

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 Single Family Program Development	2. Program and DAS (e.g., multifamily development) Single Family Housing
3. Waiver Requested by (person, entity, HUD employee) Elissa Saunders, Director, Single Family Program Development	
4. Waiver Item (directive number, date, page, paragraph, etc.) FHA Single Family Housing Policy Handbook 4000.1: Section IV.A.2.a.iii(B) Submission of Claim to the Department of the Treasury Relief Sought This partial waiver waives the requirements in the Single Family Housing Policy Handbook, 4000.1, Section IV.A.2.a.iii(B) "Submission of Claim to the Department of Treasury" effective January 1, 2023. On and after this date, Mortgagees may no longer submit these claims to the Treasury and must submit them to the Department of Housing and Urban Development (HUD) instead.	
5. Did a check of SharePoint indicate Prior Approval of a factually similar waiver? <input type="checkbox"/> Yes (skip No. 6) <input checked="" 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)	

Counsel (signature) Elizabeth Davis acting on behalf of Sherece Tolbert Digitally signed by Elizabeth Davis acting on behalf of Sherece Tolbert Date: 2023.01.05 14:01:55 -05'00'	Date 1/5/23
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------

7. Employee Justification (attach additional pages if necessary)

The U.S. Department of the Treasury ("Treasury") and HUD established the FHA Refinance of Borrowers in Negative Equity Positions, or FHA Short Refinance program ("the Program") in September 2010, to maintain homeownership by providing opportunities to refinance into an affordable FHA-insured loan when the borrower owes more on their mortgage than the value of their home. The Program, which was governed in part by a memorandum of understanding between the two Departments, and administered by FHA, was created to enable borrowers to refinance into an FHA-insured mortgage provided their mortgages were: 1) secured by properties that were worth less than the principal remaining on their mortgages; and 2) current with their mortgage payments and not insured by FHA. Treasury established a line of credit facility with Troubled Assets Relief Program ("TARP") funds to pay claims associated with the Program. The Program allowed homeowners to refinance into FHA-insured mortgage loans through December 2016. In the event of a default on a refinanced loan, Treasury would pay up to a certain percentage of the claim after FHA paid its share. Treasury has drawn on the line of credit to pay its share of claims. Because of the expiration of the line of credit on December 31, 2022 and the Treasury's role in the Program, HUD needs to advise Mortgagees that the procedure outlined in FHA Single Family Housing Policy Handbook 4000.1: Section IV.A.2.a.iii(B) "Submission of Claim to the Department of the Treasury" is no longer be operational as of January 1, 2023. On and after this date, Mortgagees will file claims with HUD only.

Field Office Concurrence

Name Julienne Y. Joseph	Title Deputy Assistant Secretary for Single Family Housing	Date
8. <input checked="" type="checkbox"/> Granted <input type="checkbox"/> Not Granted	Housing Director (signature) JULIENNE JOSEPH Digitally signed by JULIENNE JOSEPH Date: 2023.01.05 14:57:33 -05'00'	Date

Comments

This waiver expires on December 31, 2023.

Public reporting burden for this collection of information is estimated to average xx minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

Distribution: (includes waivers granted and denied)

Original to Field Office;

One copy to each of the following:

Director, Organizational Policy, Planning and Analysis Division, Room 9116, HUD Headquarters, HRO
Assistant General Counsel, Multifamily Mortgage Division, HUD Headquarters, Room 9230, CAHAA

And one copy to either of the following:

Office of the Deputy Assistant Secretary for Single Family Housing, Room 9282, HUD Headquarters, HU
Office of the Deputy Assistant Secretary for Multifamily Housing, Room 6106, HUD Headquarters, HT