



## **Temporary, Partial Waiver of 24 CFR § 203.18(e)(3) Maximum Mortgage Amounts, Disaster Victims**

Pursuant to § 7(q) of the Department of Housing and Urban Development Act (codified at 42 U.S.C. § 3535(q)) and the waiver authority contained in 24 CFR § 5.110, I hereby partially waive certain requirements of 24 CFR § 203.18(e)(3), as provided in more detail below. This partial waiver is limited to certain language in § 203.18(e)(3) Maximum Mortgage Amounts, Disaster Victims, for the Hawaii Wildfires Presidentially Declared Major Disaster Area.

On August 10, 2023, a Presidentially Declared Major Disaster Area was declared for Maui County, Hawaii ([DR-4724-HI](#)). For individuals whose homes were destroyed in the disaster area, FHA offers mortgage insurance on 100 percent financing for the purchase of a new home or reconstruction of an existing home under FHA's 203(h) Mortgage Insurance for Disaster Victims Program. The 203(h) program requirements under 24 CFR §203.18(e)(3) state that, "The application for insurance [must be] filed within one year from the date of such presidential determination, or within such additional period of time as the period of federal assistance with respect to such disaster may be extended". As it stands, the federal assistance period has passed under [DR-4724-HI](#), and disaster victims seeking 203(h) mortgages are only eligible for FHA insurance if the application for insurance is filed prior to August 10, 2024 as per the requirements under 24 CFR §203.18(e)(3). Due to the extent of the devastation from the wildfires and the unique geographic location of Maui, making recovery more difficult, HUD has decided to temporarily waive the one-year requirement under 24 CFR §203.18(e)(3) so that applications for FHA mortgage insurance for the 203(h) program may continue to be filed for an additional year through August 10, 2025, pursuant to this waiver.

This waiver acknowledges the complexities of recovery in Maui and demonstrates HUD's commitment to supporting disaster victims as they work to rebuild their homes and communities. By providing the waiver, which will enable 203(h) financing in Maui for an additional period of time, HUD aims to ensure that eligible borrowers will continue to have the opportunity to obtain FHA-insured financing for the purchase or reconstruction of a Single Family property, promoting stability and resilience in the wake of the Hawaii Wildfires disaster.

In support of the partial waiver, I make the following Findings and Determinations:

### Findings:

1. Given the extent of the damages and unique geographic location of Maui, Hawaii, potential FHA borrowers need more time and resources to navigate the complexities of

this disaster recovery and to purchase or reconstruct their homes than FHA regulation at 24 CFR § 203.18(e)(3) provides.

Determinations:

1. To assist in the recovery of Maui County, Hawaii wildfires, and ensure that disaster victims have the time and resources necessary to rebuild, it is appropriate to grant a partial waiver of the current one-year requirement for FHA's 203(h) Mortgage Insurance for Disaster Victims Program for the Hawaii Wildfires disaster.
2. This partial waiver temporarily removes the one-year requirement in 24 CFR § 203.18(e)(3) for the victims of the Hawaii Wildfires disaster. Mortgages through FHA's 203(h) Mortgage Insurance for Disaster Victims Program for borrowers impacted by the Hawaii Wildfires disaster will be eligible for insurance if the application for insurance is filed through the waiver period, which will expire on August 10, 2025.
3. Granting this partial waiver is consistent with other relief provided by the Department to assist disaster victims in Maui County, Hawaii, including providing foreclosure moratoriums.
4. This partial waiver only applies to the Hawaii Wildfires disaster, a Presidentially Declared Major Disaster Area ([DR-4724-HI](#)) as of August 10, 2023. It does not apply to other Presidentially Declared Major Disaster Areas, and all other requirements of 24 CFR § 203.18(e) remain unchanged, including requirements for the maximum mortgage amount, occupancy, or extent of the damage sustained.
5. Pursuant to the authority contained in 24 CFR § 5.110, the above findings constitute good cause for granting this partial waiver of 24 CFR § 203.18(e)(3).
6. This partial waiver does not violate any statutory requirements.

Issued: August 9, 2024  
Washington, DC

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*Julia Gordon*  
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Julia R. Gordon  
Assistant Secretary for Housing  
Federal Housing Commissioner