



**U.S. Department of
Housing and Urban
Development**

Office of Housing Counseling

**Agency
Disclosure
Forms:**

*Required
Elements
and Best
Practices*

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Introduction

The U.S. Department of Housing and Urban Development (HUD) requires housing counseling agencies (HCAs) participating in its Housing Counseling Program to provide legal disclosures to its counseled clients. Disclosures help protect clients from unscrupulous practices, and also protect agencies from potential legal claims arising from the provision of counseling and education services. HCA disclosures primarily inform clients of agency programs and services, and about conflict of interest policies.

This guide informs HCAs about HUD's disclosures requirements, discusses best practices concerning disclosure use and recordkeeping, and includes a Model Agency Disclosure Form and Model Privacy Policy for HCA customization and use.

1. HCA Client Disclosures: Required Elements

HUD’s Disclosure Requirements

Since the 1970s, HUD’s Housing Counseling Program has funded housing counseling services that provide vital consumer protections to millions of Americans, including particularly vulnerable populations such as seniors, low- and moderate-income families, and racial and ethnic minorities. As such, HUD requires its participating HCAs to provide clients legal disclosures that protect against unscrupulous practices that can undermine an agency’s credibility and the integrity of the national Housing Counseling Program itself.

HCA Disclosures to HUD

As part of the HUD-approval process, agencies must disclose to HUD information about their housing-related services (such as mortgage lending or credit counseling), along with the information listed below concerning HCA ethics and conflicts of interest policies.¹ By collecting this information, HUD can verify that its participating HCAs meet the ethical standards required of agencies using public funds to further vital housing goals and programs.

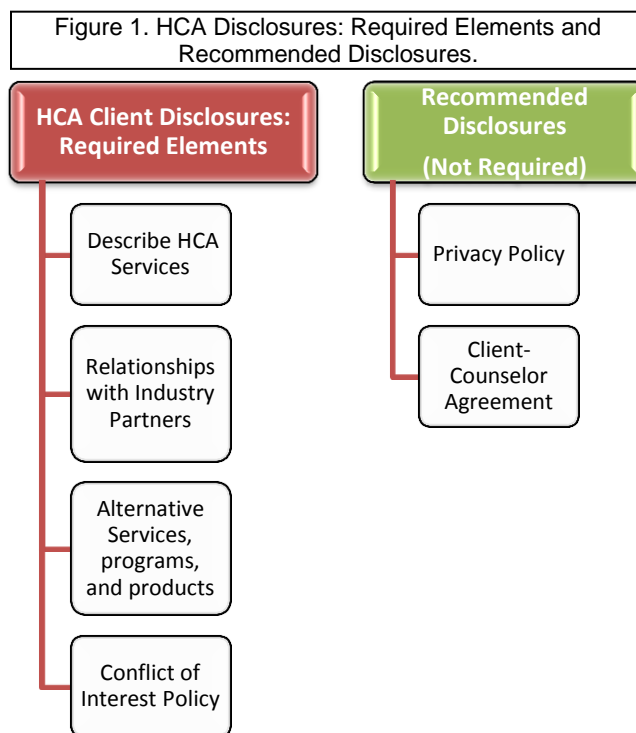
HUD-approved agencies must disclose:

- ✓ Any business practices and/or partnerships that would constitute a conflict of interest
- ✓ Description of the organizational structure and business practices that protect the client from inappropriate steering or influence
- ✓ Written standard of ethics
- ✓ Quality control plan for identifying, addressing, and mitigating any conflicts of interest and complying with HUD Handbook requirements

HCA Client Disclosures

Once an agency is HUD-approved, HCAs are required to disclose information about the HCA’s program and services to counseled clients. HUD’s required disclosures are identified in the Code of Federal Regulations (CFR) §214.303 (f) and (g), respectively, and are presented in the tables below in a “Q&A” format. A full-text of these regulations is provided in the Appendix.

IMPORTANT: HCAs should only consult the full-text of the regulations for guidance and **not** the paraphrased version provided below.



Conflict of Interest Policy

Understanding HUD’s Conflict of Interest Policies CFR § 214.303 (f) parts 1-5; also see HUD Handbook 7610.1 rev 5, Chapter 6 Section B.5		
<p>Who must follow the regulations? CFR §214.303(f)(1)</p>	<p>HCA directors, employees, officers, contractors, or agents* OR his or her spouse, child, general partner, or organization in which he or she serves as an employee (other than with the participating agency), or with whom he or she is negotiating future employment**</p>	<p>* Hereafter “HCA agents” for explanatory purposes only ** Hereafter “HCA agent’s affiliates” for explanatory purposes only</p>
<p>When does a conflict of interest arise? CFR §214.303(f)(1)</p>	<p>When an HCA agent OR an HCA agent’s affiliate:</p> <ul style="list-style-type: none"> • Has a direct interest in the client as a landlord, broker, or creditor • Originates, has a financial interest in, services or underwrites a mortgage on the client’s property • Owns or purchases a property that the client seeks to rent or purchase • Serves as a collection agent for the client’s mortgage lender, landlord, or creditor 	
<p>What is an HCA agent and/or agent’s affiliates prohibited from doing? CFR §214.303(f)(2)</p>	<ul style="list-style-type: none"> • Referring clients to mortgage lenders, brokers, builders, or real estate sales agents or brokers in which the HCA agent or the HCA agent’s affiliates have a financial interest • Acquire the client’s property from the trustee in a bankruptcy proceeding • Accept a fee or any other consideration for referring a client to mortgage lenders, brokers, builders, or real estate sales agents or brokers 	
<p>What are an HCA agent and his or her immediate family members prohibited from doing? CFR §214.303(f)(3)</p>	<ul style="list-style-type: none"> • Any action that that might result in, or create the appearance of, administering the housing counseling operation for personal or private gain • Providing preferential treatment to any organization or person • Undertaking any action that might compromise the agency’s ability to ensure compliance with the above stipulations and to serve the best interests of its clients 	
<p>How does HUD enforce an HCA’s compliance with the conflict of interest regulations? CFR §214.303(f)(4)</p>	<ul style="list-style-type: none"> • HUD may investigate an HCA and may inactivate or terminate the HCA from the Housing Counseling Program 	
<p>What should an HCA do if a conflict of interest occurred? CFR §214.303(f)(5)</p>	<ul style="list-style-type: none"> • Notify HUD not later than 15 calendar days after the conflict occurred and report to HUD on the corrective action taken to cure the immediate conflict, and avoid future conflicts 	

Program Disclosure Requirements

Understanding HUD’s Program Disclosure Requirements CFR § 214.303 (g) and HUD Handbook 7610.1 rev 5 Chapter 6 Section B.8	
What should HCAs include in their program disclosure form?	<ul style="list-style-type: none"> Identify the agency Explicitly describe the various types of services provided by the agency; as well as any exclusive, financial, or other relationships between the agency and any other industry partners that might be relevant to the client. (HUD Handbook 7610.1 rev 5 6.B.8.a) Clear statement indicating client is not obligated to receive any other services offered by the organization or its exclusive partners. (CFR 214.303(g)) Additional information on alternative services, programs, and products. CFR 214.303(g). Also, an HCA should provide information for at least three relevant alternatives, if available, and document in the client file the information provided to the client on the additional products available. Federal Housing Administration (FHA) products, features, or programs must be discussed as one of the available alternatives. HUD Handbook 7610.1 rev 5 6.B.8.f
Who should receive a program disclosure?	<ul style="list-style-type: none"> All clients. All group education participants should receive written or verbal disclosure
What is HUD’s preferred format for disclosures? HUD Handbook 7610.1 rev 5 6.B.8.b	<ul style="list-style-type: none"> Face to Face clients: Provide a written disclosure. Clients receiving counseling via another format, such as by phone. Verbal disclosure or electronically provide a disclosure.
How does HUD monitor compliance with program disclosures requirements? HUD Handbook 7610.1 rev 5 6.B.8.d	<ul style="list-style-type: none"> File audits during HCA performance reviews Reviews of responses to client surveys
How should HCAs record the disclosures provided to the client? HUD Handbook 7610.1 rev 5 6.B.8.e	<ul style="list-style-type: none"> Paper disclosures should be retained in the counseling or group education file for all those counseled. Verbal disclosures should be noted in the file of all clients counseled, along with the date of the disclosure, or documentation of electronic disclosure.

Client-Counselor Agreement and Privacy Policy

As shown in Figure 1, there are two additional disclosures that are not required by HUD, but are particularly useful in reducing liability associated with HCA activities. These disclosures include the Client-Counselor Agreement and the Privacy Policy. Please see page 6, “Reduce Agency Liability,” for more information on these disclosures.

2. Agency Disclosures and Best Practices

Recognize HUD’s Interest in Preserving and Protecting the Client-Agency Relationship

At first glance, HUD’s disclosure requirements may appear complex or difficult to implement. However, it is important to understand that HUD’s requirements are designed to preserve and protect the relationship between the client and the agency. Without these measures, HCAs serving their communities with the best of intentions may be at risk for fraud or unethical practices that can adversely impact clients and lead to agency termination from the Housing Counseling Program.

HUD believes that its disclosure policies constitute good business practice and promote the highest ethical standards among participating HCAs supported by federal funds.

Review HCA Questions about HUD’s Disclosure Policies

Over the years, HUD has updated its policies in response to public questions and comments. Some of these questions are provided below, and help illuminate HUD’s disclosure policies. These questions may be particularly helpful for new HCAs.

Comments and Questions about HUD’s Disclosure Policies Based on Comments Published in 72 Final Rule 55644 ²	
Should my agency provide disclosures for every person that calls my agency?	No. Disclosures should only be provided to callers who become HCA clients.
Why should my agency provide information for “alternative services, programs, and products”? Doesn’t that defeat the purpose of being a HUD approved agency?	<ul style="list-style-type: none"> HUD recognizes that housing counseling agencies provide more than just housing counseling services; and HUD’s conflict of interest policies should not limit an HCA from providing additional, related services. To prevent client steering and to give clients a full range of options so that the agency fully represents the best interests of the client, HCAs should provide clients information on at least three alternative services, programs, and products; if available. See CFR §214.303(f)(3).
If my agency’s housing counselor refers a client to a particular bank for a first-time homebuyer mortgage, and my agency receives a fee from the bank, is that considered a conflict of interest? HUD should address lender fee-for-service relationships with HCAs.	<ul style="list-style-type: none"> A conflict of interest occurs if the housing counselor made the referral to the bank due to his or financial interest with the bank, or if the counselor received a fee or other consideration from the bank for making the client referral. Remember, HUD allows HCAs to receive alternative funding sources, including charging fees to clients and accepting fees from lenders. See CFR §214.313.

Review Audit Findings

HUD's Office of Inspector General (OIG) routinely completes audits of agencies participating in the Housing Counseling Program. Many reports are available online at www.hudoig.gov, and contain information that other HCAs may find useful concerning housing counseling activities that may not meet audit standards.

In recent years, HUD's OIG completed an HCA agency audit that found deficiencies concerning the agency's standard disclosure of general industry partners. The standard disclosure did not disclose *local* industry partners specific to the HCA's offices across the country. The HCA maintained that because its industry partners were constantly changing, the HCA could not continually update the disclosure statements to reflect all financial relationships with specific entities. However, HUD maintained that the HCA must identify every industry partner with which the agency had a financial relationship and amend their standard disclosure accordingly.

By reviewing OIG's audits, HCA managers can determine the types of program deficiencies found with various agencies. Managers can then develop procedures and controls so that agency disclosures are supported by proper documentation and are consistent with HUD regulations.

IMPORTANT: One of the most common file deficiencies found in HUD's audit of HCA client files is missing or incomplete client disclosures!³

Reduce Agency Liability

As mentioned previously, there are two additional disclosures that are not required by HUD, but are useful in helping HCAs reduce agency liability associated with housing counseling activities. Below are descriptions of each disclosure.

Privacy Policy

In the housing counseling context, a privacy policy is a legal document that states how an HCA collects, manages, and discloses both public and personal client data. On the form, HCAs typically list the entities to whom they disclose client information, such as HUD, the National Foreclosure Mitigation Counseling Program, or HCA funders. There is also language about agencies aggregating client data and providing the data to third parties such as research institutions. Additionally, many agencies now offer an "Opt Out" feature, allowing a client to opt out of disclosures of nonpublic personal information to unaffiliated third parties, such as creditors. A model privacy policy is provided in Appendix C.

While drafting or reviewing an HCA privacy policy, be sure to reference the HUD Handbook's regulations regarding client confidentiality. Generally, the HUD Handbook stipulates that HCAs must hold all client information in strict confidence, and that the client credit report can be shared with the client, HUD, or authorized third parties only. The HUD Handbook also regulates how HCAs store and manage client data in both electronic and hardcopy formats. For more information on client confidentiality requirements, please refer to the Chapter 5, "Recordkeeping and Reporting," in the HUD Handbook.⁴

Client-Counselor Agreement

Many housing counseling agencies are using a “Client-Counselor Agreement,” which typically captures some or all of HUD’s required disclosure elements. These agreements vary across agencies and can depend on the services provided by each agency. Some of the most common stipulations in a Client-Counselor Agreement are as follows:

- ✓ Description of the agency’s programs and services
- ✓ Statement regarding the next steps in the counseling process
- ✓ Client authorization allowing HCA to share information with client’s lender and creditors
- ✓ Disclaimer that HCA may not provide legal advice
- ✓ Statement that the client may request a copy of the HCA’s complaint resolution process
- ✓ Statement that the client is not obligated to participate in additional HCA programs and services outside of housing counseling
- ✓ For informational purposes only, please see a sample Client-Counselor agreement at the following link (referenced with permission from CCCS-San Francisco):

<https://www.housingeducation.org/pdf/HousingCounselingAgreement.pdf>

Scenario: Correcting an Inadequate Agency Disclosure Form

The following scenario illustrates the benefit of modifying an inadequate agency disclosure in order to comply with HUD’s conflict of interest policies.

Eric Taylor is a housing counselor at Smith Housing Counseling Agency, a new HUD-approved HCA. Smith HCA is located next door to a credit counseling organization that has been in business for several years. Eric began referring some of his pre-purchase clients to the credit counseling organization due to the organization’s solid reputation for renegotiating and restructuring consumer debts. These services often helped his clients become “mortgage ready.”

At a staff meeting, Eric and his agency’s housing counseling team discussed whether their client referrals were consistent with the agency’s disclosures concerning industry partners. His manager determined that Smith HCA’s disclosure was inadequate because it was missing a statement regarding a client’s freedom to choose whatever programs and services that best meet their needs. Specifically, Smith HCA’s disclosures needed to state that Smith HCA housing counseling clients were not obligated to use the programs and services of Smith HCA or its industry partners and affiliates. The agency also needed to update their “Referrals and Community Resources” list, which lists alternative agencies that provide services similar to those offered by Smith HCA and its partners and affiliates. The manager updated the Program Disclosure Form and the Referrals and Community Resources List accordingly.

Summary of Best Practices

- ✓ Check and update HCA disclosures against HUD's regulatory language. Refer to the HUD Handbook and the Code of Federal Regulations for guidance.
- ✓ Ensure disclosures are completed during the client intake/screening process with appropriate recordkeeping. When possible, provide clients completing a verbal intake with an electronic or hardcopy of disclosures and document the client file accordingly.
- ✓ HCA client disclosures should be consistent with an HCA's code of ethics, employee handbook, and quality control plan for mitigating conflicts of interest.
- ✓ While not required by HUD, HCAs may consider using additional disclosures such as a "Client-Counselor" agreement or a Privacy Policy. Ensure that these policies are consistent with HUD's regulations about conflicts of interest, program disclosures, and client data security and privacy requirements.
- ✓ Create a "Referrals and Community Resources List," which lists community resources (such as food banks and utilities assistance programs) and also lists alternative service providers consistent with HUD regulations. For example, if your agency has a first-time homebuyer program funded by an industry partner; provide information on at least three alternative services, programs, and products, if available. Alternatively, update your agency's Program Disclosure with information on at least three alternative services, programs, and products.

IMPORTANT: Along with the Program Disclosure, provide your clients with a copy of your agency's Referrals and Community Resources List and notate your client file accordingly.

Note to Appendices

This set of appendices is provided strictly as a reference guide of foundational documents necessary for any start-up nonprofit HUD-approved housing counseling agency. These documents are provided as samples with the disclaimer that the use of these documents may involve certain legal consequences which may only be properly vetted by an attorney licensed to practice law within the state(s) in which you operate. These are legal documents with tax and legal consequences which may not be used without adequate review by a licensed attorney.

Appendix A: CFR §214.303(f) and (g), Conflicts of Interest and Disclosure Requirements

(f) *Conflicts of interest.* (1) A director, employee, officer, contractor, or agent of a participating agency shall not engage in activities that create a real or apparent conflict of interest. Such a conflict would arise if the director, employee, officer, contractor, agent, his or her spouse, child, general partner, or organization in which he or she serves as employee (other than with the participating counseling agency), or with whom he or she is negotiating future employment, has a direct interest in the client as a landlord, broker, or creditor, or originates, has a financial interest in, services, or underwrites a mortgage on the client's property, owns or purchases a property that the client seeks to rent or purchase, or serves as a collection agent for the client's mortgage lender, landlord, or creditor.

(2) A director, employee, officer, contractor, or agent of a participating agency shall not refer clients to mortgage lenders, brokers, builders, or real estate sales agents or brokers in which the officer, employee, director, his or her spouse, child, or general partner has a financial interest, neither may they acquire the client's property from the trustee in bankruptcy or accept a fee or any other consideration for referring a client to mortgage lenders, brokers, builders, or real estate sales agents or brokers.

(3) A director, employee, officer, contractor, or agent of a participating agency or any member of his or her immediate family shall avoid any action that might result in, or create the appearance of, administering the housing counseling operation for personal or private gain; providing preferential treatment to any organization or person; or undertaking any action that might compromise the agency's ability to ensure compliance with the requirements of this part and to serve the best interests of its clients.

(4) HUD may investigate agency practices and may take action to inactivate or terminate the agency's approval or participation in the Housing Counseling program.

(5) Participating agencies must notify HUD of conflicts of interest not later than 15 calendar days after the conflict occurred and report to HUD on the corrective action taken to cure the immediate, and avoid future, conflicts.

(g) *Disclosure requirements.* A participating agency must provide to all clients a disclosure statement that explicitly describes the various types of services provided by the agency and any financial relationships between this agency and any other industry partners. The disclosure must clearly state that the client is not obligated to receive any other services offered by the organization or its exclusive partners. Furthermore, the agency must provide information on alternative services, programs, and products.

Appendix B: Model Agency Disclosure Form

Program Disclosure Form (Sample)

NOTE: If you have an impairment, disability, language barrier, or otherwise require an alternative means of completing this form or accessing information about housing counseling, please talk to your housing counselor about arranging alternative accommodations.

About Us and Program Purpose: Smith County Housing Counseling Agency (Smith HCA) is a nonprofit, HUD-approved comprehensive housing counseling agency. We provide free education workshops and a full spectrum of housing counseling including pre-purchase, foreclosure prevention, non-delinquency post-purchase, reverse mortgage, rental and homeless counseling. We serve all clients regardless of income, race, color, religion/creed, sex, national origin, age, family status, disability, or sexual orientation/gender identity. We administer our programs in conformity with local, state, and federal anti-discrimination laws, including the federal Fair Housing Act (42 USC 3600, et seq.). **As a housing counseling program participant, please affirm your roles and responsibilities along with the following disclosures and initial, sign, and date the form on the following page.**

Client and Counselor Roles and Responsibilities:

Counselor's Roles and Responsibilities	Client's Roles and Responsibilities
<ul style="list-style-type: none"> • Reviewing your housing goal and your finances; which include your income, debts, assets, and credit history. • Preparing a Client Action Plan that lists the steps that you and your counselor will take in order to achieve your housing goal. • Preparing a household budget that will help you manage your debt, expenses, and savings. • Your counselor is not responsible for achieving your housing goal, but will provide guidance and education in support of your goal. • Neither your counselor nor Smith HCA employees, agents, or directors may provide legal advice. 	<ul style="list-style-type: none"> • Completing the steps assigned to you in your Client Action Plan. • Providing accurate information about your income, debts, expenses, credit, and employment. • Attending meetings, returning calls, providing requested paperwork in a timely manner. • Notifying Smith HCA or your counselor when changing housing goal. • Attending educational workshop(s) (i.e. pre-purchase counseling workshop) as recommended. • Retaining an attorney if seeking legal advice and/or representation in matters such as foreclosure or bankruptcy protection.

/

Initials

Termination of Services: Failure to work cooperatively with your housing counselor and/or Smith HCA with result in the discontinuation of counseling services. This includes, but is not limited to, missing three consecutive appointments.

Agency Conduct: No Smith HCA employee, officer, director, contractor, volunteer, or agent shall undertake any action that might result in, or create the appearance of, administering counseling operations for personal or private gain, provide preferential treatment for any person or organization, or engage in conduct that will compromise our agency's compliance with federal regulations and our commitment to serving the best interests of our clients.

Agency Relationships: Smith HCA has financial affiliation (if funded by HUD) or professional affiliations (if not funded by HUD) with HUD, NeighborWorks America, USDA Rural Development, the State of Illinois, Smith County, and banks including Bank of America, Wells Fargo, and JP Morgan Chase. As a housing counseling program participant, you are not obligated to use the products and services of Smith HCA or our industry partners.

Alternative Services, Programs, and Products & Client Freedom of Choice: Smith HCA has a first-time homebuyer program developed in partnership with Bank of America. However, you are not obligated to participate in this or other Smith HCA programs and services while you are receiving housing counseling from our agency. You may consider seeking alternative products and services from entities including the Federal Housing Administration (FHA) for first-time homebuyer loan programs, and **[insert name of two additional HCA or community service organizations here]** for other first-time homebuyer programs. You are entitled to choose whatever real estate professionals, lenders, and lending products that best meet your needs.

Referrals and Community Resources: You will be provided a community resource list which outlines the county and regional services available to meet a variety of needs, including utilities assistance, emergency shelter, transitional housing, food banks, and legal aid assistance. This list also identifies alternative agencies that provide services, programs, or products identical to those offered by Smith HCA and its exclusive partners and affiliates.

Initials

Privacy Policy: I/we acknowledge that I/we received a copy of Smith HCA's Privacy Policy.

Errors and Omissions and Disclaimer of Liability: I/we agree Smith HCA, its employees, agents, and directors are not liable for any claims and causes of action arising from errors or omissions by such parties, or related to my participation in Smith HCA counseling; and I hereby release and waive all claims of action against Smith HCA and its affiliates. I have read this document, understand that I have given up substantial rights by signing it, and have signed it freely and without any inducement or assurance of any nature and intend it to be a complete and unconditional release of all liability to the greatest extent allowed by law. If any provision of this document is unenforceable, it shall be modified to the extent necessary to make the provision valid and binding, and the remainder of this document shall remain enforceable to the full extent allowed by law.

Quality Assurance: In order to assess client satisfaction and in compliance with grant funding requirements, Smith HCA, or one of its partners, may contact you during or after the completion of your housing counseling service. You may be requested to complete a survey asking you to evaluate your client experience. Your survey data may be confidentially shared with Smith HCA grantors such as HUD or NeighborWorks America.

I/we acknowledge that I/we received, reviewed, and agree to Smith HCA's Program Disclosures.

Name 1 Signature Date

Counselor Signature Date

Name 2 Signature Date

Appendix C: Model Privacy Policy

[Insert Your Agency's Logo Here]

Privacy Policy (Sample)

NOTE: If you have an impairment, disability, language barrier, or otherwise require an alternative means of completing this form or accessing information about housing counseling, please talk to your housing counselor about arranging alternative accommodations.

Smith County Housing Counseling Agency (Smith HCA) is committed to assuring the privacy of individuals and/or families who have contacted us for assistance. We realize that the concerns you bring to us are highly personal in nature. We assure you that all personal information shared orally and/or in writing will be managed within ethical and legal considerations. Additionally, we want you to understand how we use the personal information we collect about you. Please carefully review this notice as it describes our policy regarding the collection and disclosure of your nonpublic, personal information.

What is nonpublic, personal information?

- Information that identifies an individual personally and is not otherwise publically available information, such as your Social Security Number or demographic data such as your race and ethnicity
- Includes personal financial information such as credit history, income, employment history, financial assets, bank account information and financial debts

What personal information does Smith HCA collect about you?

We collect personal information about you from the following sources:

- Information that you provide on applications, forms, email, or verbally
- Information about your transactions with us, our affiliates, or others
- Information we receive from your creditors or employment references
- Credit Reports

What categories of information do we disclose and to whom?

We may disclose the following personal information to financial service providers (such as companies providing home mortgages), Federal, State, and nonprofit partners for program review, monitoring, auditing, research, and/or oversight purposes, and/or any other pre-authorized individual and/or organization. The types of information we disclose are as follows:

- Information you provide on applications/forms or other forms of communication. This information may include your name, address, Social Security Number, employer, occupation, account numbers, assets, expenses, and income.
- Information about your transactions with us, our affiliates, or others; such as your account balance, monthly payment, payment history, and method of payment.
- Information we receive from a consumer credit reporting agency; such as your credit bureau reports, your credit and payment history, your credit scores, and/or your creditworthiness.
- We do not sell or rent your personal information to any outside entity.
- We may share anonymous, aggregated case file information; but this information may not be disclosed in a manner that would personally identify you in any way. This is done in order to evaluate our program, gather valuable research information, and/or design future programs.
- We may also disclose personal information about you to third parties as permitted by law.

How is your personal information secured?

We restrict access to your nonpublic personal information to Smith HCA employees who need to know that information in order to perform their housing counseling duties. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information; and we train our staff to safeguard client information and prevent unauthorized access, disclosure, or use.

Opting Out of Certain Disclosures

You may direct Smith HCA to *not* disclose your nonpublic personal information to third parties (other than disclosures made to project partners and those permitted by law). However, if you choose to opt out, we will not be able to answer any questions from your creditors, which may limit Smith HCA's ability to provide services such as foreclosure prevention counseling. If you choose to opt-out, please sign below under the "Opt-Out" clause. If you choose to release your information as stipulated in this Privacy Policy, sign under the "Release" clause. You may change your decision any time by contacting our agency.

OPT-OUT: I request that Smith HCA make no disclosures of my nonpublic personal information to third parties other than project partners and those permitted by law. By choosing this option, I understand that Smith HCA will NOT be able to answer any questions from my creditors. I understand that I may change my decision any time by contacting Smith HCA.

Name 1 (Printed) Signature Date Name 2 (Printed) Signature Date

RELEASE: I hereby authorize Smith HCA to release nonpublic personal information it obtains about me to my creditors and any third parties necessary to provide me with the services I requested. I acknowledge that I have read and understand the above privacy practices and disclosures.

Name 1 (Printed) Signature Date Name 2 (Printed) Signature Date

Endnotes

¹ HUD-approved Housing Counseling Operation and Funding Overview, broadcast 2/16/2011. Presentation available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/sfh/talk/parc/phiarch

² Public comments submitted concerning HUD's disclosure requirements can be found on pg. 55644 of the September 28, 2007 Federal Register, Final Rule, Housing Counseling program at http://portal.hud.gov/hudportal/documents/huddoc?id=DOC_12625.pdf

³ HUD-approved Housing Counseling Operation and Funding Overview, broadcast 2/16/2011. Presentation available at http://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/sfh/talk/parc/phiarch

⁴ A copy of the HUD Housing Counseling Program handbook can be retrieved at http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/hsg/7610.1.