concurrence

Name	Title	Date
8. <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Not Granted	Housing Director (signature) 	Date Feb 28, 2019
Comments		

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Assistant General Counsel, Multifamily Mortgage Division, HUD Headquarters, Room 9230, CAHAA
Office of the Deputy Assistant Secretary for Single Family Housing, Room 9282, HUD Headquarters, HU
And one copy to either of the following: Office of the Deputy Assistant Secretary for Multifamily Housing, Room 6106, HUD Headquarters, HT