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
   National Servicing Center (NSC)
2. Program and DAS (e.g., multifamily development)
   Single Family Housing

3. Waiver Requested by (person, entity, HUD employee)
   Matt Martin, Director, NSC

4. Waiver Item (directive number, date, page, paragraph, etc.)
   Handbook 4000.1, Section III.A.2.h.iii (Collection Communication Timeline, Mortgagee Action table, Days 20 and 32), viii, ix, and x.

Relief Sought

For borrowers on a COVID-19 Forbearance, this waiver provides temporary relief for mortgagees from the requirements to send notices related to delinquency as listed in Handbook 4000.1 Section III.A.2.h.iii (only waiving the Collection Communication Timeline, Mortgagee Action table, Days 20 and 32), Section III.A.2.h.viii (Assigned Loss Mitigation Personnel), Section III.A.2.h.ix (Required Notices to Borrower by 45th Day of Delinquency), and Section III.A.2.h.x (Required Notices to Borrower by 60th Day of Delinquency). This temporary waiver will remain in effect for loans on a COVID-19 Forbearance.

5. Did a check of SharePoint indicate prior approval of a factually similar waiver?
   Yes (skip No. 6)   X   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 [x] conflicts [ ] with statutory or regulatory provisions (cite rule or provision)
   The related temporary waiver of the requirements of 24 CFR § 203.602 - Delinquency Notice to Mortgagor prevents this Waiver Proposal from conflicting with that regulation. There is no statutory conflict.

Counsel (signature) ELIZABETH DAVIS

Digitally signed by ELIZABETH DAVIS
Date: 2020.12.14 12:38:48 -05'00'

7. Employee Justification (attach additional pages if necessary)
   The purpose of this waiver is to reduce confusion among borrowers and mortgagees.
   For borrowers on a COVID-19 Forbearance, this waives the requirement for mortgagees to send early delinquency notices under Handbook 4000.1:
   -- Section III.A.2.h.iii (only waiving the Collection Communication Timeline, Mortgagee Action table, Days 20 and 32),
   -- Section III.A.2.h.viii (Assigned Loss Mitigation Personnel),
   -- Section III.A.2.h.ix Required Notices to Borrower by 45th Day of Delinquency, and
   -- Section III.A.2.h.x Required Notices to Borrower by 60th Day of Delinquency.
   These sections require mortgagees to provide multiple notices to borrowers, beginning on the 45th and 60th days of delinquency, to help prevent foreclosure and provide borrowers with additional options in delinquency. Mortgagees may not proceed with foreclosure while a borrower is on a COVID-19 Forbearance. The notices could cause confusion, as borrowers may interpret them to mean that a mortgagee is proceeding with a foreclosure. Therefore, HUD is waiving the requirement to send out these notices to borrowers on a COVID-19 Forbearance. This temporary waiver will remain in effect for loans on a COVID-19 Forbearance.

Field Office Concurrence

Name Elissa O. Saunders
Title Acting Director, Office of Single Family Asset Management

8. [ ] Granted
   [ ] Not Granted
   Housing Director (signature) ELISSA SAUNDERS
   Digitally signed by ELISSA SAUNDERS
   Date: 2020.12.14 18:31:53 -05'00'

Comments

Effective as of December 17, 2020.

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.

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Original to Field Office;
   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

Previous versions obsolete

form HUD-2 (12/2013)