# Jumbo Program

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## TABLE OF CONTENTS

# Overlays

- Borrower Paid and Lender Paid Compensation eligible; Lender Paid $20,000 maximum
- Delegated Correspondent (CDE) loans not permitted
- Second level review required on all loans
- Co-Ops not permitted
- 7/1 LIBOR ARM< only – no other ARM options permitted
- Interest Only not permitted
- Loans in the state of Hawaii and Alaska are not permitted
- 2, 3 and 4 Unit Investment Properties permitted on an exception basis
- Refinancing of a Reverse Mortgage (HECM) is not permitted

# Regulatory Compliance

All loans must be originated, closed, serviced and transferred in compliance with all applicable federal, state and local laws and regulations including Ability to Repay and the Qualified Mortgage rules effective 1/10/14, the TILA-RESPA Integrated Disclosure Rule (TRID) effective 10/3/15 and the following requirements:

- Regulation X – RESPA
- Regulation Z – Truth in Lending
- Regulation G – Safe Act – Federal Licensing and Registration
- Regulation H – Safe Act – State Licensing and Regulation
- Regulation V – Fair Credit Reporting
- Regulation B – Equal Credit Opportunity
- Regulation P – Privacy of Consumer Financial Information (GLB)
- USA Patriot Act
- Fair Housing Act
- Dodd-Frank Act
- Federal high cost loan regulations
- State, local and county high cost and usury regulations
- National Flood Insurance Act

All applicable closing documentation and disclosures pertaining to the above regulations must be included in the file submission.

# Eligible Channels

- Wholesale
- Correspondent
  - Table Fund
  - Non-Delegated Underwriting

# Eligible Programs

- Fully Amortizing Fixed Rate
  - 15 and 30-year terms
- Fully Amortizing ARM
  - 7/1 LIBOR ARM
- Agency High Balance

<u>Mortgage Insurance</u>

- No Mortgage Insurance permitted

# Fully Amortizing ARM Details

The interest rate will be fixed for an initial period of seven (7) years (84 payments). The initial rate change will take place effective as of the eighty-fifth ($85^{th}$) payment due date and on that day every 12 months thereafter, using the index figure in effect on the day that is 45 days before the interest rate adjustment date.

<u>Qualification</u>

7/1 ARM must be qualified at the higher of the Note rate or the fully indexed rate.

<u>Index</u>

The index is the average of the interbank offered rates of ONE-year U.S. dollar-denominated deposits in the London Market ("LIBOR"), as published in the Wall Street Journal most recently available 45 days prior to the change date.

<u>Margin</u>

- 2.25% Primary Residence
- 2.25% Second Homes

Interest Rate Cap

5%/2%/5% (First, Periodic, Lifetime)

Floor

2.25%

Conversion

ARMs are non-convertible

# Borrower Eligibility

- Borrowers must have reached the age at which the mortgage note can be enforced in the jurisdiction where the property is located.
- There is no maximum age limit for a borrower.
- All borrowers must have a valid social security number.
- Lender is required to order a third-party fraud report to identify any borrower information discrepancies and indications of possible fraudulent activity.

Eligible Borrowers

- U.S. Citizens
- Permanent resident aliens
  - Same requirements as U.S. Citizens
  - Copy of valid resident alien card
- Non-permanent resident aliens
  - Must be legally present in the U.S. with an acceptable visa type. Acceptable visa types are as follows:
    - E Series (E-1, E-2, E-3)
    - G Series (G-1, G-2, G-3, G-4, G-5)
    - H Series (H-1B, H-1C, H-2, H-3, H-4)
    - L Series (L-1A, L-1B, L-2)
    - NATO Series (NATO 1-6)
    - Series (O-1)
    - TN-1, Canadian NAFTA visa
    - TN-2, Mexican NAFTA visa

See USCIS.gov for more information

  - Must have a valid Social Security Number
  - Maximum LTV of 80%
  - Must have a minimum of two (2) year employment history in the U.S. and qualifying income must be from U.S.
  - Must be able to verify that current employment has a probability of three (3) year continuance.  VOE from may be used to document.
  - Must have a two (2) year credit history in U.S. and must meet minimum credit requirements as set forth in the Minimum Credit Requirements section.
  - Must have a two (2) year established U.S. based asset history; no funds from outside the U.S. are permitted.
  - Owner-occupied, single family primary residences only.
- Inter-Vivos Revocable Trusts
  - Trust must be established by one or more natural persons, individually or jointly.
  - The individual(s) establishing the trust must be the primary beneficiary/beneficiaries.
  - If the trust is established jointly, there may be more than one primary beneficiary as long as the income or assets of at least one of the individuals establishing the trust will be used to qualify for the mortgage.
  - At least one of the trustees must be either the individual establishing the trust, or an institutional trustee that customarily performs the duties of a trustee and is duly authorized to act as a trustee under applicable state law.
  - The mortgage and trust documents must meet Agency eligibility criteria including title and title insurance requirements, as well as applicable state laws that regulate the loan origination of inter-vivos revocable trusts.
  - The trustee(s) must have the power to mortgage the security property for the purpose of securing a loan to the party (or parties) who are the borrower(s) under the mortgage or deed of trust note.
- Illinois Land Trusts
  - Not permitted
- Community Land Trusts
  - Not permitted
- First Time Homebuyers, a first time homebuyer is defined as a borrower who has not had ownership interest in a property within the last three years from the application date.
  - Owner-occupied primary residences only.

    - See Product Matrix for loan limits and other requirements.
    - Limited to a maximum 80% LTV.
- Maximum of four (4) borrowers per loan.

## Ineligible Borrowers

- Borrowers with only an ITIN (individual taxpayer identification number).
- Irrevocable trusts.
- Corporations, limited partnerships, general partnerships, and limited liability companies.
- Non-occupant co-borrowers.
- Foreign Nationals.
- Borrowers with Diplomatic Immunity.

## Multiple Financed Properties

- Borrowers may not own more than four (4) residential 1-4 unit financed properties regardless of the occupancy of the subject property.
- Borrowers must have six (6) months PITI reserves for each additional financed property owned.
- Financed properties held in the name of an LLC or other corporation, commercial properties, and unimproved land can be excluded from the calculation of number of properties financed where the borrower is not personally obligated for repayment of the sums secured by the mortgage on the financed property.

## Ownership

Ownership must be fee simple and must be in the name of the individual Borrower(s) or Trust. Borrower(s) may hold title as follows:

- Individual
- Joint Tenants
- Tenants in Common

# Occupancy

## Primary Residence

A primary residence is the property the borrower occupies as his or her principal residence. At least one of the borrowers must occupy, be on title to the property and execute the Note and the security instrument. A borrower may not maintain more than one primary residence at any given time.

- 1-4 units detached, attached, PUD, and eligible condominiums.

Second Home

The property must be occupied by the borrower from time-to-time and is suitable for year-round use. Typically, the property located in either a resort or vacation area or for convenience in a city where the borrower works when the primary residence is in a distant suburb.

- 1 unit detached, attached, PUD, and eligible condominiums.
- Property may not be a time share, subject to a rental agreement or other shared ownership arrangements.
- The property must be a reasonable distance from the borrower's primary residence.
- Rental income and expenses on Schedule E of the borrower's personal tax return(s) must not be significant.
- Rental income from a second home cannot be used to qualify the borrower.

Investment Property (Non-owner occupied)

An investment property is owned by the borrower but is not occupied by the borrower.

- 1-4 united detached, attached, PUD, and eligible condominiums.
- **Note:** 2, 3 and 4 Unit Investment Properties are permitted on an exception basis.

# Eligible Transaction Types

Purchases

- Must adhere to Agency guidelines.
- LTV/CLTV is calculated using the lesser of the purchase price or the appraised value of the subject property.
- If Seller has taken title to the subject property within 90 days prior to the date of the sales contract the following requirements apply:
    - Property seller on the purchase contract is owner of record

    - Second full appraisal is required
    - Increases in value should be documented with commentary from appraiser
    - Loans that are bank or relocation sales are exempt from the above requirements
- Personal property may not be included in the purchase agreement/sales contract. Personal property items should be deleted from the sales contract or reasonable value must be documented and the sales price adjusted. Items that are customary to residential real estate transactions such as lighting fixtures, kitchen appliances, window treatments and ceiling fans are not considered personal property.

<u>Rate and Term Refinance</u>

- Properties listed for sale in the past six (6) months are ineligible for refinances unless the listing was withdrawn (or expired) prior to the date of closing.
- Minimum of 6 months seasoning from the note date of the new transaction required if previous refinance was cash-out, including the pay-off of a non-seasoned subordinate lien.
- For properties purchased within six (6) months of closing date the LTV will be based upon the lesser of the original sales price or the current appraised value conclusion from the appraiser. Original sales price will be determined from the Closing Disclosure from the subject acquisition transaction.
- For properties purchased more than six (6) months prior to the closing date the current appraised value may be used to calculate LTV.
- Inherited properties are exempt from this seasoning requirement LTV will be calculated off current appraised value.
- The mortgage amount may include the:
    - Principal balance of the existing first lien.
    - Payoff of a purchase second lien with no draws exceeding $2,000 within the past 12 months from date of application. Withdrawal activity must be documented with a transaction history of the line of credit.
    - Payoff of a co-owner pursuant to a written agreement.
    - Financing of the payment of prepaid items and closing costs.
    - Payoff of a non-purchase second lien seasoned a minimum of 12 months from date of application. The second lien must not evidence draws exceeding $2,000 within the past 12 months from date of application. Withdrawal activity must be documented with a transaction history of the line of credit.
- Cash back to the borrower is limited to the lesser of $2000 or 1% of the new mortgage loan.

## Cash-Out Refinance

- Borrower must have held title for a minimum of 6 months from closing date. Inherited properties are exempt from this seasoning requirement. LTV will be calculated off current appraised value.
- Properties that have been listed for sale within the past 6 months of closing date are not eligible. If the property was listed within the previous 6-12 months from closing date, a letter from the borrower explaining the reason for retaining the property is required.
- If the subject property was purchased within the 6-12 month period prior to the closing date for the new loan the LTV will be based on the lesser of the sales price or the current appraised value.
- If the subject property was purchased more than 12 months from the closing date for the new loan LTV will be based off the current appraised value.
- Texas cash out refinances are ineligible.
- Cash out is limited to the maximum amounts stated on the Product Matrix

## Continuity of Obligation

For a refinance transaction to be eligible, there must be a continuity of obligation of the outstanding lien that will be paid through the refinance transaction.

Continuity of obligation must be met when any one of the following exists:

- At least one borrower is obligated on the new loan who was also a borrower obligated on the existing loan being refinanced.
- The borrower has been on title and residing in the property for at least 12 months and has either paid the mortgage for the last 12 months or can demonstrate a relationship (relative, domestic partner, etc.) with the current obligator.
- The loan being refinanced and the title to the property are in the same name of a natural person or a limited liability company (LLC) as long as the borrower owns at least 25% of the LLC prior to transfer. Transfer of ownership from a corporation to an individual does not meet the continuity of obligation requirement.
- The borrower has recently been legally awarded the property (divorce, separation or other dissolution of a domestic partnership).

Loans with an acceptable continuity of obligation may be underwritten and priced as either a cash-out or limited cash-out refinance transaction based on the requirements for each type of transaction.

## Delayed Financing Refinance

Delayed financing refinances in which the borrower(s) purchased the subject property for cash within the last ninety days (90) from the date of the application is eligible. Cash back to the borrower in excess of the lesser of the original purchase price or appraised value is not permitted. Delayed financing refinances are not subject to cash-out refinancing program limitations.

The original purchase transaction must be documented by a Closing Disclosure confirming that no mortgage financing was used to obtain the subject property.

A Delayed Financing may be treated as a Rate/Term refinance transaction if the following criteria are met:

- Primary Residence Only
- 5% Reduction to the LTV/CLTV
- No Asset Depletion
- Property not listed for sale in the most recent 6 months from application date
- Property not located in Texas

Contract for Deed/Land Contract

The payoff of an installment land contract is not permitted.

Construction Loan Refinancing

Not permitted

Non-Arm’s Length Transactions

All of the parties to a transaction should be independent of one another. Except as indicate below if a direct relationship exists between or among the parties, the transaction is a non-arm’s length transaction and the related loan is not eligible. The following non-arm’s length transactions are eligible provided that such transactions and the related circumstances are properly documented:

- Sales or transfers between members of the same family. Transaction may not be due to any adverse circumstances.
- Property seller acting as his or her own real estate agent.
- Borrower acting as his or her own real estate agent.
- Borrower is the employee of the originating lender.
- Borrower purchasing from his or her current landlord (cancelled checks or bank statements required to verify satisfactory pay history between borrower and landlord).

**Note:** Investment property transactions must be arm's length.

# Credit Requirements

Credit Documents Age

For all transaction types credit documents may not be older than 90 days from the Note date.

Credit Score

- The representative credit score for qualification purposes for an individual borrower is the middle score of three (3) scores reported. If two (2) scores are reported the representative credit score is the lower of the two scores. Credit score from all three repositories must be requested (Equifax, Experian and TransUnion).
- For multiple borrowers the credit score is the lowest of all representative credit score.
- If only one credit score or no credit score is reported, borrower is not eligible.

See the Product Matrix for minimum credit score requirements.

Minimum Credit Requirements

- Each borrower contributing income must have three (3) open and active trade lines for 24 months with a twenty-four (24) month history. Two (2) or three (3) tradelines must show activity within the 12 months from the date of application.
- One trade line must be an installment or mortgage account.
- Exception to the above trade line requirement if the credit history meets the following:
    - No fewer than eight (8) trade lines are reporting, one (1) of which must be a mortgage.
    - At least one (1) trade line has been open and reporting for a minimum of 12 months.
    - The borrower has an established credit history for at least ten (10) years.
- Non-traditional/alternative credit accounts are not considered acceptable trade lines.
- Authorized user accounts are not considered acceptable trade lines.

- Trade lines may not show significant adverse history.

## Mortgage/Rental History

- A minimum of twenty-four (24) months verified housing payment history is required.
- Mortgage payment history must reflect 0x30 in the most recent 24 months.

Mortgage/Rental history may be documented as follows:

- A twenty-four (24) month mortgage payment history from an institutional lender, as verified through (i) credit bureau report reference for 24 months, (ii) 24 months canceled checks, or (iii) most recent 12 months canceled checks with a VOM for the prior 12 months.
- For rental verification a standard VOR completed by a professional management company or twenty-four (24) months bank statements or canceled checks are required.
- If a borrower is refinancing a privately held mortgage the following payment verification requirements apply:
  - The privately held mortgage payments must be verified with either cancelled checks or bank statements (if the payment is automatically withdrawn from the borrower's account).
  - Evidence must be included in the loan file that the lien being paid off is a current recorded lien against the subject property.

## Credit Inquiries

- All inquiries that have taken place within 120 days of the credit report date must be explained by the borrower and documented accordingly.
- Borrower must be qualified with any new debt.

## Modifications

- Only lender initiated modifications on owner occupied properties with proof that they were not caused by a distress situation.
- The borrower must have made forty-eight (48) consecutive months of timely mortgage payments on the modified loan before closing on the refinance mortgage loan.
- Restructured loans in which the terms of the original transaction have been changed resulting in a partial or absolute forgiveness of debt; or a restructure of debt are not eligible:

- Forgiveness of a portion of principal and or interest in either the first or the second mortgage.
- Application of a principal curtailment or on behalf of the investor to simulate principal forgiveness.
- Conversion of any portion of the original mortgage debt to a subordinate mortgage or conversion of any portion of the original mortgage debt from secured to unsecured.

Liens, Judgments and Collections

- Satisfactory explanation for any delinquent credit from the borrower is required.
- Borrower must pay off all delinquent credit that has the potential to impact lien position.
- Collection accounts or charged-off accounts do not need to be paid off if the balance of an individual account is less than $1000.00 or if there are multiple accounts the total balance of all accounts cannot exceed $2500.00.

Bankruptcy, Foreclosure, Deed-In-Lieu of Foreclosure and Short Sales

- At least seven (7) years must have elapsed since bankruptcy discharge or dismissal, foreclosure, notice of default (NOD), short sale or deed-in-lieu measured from the date of completion to the date of application.
- A satisfactory letter of explanation for the event from the borrower is required.
- Borrower must show reestablished credit and meet the minimum credit requirement.

# Employment and Income

Income Sources and Calculation of Income

All income sources and method of income calculation must meet most recent Agency/Appendix Q Standards for Determining Monthly Debt and Income. The loan file should include an Income Analysis form detailing income calculations.

- The non-taxable portion of fixed income such as Social Security income, VA benefits, Pensions and Annuity income may be grossed-up twenty five percent (25%).
- Unreimbursed business expenses must be deducted from income. This includes borrowers who earn commission income regardless of the percentage of commission income to total income.

Employment and Income Stability

- Borrower(s) must have a minimum of two (2) years employment and income history.
- Gaps in employment over thirty (30) days during the most recent two (2) year period require a satisfactory letter of explanation from the borrower.
- All borrowers contributing income for qualification must be employed at present employment for a minimum of six (6) months to qualify if there is a gap in employment during the previous two (2) years.

Income Documentation Requirements

Important Note Regarding Documentation: Appendix Q states that a borrower with a 25% or greater ownership interest in a business is considered self-employed. Any borrower for whom the ownership of 25% or more of a corporation, limited liability company, partnership, sole proprietorship or other entity appears in the loan file must have the supporting documentation that is required by the relevant portions of the “Self-Employed Borrowers” subsection below. This documentation is required even if the borrower is a salaried employee as such business entity and/or another company, and even if the UW only relied upon the borrower’s salary or other income to establish eligibility. **All required documentation as described here and in the following sections must be obtained prior to closing.**

Salaried Borrowers:

- Completed, signed and dated final Uniform Residential Mortgage Application. Most current form must be used.
- W-2’s from all employers for the past two (2) years. All W-2’s must be computer generated.
- If the borrower does not have 2 years of employment due to previously being in school, a copy of the school transcript is required.
- Most recent paystubs, covering a thirty-day (30) period with YTD earnings. All paystubs must be computer generated.
- Tax returns are not required for salaried borrowers if wage income is the only source of income used for qualification.
- Unreimbursed business expenses must be deducted from the income regardless if the borrower’s commission income is less that 25% of total income.
- Borrowers employed in a family business must provide evidence that they are not owners of the business with a CPA letter from the business and personal tax returns.

- Signed IRS Form 4506T. The 4506T transcripts need to be obtained from the IRS prior to closing and used to validate the income documentation used to underwrite the loan. Wage transcripts are acceptable. Any income documentation discrepancy between the IRS transcripts and the supporting income documentation (Paystubs, W-2's, tax returns, etc.) as provided by the borrower must be reconciled and adequately addressed by the UW.
- Verbal VOE dated within 10 business days of closing documented in writing. The verbal VOE must cover 24 months of employment. If the borrower has changed jobs during the past two years, the verbal VOE must show the start and end dates for each job. Any employment gaps exceeding 30 days must be addressed with a satisfactory letter of explanation from the borrower. Any employment gap over 30 days must be addressed.

Salaried Borrower who also file Self-Employed and/or Supplemental Income/Loss Tax Return Schedules:

- Salaried borrowers who also own 25% or more of a business or other entity are required to provide a year-to-date P&L and balance sheet for that business or entity <u>even if the income from that business or entity is not being used qualify</u>. This requirement includes all businesses and entities including those organized as pass through entities.
- Salaried borrowers who file a schedule C (sole proprietorship) will be considered as self-employed and are required to provide a year-to-date P&L and balance sheet. This includes borrowers who may be filing the Schedule C as a tax write off for accounting purposes.
- Most recent signed two (2) years business tax returns are required for businesses where the borrower owns 25% of more <u>and</u> the business reports an income loss on the schedule K-1. Loss must be deducted from income.
- Verbal VOE dated within 10 business days of closing documented in writing. The verbal VOE must cover 24 months of employment. If the borrower has changed jobs during the past two years, the verbal VOE must show the start and end dates for each job. Any employment gaps exceeding 30 days must be addressed with a satisfactory letter of explanation from the borrower. Any employment gap over 30 days must be addressed.

Salaried Borrowers with Commission/Bonus:

- For borrowers receiving bonus, commission, or any other non-base salary compensation in addition to base salary, a 2-year history of the receipt of the income is required.

- This must be addressed with a written VOE breaking down the bonus or commission income for the past 2 years, further supported by a year-to-date paystub.
- A year-to-date paystub, W-2s and tax returns alone will not satisfy the documentation requirements for bonus, commission or any other non-base salary compensation.

Self-Employed Borrowers:

- Borrowers with a 25% or greater ownership interest in a business are considered self-employed and will be evaluated as a self-employed borrower for underwriting purposes.
- Completed, signed and dated final Uniform Residential Mortgage Application. Most current form must be used.
- For business income being used for qualifying purposes, the most recent signed two (2) years tax returns, including all schedules for both individual and business tax returns are required. All personal and business tax returns must be signed and dated prior to closing.
- Self-employed borrowers using wage income paid by their business for qualifying purposes must fully document the income with W-2s for the past two (2) years and most recent paystubs, covering a thirty-day (30) period with year-to-date earnings. W-2 and paystubs must be computer generated.
- If tax return schedules show a loss in the prior year for any business where the borrower owns 25% of more, business tax returns including all schedules are required for this business in order to calculate the average loss. <u>This is required regardless if this business income is being used to qualify. Tax returns must be signed and dated prior to closing.</u>
- Signed IRS Form 4506T. The 4506T transcripts must be obtained from the IRS for personal tax returns prior to closing and used to validate the income documentation used to underwrite the loan. Business tax transcripts are not required. Any income documentation discrepancy between the IRS transcripts and the supporting income documentation (Paystubs, W-2's, tax returns, etc.) as provided by the borrower must be reconciled and adequately addressed by the UW.
- P&L and Balance Sheet Requirements:
    - Year to date P&L statement and balance sheet are required if Note date is beyond 90 days from the end of the last fiscal year.
    - All borrowers owning 25% or more of a business or entity must provide a year-to-date P&L statement and balance sheet for that entity, regardless of whether or not the business income is being used to qualify. The

requirement includes all business entities including those organized as pass through entities.
    - If the tax return for the previous tax year is not filed, a 12-month P&L and balance sheet for this period is required.
    - If the most recent year's tax returns have not been filed by the IRS deadline, an executed copy of the borrower's extension request for both personal and business tax returns must be provided.
    - The P&L and balance sheet is required even if the borrower does not have a business checking account.
    - P&L and tax returns must show stable or increasing income from all business entities and income sources for the period relative to previous periods. Income cannot decline by 20% or more from the prior tax period.

- Verification of Active Businesses
    - The UW must verify the existence of the borrower's business within 30 calendar days prior to closing. Methods of verifying business include:
        - Verification from a third party such as a CPA, regulatory agency or by an applicable licensing bureau. If CPA is used it must indicate the borrower has been self-employed for a minimum of 2 years.
        - Verification of phone listing and address for the borrower's business using a telephone book, internet or directory assistance. Copy of a website page is not acceptable.

Rental Income:

- Rental income from other properties must be documented with the borrower's most recent signed federal income tax return that includes Schedule E. Leases are required for all properties where rental income is being used to qualify.
- Proposed rental income from the comparable rent schedule may be used for qualifying if there is not a current lease or assignment of lease on purchase of an investment property.
- Properties with expired leases that have converted to month to month per the terms of the lease will require bank statements for the lesser of 12 months or the time period after the lease expired.
- A 25% vacancy factor must be applied to the gross rent used for qualifying. Multiply the gross rent by 75% and subtract the PITI to arrive at the rental income/loss used for qualifying.
- Commercial properties owned on schedule E must be documented with a rent roll and evidence that the primary use and zoning of the property is commercial.

Retirement or Pension Income

Retirement of Pension Income may be verified by the following:

- Copies of retirement award letters.
- Copies of last two (2) months bank statements to document the regular deposit of payments.
- Distributions from a retirement account (401K, IRA, Keogh, SEP) must be documented with a distribution letter and copies of last two (2) months bank statements to document the regular deposits of payments.

Annuity retirement benefits must have a minimum continuance of three (3) years from the date of the application to be considered as qualifying income.

Social Security Income

Social Security Income may be verified by the following:

- Copy of the Social Security Administrations award letter,
- Copies of last two (2) months bank statements to document the regular deposit of payments.

Benefits must have a minimum continuance of three (3) years from the date of the application to be considered as qualifying income.

Alimony and Child Support

Alimony and Child Support are allowed sources of income with proof of a minimum of a three-year continuance.

Unacceptable Income

Unacceptable income sources include the following:

- Any source that cannot be verified.
- Restricted stock income (RSU).
- Income that is temporary.
- Rental Income (Boarder Income) received from the borrower's primary residence.
- Expense account payments.
- Retained earnings.
- Non-occupant income.

# Debts and Liabilities

## Debt-to-Income Ratio

- The Debt-to-Income (DTI) ratio is based on the total of existing monthly liabilities and any planned future monthly liabilities divided by gross monthly income.
- Liabilities include but are not limited to all housing expenses, revolving debts, installment debts, other mortgages, rent, alimony, child support, and other consistent and recurring expenses.
- The UW must ensure that liabilities are included in qualifying. This includes debts paid by another entity such as borrows business or debts being paid by a family member.
- Refer to the Product Matrix for the maximum allowable DTI.

## Installment Debt

- Installment debt, including car lease payments, must be included in the qualifying ratio regardless of months remaining.
- Debt that is not a contingent liability must be included in the DTI. A contingent liability is defined as a debt paid by a party or entity other than the borrower where said party or entity and not the borrower is the primary obligor. If the borrower is the primary obligor on any liability the debt must be included in the DTI. Example: A borrower financed the purchase of an automobile for their business and the business pays the loan. If the loan is in the borrower's name this debt must be included in the DTI.
- Real estate owned by the borrower where the borrower is not on the Note may be excluded from DTI with 12 months cancelled checks showing another party is making the payments. Tax and Insurance amounts on the property must be documented and the full amount of taxes and insurance must be included in the DTI.
- PITI on real estate owned pending sale must be included in the DTI.
- Borrowers who have entered into an IRS repayment plan must have a minimum of three (3) months timely pay history. Credit report and title must not indicate an IRS tax lien.
- Student loans must be included as a long-term debt even if payments are deferred. If the monthly amount of a student loan is not shown on the credit report a payment of one percent (1%) may be used for qualifying.
- Payments related to a 401(K) loan do not need to be included in total debt obligation.

- Child support payments with ten (10) months or less remaining do not need to be included in total debt obligation.
- Installment debt may be paid off to qualify either before or at closing using cash out proceeds.
- Gift funds may not be used to pay off debt to qualify.

Revolving Debt

- All revolving debt is included for qualifying regardless of number of payments remaining.
- Debt that is not a contingent liability must be included in the DTI. A contingent liability is defined as a debt paid by a party or entity other than the borrower where said party or entity is the primary obligor. If the borrower is the primary obligor on any liability the debt must be included in the DTI. Example: A borrower purchases an automobile for their business. The business pays the loan however the loan is in the borrower's name. This debt must be included in the DTI.
- The monthly amount of a revolving account shown on the credit report may be used for qualifying.
- If the monthly amount of a revolving account is not shown on the credit report a payment of five percent (5%) may be used for qualifying.
- The payment may only be excluded if the account is documented as paid in full and closed.
- Revolving debt may be paid off to qualify either before or at closing using cash out proceeds. Documentation that the revolving debt has been paid off and the account is closed is required.
- Gift funds may not be used to pay off debt to qualify.

Home Equity Line of Credit (HELOC)

- For HELOC loans paid off at closing the line must be closed to any future draws.
- Requirement on title commitment for payoff and cancellation of HELOC is acceptable to document.

Conversion of Departing Residence to Investment Property

If the current primary residence is being converted to an investment property the following applies:

- The rental income from the departing residence may be used if the borrower has a loan to value of 75% or less, as evidenced by either:

    - a current residential appraisal (no more than 6 months old from application date) and outstanding liens as evidenced by a mortgage statement or credit report reference or,
    - an Exterior Only appraisal (2055) (no more than 6 months old from application date) and outstanding liens as evidenced by a mortgage statement or credit report reference, or
    - an automated valuation model (AVM) listing the prior sales price minus outstanding liens as evidenced by a mortgage statement or credit report reference. The AVM may not be used as a current valuation to determine the borrower's equity percentage.
- A 25% expense / vacancy deduction must be applied to all rental income. Copies of the signed lease are required.
- Reserves of six (6) months of PITI must be documented in addition to the required reserves for the primary residence.

# Assets and Source of Funds

<u>Source of Funds</u>

- The borrower must have sufficient liquid assets to meet the requirements for down payment, pre-paid items, closing costs and reserves.
- Funds needed for closing must be verified with copies of the most recent two (2) months bank statements including all pages.
- Large deposits, defined as a single deposit that exceeds 50% of the total monthly qualifying income, must be sourced.
- Acceptable sources of verified funds include:
    - Bank deposits
    - Stocks, stock options, bonds, and mutual funds
        - Stocks and bonds will be discounted at 70% of value for reserves.
    - Life Insurance surrender value if used for cash to close must be liquidated. If used for reserves no liquidation is required.
    - Sale of real property
    - Sale of personal property with supporting documentation
    - Disbursement from a Trust Fund
    - Disbursement from an IRA/401K
    - Disaster relief grants. Borrower may use lump sum grant for down payment. No minimum contribution is required. Grant may not be used for closing costs or reserve requirements. Document that payment received is an

actual grant and not a loan. Subordinate lien against the property is ineligible.

- Business funds can be used for down payment with a letter from an accountant verifying the following:
    - The amount of business assets that can be used must correspond to the borrower's percentage of ownership in the business.
    - The funds are not a loan.
    - Withdrawal of the funds will not negatively impact the business.
    - Business funds may not be counted toward cash reserves
- Gift funds are an acceptable source of funds as follows for primary residences with LTV <= to 80% as follows:
    - Borrower must contribute at least 5% from their own funds.
    - Gift donor must be a relative, defined as the borrower's spouse, child, or other dependent, or by any other individual who is related to the borrower by blood, marriage, adoption, or legal guardianship; or a fiancé or domestic partner.
    - Gift letter from donor that incudes name, address, telephone number and relationship to borrower
    - Evidence of funds transfer and receipt prior to closing.
    - Gift funds are not permitted for investment property transactions.
    - Gift funds may not be used to pay off debt to qualify.
- Gifts of equity
    - Not permitted to be used as a source of funds.

<u>Cash Reserves</u> ⮌

- All loans require a minimum cash reserve.
- Refer to the Product Matrices for reserve requirements.
- Reserves must be verified and comprised of liquid assets that borrower can readily access.
- If a borrower owns multiple financed properties, the borrowers must have an additional six (6) months cash reserves for each additional property.
- Equity lines of credit, gift funds, and cash out from refinance transactions are not acceptable sources to meet the reserve requirement.
- Vested funds from individual retirement accounts (IRA/SEP/Keogh/401k accounts) are acceptable sources of funds for reserves.
- If the retirement assets are in the form of stocks, bonds, or mutual funds, in order to be considered for reserves, the account must be discounted by 30% to account for market volatility.

# Property

## Eligible Property Types

- 1-4 units attached/detached owner-occupied properties.
- 1-unit second homes.
- 1-4-unit investment “non-owner-occupied” properties.
    - **Note:** 2, 3 and 4-unit investment properties are permitted on an exception basis.
- Low/mid/high-rise new and established Fannie Mae or Freddie Mac warrantable condominiums.
    - Warrantable condominium types S and T.
    - Limited review is not eligible. All attached condominiums require full lender review with or without Condo Project Manager (CPM). The conventional Condo and PUD warranty form must be used to warrant the condo project.
    - The project must be reviewed within the 3 months preceding the date of the note.
    - New condominiums (type R) with PERS approval for Florida condos. New condominiums may not be subject to additional phasing or annexation.
    - All supporting documentation used by the UW to determine eligibility and warranty type criteria must be submitted in the file; including the project acceptance certification generated by CPM, and unexpired PERS approval, as applicable.
    - Minimum square footage 400.
- Planned Unit Development (PUD).

## Ineligible Property Types

- Cooperatives (Co-ops)
- Manufactured Homes
- Factory built housing
- Properties with income producing attributes
- Condo hotel units
- Log homes
- Unwarrantable condominiums
- Condominiums with HOA in litigation
- Timeshare units

- Geothermal homes
- Unique properties
- Mixed use properties
- Working farms
- Hobby farms
- Commercial properties
- Agriculturally zoned properties (agricultural/residential eligible)
- Properties held as leasehold
- Properties with more than 10 acres
- Properties located in Puerto Rico, Guam, and US Virgin Islands

<u>Declining Markets</u>

- Reduce maximum LTV by 5% for any property located in an area of declining property values as reported by appraiser.
- Maximum 85% LTV.

<u>Land-to-Value</u>

The property site should be of a size, shape, and topography that is generally conforming and acceptable in the market area. It must also have competitive utilities, street improvements, adequate vehicular access, and other amenities. Because amenities, easements, and encroachments may either detract from or enhance the marketability of a site, the appraiser must reflect them in his or her analysis and evaluation. The appraiser must comment if the site has adverse conditions or if there is market resistance to a property because site is not compatible with the neighborhood or the requirements of the competitive market, and assess the effect, if any, on the value and marketability of the property.

<u>Appraisal Requirements</u>

- All appraisals must be completed on the most current Agency appraisal forms as stipulated in the Seller's Guide and conform to Agency appraisal practices.
- Appraisals must not be over 120 days old from the date of the Note. If appraisal is over 120 days old a new appraisal needs to be performed. For new construction, an appraisal update on form 1004D is required.
- Two (2) full appraisals are required for loan amounts > 1.5 million.
    - LTV will be based on lower of the two values.
        - All inconsistencies between the two appraisals must be addressed and reconciled.
- Appraisals assigned from another lender are not acceptable.

- Collateral Desktop Analysis (CDA) performed by a third party is required for loan amounts <=$1.5million
    - Review value on the CDA must be within a 10% variance
    - Variance over 10% will require a field review
    - If field review also produces a value in excess of a 10% negative variance to the appraised value, the loan is ineligible.
- PIWs not permitted for Agency High Balance Loans

### Properties Located in a Disaster Area

- For properties located in a FEMA declared disaster area a re-inspection is required to be performed by the original appraiser. A written certification is required from the appraiser to confirm that the property value has not been impacted by the disaster.
- For FEMA declared natural disasters, the inspections must be dated after the disaster end date is declared by FEMA.

# Additional Loan Attributes and Policies

### Subordinate Financing

- New subordinate financing is permitted up to the maximum allowable LTV/CLTVs.
    - Only institutional financing is permitted.
    - No new subordinate financing on refinance transactions.
- Maximum LTV / CLTV / HLTV for subordinated HELOCS will be based on the fully drawn balance.
- Subordination of an existing loan is permitted up to maximum LTV allowed.
- Cash-out transactions are not eligible for subordination of existing liens.
- Subordinate liens must not have negative amortization, no balloon within 5 years, and no prepayment penalties.
- In cases in which a HELOC is resubordinated to the subject mortgage, monthly amount on credit report will be used. If no monthly payment amount is shown on credit report, a 1% minimum payment of the maximum line amount will be used for qualifying. If HELOC has a zero balance and no draws within 24 months of application, no payment need be included in the DTI. Withdrawal activity must be documented with a transaction history for the line of credit.

### Chain of Title

- All transactions require a minimum twelve (12) month chain of title.
- For purchase transactions seller must have taken title to the subject property a minimum of ninety (90) days prior to the date of sales contract.

Balloon Mortgage

- Not permitted

Recasting/Re-amortizing

- Not permitted

Temporary Buydown

- Not permitted

Prepayment Penalty

- Mortgage loans with prepayment penalties are not eligible for purchase.

Interested Party Contributions

- Interested party contributions include funds contributed by the property seller, builder, developer, real estate agent or any other party with an interest in the real estate transaction.
- Interested party contributions may only be used for closing costs and prepaid expenses.
- Interested party contributions exceeding the allowed amount on the Product Matrix will be deduced from the sales price to determine LTV.

Hazard Insurance

- Properties where the insurance coverage on the declaration page does not cover the loan amount must be have a cost estimate from the insurance company or agent evidencing the property is insured for its replacement cost.
- Hazard insurance must have the same inception date as the date of disbursement on purchase money mortgages. This may be documented with a post-closing Closing Disclosure or the correction of the inception date on the hazard policy

HERO/PACE/Solar Panels

Any item that that will include a UCC associated with the property and/or will create an easement on title is ineligible.

### Escrows

- It is recommended that escrow account be created for funds collected by the originator to pay taxes, hazard insurance, flood insurance, special assessments, water, sewer, and other items as applicable.
- All applicable loans must adhere to HFIAA regarding flood insurance escrows.
- Escrow holdbacks are not allowed.

# Title and Closing Documentation

### Forms

- All Notes, security instruments, riders, addenda and special purpose documents used in connection with fully amortizing one to two family conventional first mortgages must be prepared on approved Agency forms unless this guide specifically requires otherwise.

### Title

- Title insurance must meet Agency requirements and be written on the 2006 American Land Title ALTA form providing gap coverage or the ALTA short form.
- Other state forms may be used in states in which standard ALTA forms of coverage are not used or in which the 2006 ALTA forms have not been adopted.
- If alternative forms are used, the lender must ensure that those amendments provide the same coverage. The title insurance policy/commitment must be dated within 90 days and insure the exact loan amount.
- The title policy should include all applicable endorsements issued by a title insurer qualified to do business in the jurisdiction in which the mortgage insured property is located, including the endorsements for Condominiums, PUDs, and ARM loan types.
- The title insurance coverage must include an environmental protection lien endorsement (ALTA 8.1-06 or equivalent state form).
- The title insurance policy must insure the mortgagee and its successors and assigns as to the first priority lien of the loan amount at least equal to the outstanding principal balance of the loan.

- A statement by the title insurance company or closing attorney on such binder or commitment that the priority of the lien of the related Mortgage during the period between the date of the funding of the related Mortgage Loan and the date of the related title policy (which title policy shall be dated the date of recording of the related Mortgage) is insured.
- Any existing tax or mechanic's liens must be paid in full through escrow.