

# 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
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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)  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**  **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)	<b>ELIZABETH DAVIS</b> Digitally signed by ELIZABETH DAVIS Date: 2020.12.14 12:38:48 -05'00'	Date
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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	Date
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8. <input checked="" type="checkbox"/> <b>Granted</b> <input type="checkbox"/> <b>Not Granted</b>	Housing Director (signature)	<b>ELISSA SAUNDERS</b> Digitally signed by ELISSA SAUNDERS Date: 2020.12.14 18:31:53 -05'00'	Date
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Comments  
  
Effective as of December 17, 2020.

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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