



National Foreclosure Mitigation Counseling Program
Funding Announcement
for Round 7 Funds

Revised
March 4, 2013

**National Foreclosure Mitigation
Counseling Program
Round 7 Funding Announcement**

November 8, 2012

Table of Contents

Purpose of Funding _____	1
Definitions _____	2
Funding Available _____	6
Eligible Applicants _____	7
Eligible Activities _____	9
Counseling _____	10
Program-Related Support _____	21
Operational Oversight _____	22
Application Summary and Scoring _____	23
Funding Time Frame _____	28
Match Requirement _____	29
Draw Schedule _____	31
Other Program Requirements _____	34
Post-Award Requirements _____	36
Exhibits _____	38
1. Areas of Greatest Need _____	38
2. Isserman Typology of Rural Areas _____	47
3. HUD-Approved Housing Counseling Intermediaries and State HFAs _____	48
4. Client Level Data Point Requirements & Quarterly Report Questions _____	51
5. <i>Making Home Affordable</i> Screening Checklist _____	63
6. Draw Trigger Rules _____	68
7. National Industry Standards for Homeownership Education and Counseling - Foreclosure Intervention Specialty _____	71



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Purpose of Funding

As of November 8, 2012, the Fiscal Year 2013 Appropriations Bills have not become law, the government is operating under a Continuing Resolution which maintains federal funding at Fiscal Year 2012 levels, and funding for a seventh round of the National Foreclosure Mitigation Counseling (NFMC) Program is likely, though the amount is not yet known. The program would continue to be administered by the Neighborhood Reinvestment Corporation, doing business as NeighborWorks® America (NeighborWorks), and would include funds for foreclosure intervention counseling, training, and expenses associated with administering the NFMC Program. Understanding the continued demand for funds to support foreclosure counseling around the nation, NeighborWorks will move forward with the application process for the seventh round of the NFMC Program, positioning itself to award funding as soon as possible if the Appropriations Bills pass or a Continuing Resolution persists and the NFMC Program funding becomes law.

Please note that the amount we will award in Round 7 of the NFMC Program is contingent upon the program being funded in Fiscal Year 2013. Provisions of the NFMC Program, as stated in this Funding Announcement, are subject to change based on the terms of the legislation.

The performance period for Round 7 is October 1, 2012 to December 31, 2013. The expectation is that all NFMC Program Round 7 funds shall be expended by December 31, 2013.

The NFMC Program is designed to support the provision of foreclosure intervention counseling services on a short-term basis by HUD-Approved Housing Counseling Intermediaries, State Housing Finance Agencies (HFAs), NeighborWorks Organizations (NWOs) and other housing counseling agencies with whom they contract. Funds will be awarded to Applicants with Demonstrated Experience in foreclosure intervention and loss mitigation counseling.

To date, the statutory authority for the NFMC Program mandates that the majority of the awarded funds be prioritized for use in “areas of greatest need.” These are defined as areas experiencing a high rate of defaults and/or foreclosures (see Exhibit 1 for a list of Areas of Greatest Need for Round 7). Grantees will use the funds to provide mortgage foreclosure intervention and loss

mitigation counseling assistance primarily in the defined Areas of Greatest Need ~ metropolitan statistical areas (MSAs) and rural areas with high rates of defaults and/or foreclosures. Some of the grant funds may be utilized outside areas of greatest need.

Recipients of NFMC Program-funded foreclosure intervention counseling must, by existing statute, be owner-occupants of single-family (one- to four-unit) properties with mortgages in default or in danger of default.

The program recognizes that a variety of strategies may be used to intervene in a default and prevent foreclosure. Eligible Applicants must have the ability to deliver foreclosure intervention counseling activities, including but not limited to analysis of the client's financial situation; evaluation of the current value of the home that is subject to the mortgage; and review of options such as the assumption or purchase of the mortgage by a non-federal third party, other restructuring and refinancing strategies, or the approval of a workout strategy by all interested parties. While the goal is to assist homeowners to retain their homes with a mortgage they can afford, in some instances curing a default may require sale of the home.

The intent of NFMC Program funding is to expand and supplement counseling services available to families facing default and foreclosure. It is expected that eligible Applicants will make every effort to receive reimbursement for counseling services from other sources, such as investors and/or servicers, to increase the sustainability of these services. NFMC Program funds are not meant to replace current or future fee-for-service arrangements between counseling agencies and servicers, lenders, or other interested parties. **Counseling agencies receiving NFMC funds are required to keep a separate foreclosure program budget and should keep a record of all reimbursements received and costs of implementing the agency's foreclosure counseling program.** NeighborWorks shall have the right to request copies of such records at any point during the grant period and the subsequent evaluation period.

If funding is appropriated, NeighborWorks will continue to train foreclosure counselors across the country through weeklong training sessions at NeighborWorks Training Institutes, regional multi-course foreclosure counseling courses, place-based trainings in partnership with HUD-approved Housing Counseling Intermediaries and State HFAs, and on-line e-learning courses.

Details about the NFMC Program, including the statutory language that has governed the program to date, can be found at www.nw.org/nfmc. NeighborWorks reserves the right to make exceptions to the guidelines set forth in this Funding Announcement. Any questions about this program should be directed to 202-220-6314 or nfmc@nw.org.

Definitions

1. **Affiliate.** An "Affiliate" is defined as a nonprofit organization participating in the NFMC program of national HUD-Approved Housing Counseling Intermediary or State Housing Finance Agency. The Affiliate organization is incorporated separately from the national HUD-

Approved Housing Counseling Intermediary or State Housing Finance Agency. An Affiliate is: (1) duly organized and existing as a tax-exempt nonprofit organization, (2) in good standing under the laws of the state of the organization, and (3) authorized to do business in the states where it provides or proposes to provide housing counseling services.

2. **Applicant.** “Applicant” refers to a national HUD-Approved Housing Counseling Intermediary, State Housing Finance Agency, or NeighborWorks Organization (NWO) applying directly for NFMC Program funding.
3. **Branch.** A “Branch” or “Branch office” is an organizational and subordinate unit of a NeighborWorks Organization, national HUD-Approved Housing Counseling Intermediary, or State Housing Finance Agency, not separately incorporated or organized. A Branch or Branch office must be in good standing under the laws of the state where it provides or proposes to provide housing counseling services.
4. **Contracted Counseling Entity.** A “Contracted Counseling Entity” (CCE) is a Housing Counseling Agency that a NeighborWorks Organization Grantee has contracted with to deliver NFMC Program-funded counseling services.

As part of their executed Grant Agreement, NeighborWorks Organization Grantees must furnish a list of CCEs which includes the organization name, address, contact person name, e-mail, and telephone number. These Grantees may amend their CCE list after awards are made by submitting a written request to NeighborWorks.

5. **Demonstrated Experience.** “Demonstrated Experience” refers to an Applicant’s successful and recent track record in providing foreclosure intervention counseling services. Demonstrated Experience must be shown in order to qualify for funding. To qualify as having Demonstrated Experience, an Applicant that has not previously received NFMC Program funding must certify that it (and, if applicable, each of its Sub-grantees, Branches, Affiliates or CCEs that will receive funding) has:
 - A. worked successfully with financial institutions and servicers, and with clients facing default, delinquency, and foreclosure; AND
 - B. documented counseling capacity, outreach capacity, past successful performance and positive outcomes with documented counseling plans (including post mortgage foreclosure mitigation counseling), loan workout agreements, and loan modification agreements; AND
 - C. certified that at least one of the following is true for it and each Sub-grantee, Branch, Affiliate or CCE that will receive NFMC Program funding:
 - 1) provided foreclosure intervention counseling services that included documented Action Plans to at least 50 people during the past year or 20 people during the most recent quarter; OR
 - 2) 75 percent or more of the service area is rural (see below for definitions), and foreclosure intervention counseling services which included documented Action

Plans were provided to at least 25 people during the past year or 10 people during the most recent quarter; OR

- 3) provided foreclosure counseling services which include documented Action Plans to at least 12 people during the past year AND has at least one comprehensively trained and qualified foreclosure counselor on staff.

If the supervisor or counselors who achieved the outcomes in 5.C. above are no longer on staff or volunteering, Applicants may be asked to explain how they or their Sub-grantees, Branches, Affiliates or CCEs will achieve goals related to this grant, including how they will recruit and train new staff or volunteers. NeighborWorks reserves the right to ask Grantees to provide documentation of their Demonstrated Experience and the Demonstrated Experience of any Sub-grantees, Branches, Affiliates or CCEs as a condition of the award or at any point during the grant period or subsequent evaluation period.

Rural Definitions: When qualifying as “rural” for 4(c)(2) above, organizations must use one of the following three acceptable definitions:

A) USDA Rural Development Definition as outlined in 7CFR 3550.10: A rural area is:

- (1) Open country which is not part of or associated with an urban area.
- (2) Any town, village, city, or place, including the immediate adjacent densely settled area, which is not part of or associated with an urban area and which:
 - (a) Has a population not in excess of 10,000 if it is rural in character; or
 - (b) Has a population in excess of 10,000 but not in excess of 20,000, is not contained within a Metropolitan Statistical Area, and has a serious lack of mortgage credit for low- and moderate-income households as determined by the Secretary of Agriculture and the Secretary of HUD.
- (3) An area classified as a rural area prior to October 1, 1990, (even if within a Metropolitan Statistical Area), with a population exceeding 10,000, but not in excess of 25,000, which is rural in character, and has a serious lack of mortgage credit for low- and moderate-income families. This is effective through receipt of census data for the year 2000.

B) Any micropolitan area (defined as having population greater than 10,000 but less than 50,000 people)

C) Any county identified using Isserman typology that is designated as rural or mixed rural
Isserman typology map is included as Exhibit 2.

6. **Grantee.** “Grantee” refers to the Intermediary, State HFA, or NWO that directly receives awards in the NFMC Program.
7. **Housing Counseling Agency (HCA).** For the purpose of this Funding Announcement, a “HCA” provides foreclosure counseling through the NFMC Program but is not a NeighborWorks Organization. It either has received HUD approval or meets the minimum standards for HUD approval, and serves as a Sub-grantee of a national HUD-Approved Housing Counseling Intermediary or state Housing Finance Agency. A local HCA may have a main office, and one or more branch offices.
8. **HUD-Approved Housing Counseling Intermediary.** An “Intermediary” is a HUD-approved national organization that provides housing counseling services directly and/or indirectly through its Branches or Affiliates, for whom it exercises control over the quality and type of housing counseling services rendered. A national Intermediary provides, in multiple regions of the United States: (a) housing counseling services, directly and/or through its Branches or Affiliates or both; and (b) administrative and supportive services to its network of Affiliates or Branches, including but not limited to oversight, pass-through funding, training and technical assistance. Intermediaries must have received HUD-approval on or before December 19, 2012 (the application due date) to be considered for funding.
9. **NeighborWorks Organization (NWO).** For the purpose of this Funding Announcement, a “NWO” is a chartered member of the NeighborWorks network and can apply for NFMC Program funds directly. All other Housing Counseling Agencies must apply through an Intermediary or State HFA.
10. **State Housing Finance Agency (HFA).** A “State Housing Finance Agency” or “HFA” is defined as the public body, agency, or instrumentality created by a specific act of a state legislature, empowered to finance activities designed to provide housing and related services, for example land acquisition, construction or rehabilitation, throughout an entire state. HFAs may provide direct counseling services or sub grant housing counseling funds, or both, to affiliated housing counseling agencies within the HFA's state. “State” includes the several states, Puerto Rico, the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa and the U.S. Virgin Islands.
11. **Sub-grantee.** “Sub-grantee” refers to an organization to which an Intermediary or HFA Grantee awards a sub-grant, and which is accountable to the Intermediary or HFA Grantee for the use of the funds provided. A Sub-grantee may be separately incorporated or organized, but connected with an Intermediary or State HFA for purposes of responding to this Funding Announcement. All Sub-grantees must either be a HUD-approved Housing Counseling Agency or meet the minimum standards for receiving this approval. Intermediaries and HFAs will be held responsible for ensuring that all Sub-grantees, Branches and Affiliates adhere to the standards set forth in this Funding Announcement and agree to oversee the quality of services and adequacy of record keeping for each.

As part of their executed Grant Agreement, Intermediary and HFA Grantees must furnish a list of Sub-grantees, Branches and Affiliates which includes the organization name, address, contact

person name, e-mail, and telephone number. These Grantees may amend their Sub-grantee list after awards are made by submitting a written request to NeighborWorks.

Funding Available

If funding is appropriated, available funds will be awarded through a competitive grant process and disbursed upon execution of a Grant Agreement, as outlined in this Funding Announcement. Of the available funds, at least 51% will be targeted to Areas of Greatest Need.

In the event that additional funds become available for the NFMC Program in Fiscal Year 2013 or awards are made for Round 7 without a full year's Appropriation having been passed, NeighborWorks reserves the right to make additional awards, giving priority to applications that were reviewed and accepted in Round 7.

A note to those who receive funds or intend to apply for funding from the HUD Housing Counseling Program. The following is an excerpt from page 21 of the Notice of Funding Availability (NOFA) for FY12 HUD Housing Counseling Funds. The FY 2013 NOFA was not yet released at the time of the publication of this NFMC Funding Announcement, so it is not known whether this requirement will remain in FY2013. However, please consider this when applying for NFMC funding, as it may impact your organization's projections. If you have questions about this provision in the HUD NOFA, we encourage you to speak to your organization's HUD point of contact prior to applying for NFMC funding.

“Funding Restrictions. Funding is limited to the eligible activities described in Section III.C.1 of this NOFA. Moreover, this NOFA seeks to minimize duplication with the National Foreclosure Mitigation Counseling (NFMC) Program administered by NeighborWorks America, and to prioritize funding for counseling activities not supported by NFMC. Specifically, grantees and sub-grantees are prohibited from using HUD housing counseling grant funds under this NOFA to reimburse counseling activity costs for any counseling recipient for which the specific grantee or sub-grantee received NFMC reimbursement. For example, a grantee receiving reimbursement from NFMC for counseling John Doe, cannot also bill the HUD housing counseling grant for costs related to counseling John Doe that may have exceeded NFMC reimbursement.”

Not more than 15% of the total funds awarded shall go directly to NWOs. These groups have been specifically named as eligible Applicants in previous authorizing legislations.

Recognizing the extreme demand for these funds, the need to provide access to foreclosure counseling services across the country – particularly in areas of greatest need, and the cost of monitoring Grantees to ensure program compliance and effectiveness, no one Applicant can request a total award of more than \$4,000,000 and no one Applicant can request a total award of less than \$50,000.

Applicants should only apply for the amount of funding that they have the capacity to manage or spend down by December 31, 2013.

Depending on total demand for available funding, NeighborWorks reserves the right to establish award limits lower than both the maximum and minimum request amount during the grant review and award process. NeighborWorks also reserves the right to award Applicants less than their full funding request.

Award decisions will be based on a number of considerations, including (without limitation): (1) the recommendations and scores of grant reviewers with particular attention to the Applicant's Demonstrated Experience and capacity to deliver counseling services and/or manage multiple Subgrantees, Branches, Affiliates, or CCEs; (2) the reasonableness of Applicant's counseling goals; (3) geographic diversity, including coverage in Areas of Greatest Need and the overall portfolio of NFMC Program units of counseling by MSA or rural area; (4) total demand for funding from all Applicants; (5) if applicable, performance under previous NFMC Program grants, including quality control and compliance findings, ability to spend down previous NFMC Program awards within the grant periods, and adherence to NFMC Program reporting requirements and deadlines; and (6) reported production and spending of previous NFMC Program grants. In making award decisions, NeighborWorks may rely on information not contained in Applicant's submitted application, including but not limited to Applicants' previously-submitted HUD Housing Counseling Agency Activity Reports (HUD 9902s), findings from HUD Housing Counseling performance reviews, financial audit reviews, timely submission of reports and responses to requests for additional information, and other available relevant information. NeighborWorks reserves the right to give preference to organizations that propose to provide a high percentage of Level Two counseling (see pages 10-21 for a description of Counseling Levels). All Applicants will be held to the Level One and Level Two percentages proposed in their applications, within the variances described in Exhibit 6.

Eligible Applicants

NeighborWorks anticipates there being two categories of eligible Applicants, as follows:

- 1) **Intermediaries** that have been approved as Housing Counseling Intermediaries by HUD on or before 8:00 P.M. EST on December 19, 2012 (the application due date), and **State Housing Finance Agencies**. Both Intermediaries and State HFAs must have Demonstrated Experience in delivering foreclosure intervention and loss mitigation counseling services (see Definitions, #5). These Applicants' foreclosure intervention counseling staff must **not** be loss mitigation/servicing staff working on behalf of a lender or mortgage finance program.

First time Applicants that are State HFAs must submit evidence of their statutory authority to operate as a State HFA, to serve the entire state, and to apply for and subsequently use any funds received. Only one HFA per state shall receive an award through this program. NFMC maintains on file the statutes from past Grantees.

Applicants in this category will: (a) apply for funds on behalf of a network of local housing counseling agencies that will deliver the delinquency and foreclosure intervention counseling services; (b) distribute grant funds to its own Sub-grantees, Branches or Affiliates that will deliver the services; or (c) provide direct foreclosure intervention counseling.

Any entity wishing to apply to become a HUD-Approved Housing Counseling Intermediary should visit <http://www.hud.gov/offices/hsg/sfh/hcc/hccprof13.cfm> to learn about eligibility requirements and the approval process. (Please note that approval can take up to two months and thus it may not be possible to complete the process in time to take advantage of this funding round.)

Intermediaries and State HFAs must demonstrate the capacities required to serve as an intermediary, including: the capacity to distribute funds; communicate with Sub-grantees, Branches or Affiliates; collect requisite data; and monitor quality, outcomes, and performance of each Sub-grantee, Branch or Affiliate.

Sub-grantees, Branches or Affiliates of Intermediaries and State HFAs are not required to be HUD-approved Housing Counseling Agencies. However, Intermediaries or State HFAs that award sub-grants to counseling agencies that are not HUD-approved must ensure that the Sub-grantees, Branches or Affiliates meet or exceed the standards required for HUD approval and must keep a certification of such on file. A current list of all State HFAs and HUD-Approved Housing Counseling Intermediaries approved as of the date of this Funding Announcement can be found in Exhibit 3.

Intermediaries and State HFAs are permitted to add or remove Sub-grantees during the grant period by submitting a written request to NeighborWorks and receiving approval. Adding Sub-grantees does not result in an increased grant award. Foreclosure counseling sessions completed by the added Sub-grantees can be counted toward the Grantee's goals.

2) **NeighborWorks Organizations** that are existing chartered members of the NeighborWorks network have Demonstrated Experience in delivering foreclosure intervention and loss mitigation services. NWOs must obtain their NeighborWorks charter on or before December 19, 2012 (the application due date) to be eligible. Local Housing Counseling Agencies that are not members of the NeighborWorks network cannot apply directly but must instead apply through an Intermediary or State HFA.

NWOs may contract with CCEs to provide foreclosure counseling, provided that such arrangements are made on a contractual basis, that no more than 50% of the awarded counseling units shall be contracted out, that the organizations meet or exceed minimum standards for designation as a HUD-Approved Housing Counseling Agency, and the NWO agrees to sign a standard Representation and Warranty as part of its NFMC Program Grant Agreement. The NWO applying for NFMC Program funds will be required to identify the organization(s) with whom they plan to contract out part of their award, the Demonstrated

Experience of each organization, and the experience of the counselors working with clients under the grant as part of their Round 7 application.

Additional Eligibility Criteria

In addition to meeting the criteria above, all types of eligible Applicants must be in compliance with OMB A-133 audit filing requirements by the application due date (December 19, 2012). Those that are not in compliance will not be eligible to have their application forwarded for review.

A Note about Affiliations with Multiple Intermediaries and State HFAs. State HFAs, HUD-Approved Housing Counseling Intermediaries, NeighborWorks Organizations and other housing counseling agencies may elect to participate in this program through affiliation with multiple Intermediaries and State HFAs, but they must justify why this is critical in order to meet the demand for foreclosure prevention counseling in their service area. They must also demonstrate their capacity to track and report the various contracted activities under multiple applications. In particular, they will have to demonstrate capacity to report client-level data with unique identifiers (including but not limited to client name, address, loan number and lender – see Exhibit 4) to prevent duplication of billing for the same client. They must also disclose their intent to apply under multiple applications to all Intermediaries or State HFAs with which they are affiliated, and provide in writing a breakdown of projected counseling sessions to be conducted under each application. For reporting purposes, separate branch IDs must be used to denote counseling by each Sub-grantee, Branch or Affiliate.

Eligible Activities

No funds made available under the NFMC Program may be provided directly to lenders or homeowners to discharge outstanding mortgage balances or for any other direct debt reduction payments. These funds may only be used to assist owner-occupants of one- to four-unit properties.

All NFMC Program funds must support the costs of the overall foreclosure program. If the cost of the counseling process is less than NFMC Program funding, Grantees do not need to return excess funds; rather, they must allocate those funds to their overall foreclosure program.

NeighborWorks anticipates there being three categories of eligible activities: (1) Counseling; (2) Program-Related Support; and (3) Operational Oversight (for Intermediaries and State HFAs only). These are defined in greater detail below. While Applicants are encouraged to apply for what they believe they can use, NeighborWorks reserves the right to award less than the amount requested. Reductions in Counseling awards will result in proportional reductions in Program-Related Support and Operational Oversight awards.

1. Counseling – All Applicants are eligible

Counseling can include a range of activities depending on the client's financial situation and the severity of the mortgage delinquency. Many clients in the early stages of delinquency may benefit from brief counseling sessions that result in an Action Plan they can follow to get back on track and prevent foreclosure. Some clients will be eligible for reverse mortgages. More complex workouts, sometimes involving negotiations with mortgage lenders or servicers, require staff with additional expertise and will also take longer to resolve. Recognizing this, NeighborWorks has developed a two-tiered structure for defining and estimating the cost of counseling activity, as described below. Counseling budgets, as calculated for the application of Round 7 funds, are based on the value of Level One counseling set at \$150 and Level Two set at \$300.

Duplicate Client Reset

Recognizing that some homeowners who have received foreclosure counseling in past NFMC grant rounds may now experience new circumstances which threaten their ability to remain current on their mortgages, such as a loss of job or reduction in income, and the reality that new assistance programs have become available for which a homeowner may now be able to qualify, NFMC is “resetting” the duplicate check. Any client who received counseling services prior to January 1, 2013 will be eligible to be counseled again by an NFMC Grantee on or after January 1, 2013 at any level. Grantees who take advantage of this rule must document that the client received the appropriate level of service again, after January 1, 2013 and all required documentation as described in the “Eligible Activities” section of this Funding Announcement is maintained in the client file, with the new intake date. In order for a client to be uploaded into the Data Collection System (DCS) for payment, the homeowners must have received a new counseling session after January 1, 2013 and all required documentation must be updated as of the new intake date and filed.

Making Home Affordable/Post-Mitigation Counseling

In addition to the main counseling levels, the NFMC Program allows Grantees to use up to 30% of their Counseling awards to fund “Level Four,” or post-mitigation, counseling.

Borrowers who qualify for *Making Home Affordable* loan modifications but have back end debt-to-income ratios at or above 55% may receive trial loan modifications from participating servicers and be referred by their servicers to a HUD-approved housing counseling agency or NFMC Program participating agency. Detailed protocol describing the required components of Level Four counseling is found at <http://www.hud.gov/offices/hsg/sfh/hcc/hcprotocol.pdf>.

If a borrower contacts a counseling agency for counseling without having first received a *Making Home Affordable* trial loan modification and being referred by a servicer, and it is determined the borrower may be eligible for the loan modification program, the counselor will work with the borrower to submit an intake package to the servicer. This counseling must conform to Level One and Level Two counseling requirements, as established under the NFMC Program. If the

borrower does receive the *Making Home Affordable* modification and is referred back to the counseling agency because his or her back end debt-to-income ratio is equal to or greater than 55%, the agency can also provide the borrower with Level Four counseling, as described in the Counseling Protocol on HUD's website.

Level Four counseling will be valued at \$450. Because it will require at least two contacts with the borrower, NFMC Program Grantees will upload these clients at two points in time. After the first contact, the client can be reported as "Level 4a" at a value of \$300. Once a follow-up appointment has been completed, that client can be reported as "Level 4b" at a value of \$150. Level Four counseling is described in detail below.

"Level One" Counseling: To qualify for a Level One payment (\$150), a counseling agency will be required to complete all of the following steps:

1. **Intake.** Organization must conduct an intake including client name and address, basic demographic information, lender and loan information, and reason for delinquency. The National Industry Standards for Homeownership Education and Counseling – Foreclosure Intervention Specialty (National Industry Standards) provide guidance on what should be included in an Intake Form (See Exhibit 7 of this document and www.nw.org/nfmc). It is recommended, but not required, that contact information for one additional person is collected at intake in the event the client moves or is otherwise unable to be reached following initial intake. Grantees conduct intake in a variety of ways. Those that use electronic client management systems can submit a screenshot from their system showing that the minimum required information has been collected. The Grantee must ensure that the information is readily available in the client file when requested by NFMC.
2. **Authorization.** Organization must collect a signed authorization form from the client or have other legally-permissible client authorization on record that will allow organization to (a) submit client-level information to the DCS for this grant, (b) allow NFMC to open files to be reviewed for program monitoring and compliance purposes, and (c) allow NFMC to conduct follow-up with the client related to program evaluation. Clients may opt out of (c) above only, but proof of this must be retained in the client's file. Clients that opt out of (a) or (b) above cannot be uploaded into the DCS. NeighborWorks has made available a template authorization form available for Grantees to modify for their own use if they do not already have such a form. Alternatively, Grantees may incorporate the language above into their existing authorization forms. Files uploaded into the DCS without a signed authorization form can create a legal liability for the Grantee; therefore, Grantees must ensure client files submitted to the DCS have a signed authorization form in the client file. *It is acceptable for Grantees to substitute the words "Grant Administrators" or "Fundors" in place of "NFMC" in (b) or (c) above.*

Grantees are responsible for performing NFMC counseling within the limits of the laws in the state(s) in which it operates. If agencies are providing NFMC counseling via telephone

or online, they should verify verbal/electronic authorization laws in the state(s) where the counseling is being performed. They should also maintain proof of electronic signature or verbal authorization in each client file, as permissible by the law in the state(s) in which they operate.

3. **Disclosure.** Organization must provide to all clients a disclosure statement. The disclosure statement must explicitly describe the various types of services the organization provides and any financial relationships between the Grantee and any other industry partners. The disclosure must state clearly that the client is not obligated to receive any other services offered by the Grantee or its exclusive partners. This must be presented to the client at the time of counseling. Proof that the client received the disclosure must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable.
4. **Privacy Policy.** Organization must provide to all clients a copy of its privacy policy. Proof that the client received the policy must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable. Although it is a best practice to provide the client with the privacy policy at the time of counseling, the agency may elect to share the privacy policy after the counseling occurs. If that is the case, the organization must keep on file proof that the policy was sent to the homeowner via email, fax, or postal mail. Having access to the privacy policy on the organization's website does not satisfy this requirement unless there is affirmative confirmation and documented proof that the client has reviewed the policy in the file.

Note: it is acceptable for organizations to combine the authorization form, disclosure statement, and privacy policy into a single document which the client signs and the agency maintains in the client file.

5. **Budget.** Organization must develop a budget for the client based on client's oral representation of their expenses, debts, and available sources of income. One example of a worksheet Grantees may use to develop this budget can be found on the FDIC "My Money" website: <http://www.mymoney.gov/content/income-and-expenses-worksheet.html>.
6. **Action Plan.** Organization must develop a written Action Plan for follow-up activities to be taken by the client and review this Action Plan with the client. The Action Plan must be clearly labeled in the client file. It must include the counselor's assessment of the client's situation with a client-specific recommendation for plan of action. ***If the assessment and recommendation are part of the counselor notes, NFMC requires that the information is transferred to a form titled Action Plan so that the assessment and course of action are clearly defined for the client and for compliance testing.*** The National Industry Standards provide guidance on what should be included in an Action Plan (See Exhibit 7 and www.nw.org/nfmc). NFMC has also created a template Action Plan which is available on the NFMC members' website; use of this template is not required; however, Grantees must have a conforming Action Plan in each client file. When developing this Action Plan, it is

expected that the counselor will do a comprehensive analysis of the homeowner's situation and recommend the best plan of action.

7. **Making Home Affordable Program Eligibility.** Organization must determine and document if the client is eligible for assistance through the *Making Home Affordable* Program even if the homeowner seeking counseling does not ask about the program. Documentation that a screening occurred should be included in the Action Plan and client file. NFMC has created a template screening checklist which can be found on the NFMC members' website. It is also included as Exhibit 5 in this Funding Announcement. Information on the *Making Home Affordable* Program can be found at www.makinghomeaffordable.gov. Types of assistance offered through the *Making Home Affordable* Program are:

- **Refinance.** Organization must determine and document eligibility by requesting information and analyzing if: (a) the client is the owner occupant of a one- to four-unit property (required by the NFMC Program, not HARP); (b) the loan is a first lien, conventional mortgage that is owned or guaranteed by Fannie Mae or Freddie Mac – counselor will verify this by checking the GSE's web look-up tools; (c) the client is current on mortgage (client hasn't missed more than one payment in the last 12 months and has not missed any payments in the prior six months or, if client has had the loan for less than 12 months, s/he must not have missed any payments in the previous six months and must not have missed more than one payment since inception of the mortgage); (d) the client must have a source of income; and (e) the refinance improves the long-term affordability or stability of the loan.
- **Modification.** Organization must determine and document eligibility by requesting information and analyzing if: (a) the mortgage loan is a first lien mortgage loan originated on or before January 1, 2009; (b) the mortgage has not been previously modified under the Home Affordable Modification Program (HAMP); (c) the borrower has experienced a hardship that has caused the mortgage loan to become delinquent or default is reasonably foreseeable; (d) the property securing the mortgage loan is not vacant or condemned; (e) the mortgage loan is secured by a one- to four-unit property, one unit of which is the borrower's principal residence; (f) the client's current front end DTI is greater than 31%; and (g) the current unpaid principal balance of the mortgage is less than \$729,750 for a one-unit property, \$934,200 for a two-unit property, \$1,129,250 for a three-unit property, and \$1,403,400 for a four-unit property.
- **FHA Loans.** Organization must determine and document eligibility by requesting information and analyzing if: (a) the client is the owner of a one- to four-unit home; (b) the client is less than 12 payments behind on their mortgage; (c) the client has income sufficient to support the new mortgage payments; and (d) with the

modification, the client's front end DTI will be as close as possible but not less than 31% and their back end DTI will be less than 55%.

- *Short Sale and Deed-In-Lieu.* Organization must determine and document eligibility for the Home Affordable Foreclosure Alternatives (HAFA) program by requesting information and analyzing if: (a) client is or has been the owner occupant of a one-to four-unit property sometime during the last 12 months; (b) the homeowner has not purchased a new property within the last 12 months; (c) because of a financial hardship, the homeowner is delinquent or default is reasonably foreseeable (for Service Members, this may include a Permanent Change of Station (PCS) order); (d) the mortgage loan is a first lien mortgage loan originated on or before January 1, 2009; (e) the current unpaid principal balance of the mortgage is less than \$729,750 for a one-unit property, \$934,200 for a two-unit property; \$1,129,250 for a three-unit property; and \$1,403,400 for a four-unit property; or (f) the borrower has either been evaluated for a modification but is not eligible or has been informed that modification may be an option and has elected to pursue a short sale or deed-in-lieu instead.

When reporting for Level One counseling activities, all seven of these completed documents must be in the client's file: intake, authorization, disclosure, privacy policy, budget, Action Plan, and MHA eligibility determination. Intermediaries and State HFAs are responsible for ensuring proper documentation exists in client files at each of their Sub-grantee, Branch or Affiliate offices. NWOs are responsible for ensuring proper documentation exists for each client served by their CCEs.

“Level Two” Counseling: To qualify for a Level Two payment (\$300), a counseling agency will be required to complete the following steps:

1. **Authorization.** If not already on file, organization must collect a signed authorization form from the client or have other legally-permissible client authorization on record that will allow organization to (a) submit client-level information to the DCS for this grant, (b) allow NFMC to open files to be reviewed for program monitoring and compliance purposes, and (c) allow NFMC to conduct follow-up with the client related to program evaluation. Clients may opt out of (c) above only, but proof of this must be retained in the client's file. Clients that opt out of (a) or (b) above cannot be uploaded into the DCS. NeighborWorks has made available a template authorization form available for Grantees to modify for their own use if they do not already have such a form. Alternatively, Grantees may incorporate the language above into their existing authorization forms. Files uploaded into the DCS without a signed authorization form can create a legal liability for the Grantee; therefore, Grantees must ensure client files submitted to the DCS have a signed authorization form in the client file. *It is acceptable for Grantees to substitute the words “Grant Administrators” or “Funders” in place of “NFMC” in (b) or (c) above.*

Grantees are responsible for performing NFMC counseling within the limits of the laws in the state(s) in which it operates. If agencies are providing NFMC counseling via telephone or online, they should verify verbal/electronic authorization laws in the state(s) where the counseling is being performed. They should also maintain proof of electronic signature or verbal authorization in each client file, as permissible by the law in the state(s) in which they operate.

2. **Disclosure.** Organization must provide to all clients a disclosure statement. The disclosure statement must explicitly describe the various types of services the organization provides and any financial relationships between the Grantee and any other industry partners. The disclosure must state clearly that the client is not obligated to receive any other services offered by the Grantee or its exclusive partners. This must be presented to the client at the time of counseling. Proof that the client received the disclosure must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable.
3. **Privacy Policy.** Organization must provide to all clients a copy of its privacy policy. Proof that the client received the policy must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable. Although it is a best practice to provide the client with the privacy policy at the time of counseling, the agency may elect to share the privacy policy after the counseling occurs. If that is the case, the organization must keep on file proof that the policy was sent to the homeowner via email, fax, or postal mail. Having access to the privacy policy on the organization's website does not satisfy this requirement unless there is affirmative confirmation and documented proof that the client has reviewed the policy in the file.

Note: it is acceptable for organizations to combine the authorization form, disclosure statement, and privacy policy into a single document which the client signs and the agency maintains in the client file.

4. **Budget Verification.** Counselor must engage in budget verification during which s/he reviews documented evidence provided by the client to establish true debt obligations (e.g., credit report), monthly expenses (e.g., monthly bills, banks statements, mortgage statement, credit card statement, utility bill) and spending patterns, and realistic opportunities for income (e.g., tax returns, pay stubs, profit and loss statement, third party verification). Note: a credit report alone does not satisfy the budget verification requirement. Grantee should collect verification of all income, expenses and debt as stated by the client.
5. **Steps Taken on the Action Plan.** Counselors should take appropriate actions upon the steps outlined in the written Action Plan (created during Level One). Counselor must have documented evidence of steps to obtain a solution or the “action” taken on behalf of the client. This requires more than the counselor’s notes; it also requires documentation that the action took place. This could include but is not limited to the following:

- a. Draft and submit to the servicer a hardship letter that describes the client's situation, reason for delinquency, factors that should be considered when developing a workout plan, and an estimate of the housing cost the client can afford to pay. Counselors should keep on file a copy of the fax transmission report, email, portal transmission screenshot, or postal mail receipt as evidence that this was submitted to servicer.
- b. Document an attempt to contact the servicer or lender via fax transmission receipt, email, or postal mail receipt. If a workout is possible, fill out and submit forms required by the servicer to move forward with a workout plan, loan modification or other available program and maintain proof that these were submitted in the client file (fax transmission receipt, email, portal transmission screenshot, or postal mail). NeighborWorks has posted e-mail contact information for servicers who have made such information available on the NFMC members' website.
- c. Complete and submit application for local resource options including refinance programs or rescue funds and document that the referral took place via fax transmission receipt, email, or postal mail receipt.
- d. Assist in situations where client elects to pursue sale options and document the assistance that took place and communication with industry partners via fax transmission report, email, portal transmission screenshot, or postal mail. A referral list of realtors for a short sale, or other sale options, must include at least three realtors and the client's signature stating they received the list. This signed referral list should be retained in the file.
- e. Collecting and transmitting documentation required for *Making Home Affordable* Program refinance or modification decisions, if that is what Action Plan dictates. Counselors should keep on file a copy of the fax transmission report, email, portal transmission screenshot, or postal mail receipt as evidence that this was submitted to servicer.

Note: Counselor Notes alone do not satisfy the requirement for documenting Steps Taken on the Action Plan, as the notes do not provide documentation that the action took place. Fax transmission sheets, e-mails, mail receipts, screenshots of portal communication, or other verification that action took place is required to be retained in the client's file.

When reporting for Level Two counseling activities, all five of these completed documents must be in the client's file: authorization, disclosure, privacy policy, budget verification, and documentation of steps taken based on the Action Plan. Intermediaries and State HFAs are responsible for ensuring proper documentation exists in client files at each of their Sub-grantee, Branch or Affiliate offices. NWOs are responsible for ensuring proper documentation exists for each client served by their CCEs.

Note: Starting with Round 7, NFMC no longer requires Close-Out Documentation, as defined in previous years' Funding Announcements, as a part of Level 2 counseling. However, it is good practice for Grantees to document when an outcome is obtained and a file is closed out.

Note: Starting with Round 3, NFMC no longer has a “Level Three” counseling designation. Clients that would previously have been reported as Level Three should now be reported twice – once at Level One, and once at Level Two.

“Level 4a” Counseling: To qualify for a Level 4a payment (\$300), a counseling agency will be required to complete all of the following steps:

1. **Reason for Referral.** Organization shall keep on file proof that client was referred to the agency with a trial *Making Home Affordable* loan modification for Level Four counseling because his or her back end debt-to-income ratio is 55% or greater. In many cases, this will be a copy of the trial loan modification agreement or the counseling agency referral letter from the servicer stating the reason for referral as high back end debt-to-income ratio, or noting the calculated ratio. **If there is no letter, or the letter given to the borrower by the servicer does not identify the back end debt-to-income ratio, the agency must first try to confirm the reason for the referral from the servicer (and document attempts to reach the servicer). If this cannot be obtained, the counselor can calculate the ratio, and if it is 55% or greater, that client can be counseled with NFMC Program funds.**
2. **Authorization.** Organization must collect a signed authorization form from the client or have other legally-permissible client authorization on record that will allow organization to (a) submit client-level information to the DCS for this grant, (b) allow NFMC to open files to be reviewed for program monitoring and compliance purposes, and (c) allow NFMC to conduct follow-up with the client related to program evaluation. Clients may opt out of (c) above only, but proof of this must be retained in the client’s file. Clients that opt out of (a) or (b) above cannot be uploaded into the DCS. NeighborWorks has made available a template authorization form available for Grantees to modify for their own use if they do not already have such a form. Alternatively, Grantees may incorporate the language above into their existing authorization forms. Files uploaded into the DCS without a signed authorization form can create a legal liability for the Grantee; therefore, Grantees must ensure client files submitted to the DCS have a signed authorization form in the client file. *It is acceptable for Grantees to substitute the words “Grant Administrators” or “Fundors” in place of “NFMC” in (b) or (c) above.*

Grantees are responsible for performing NFMC counseling within the limits of the laws in the state(s) in which it operates. If agencies are providing NFMC counseling via telephone or online, they should verify verbal/electronic authorization laws in the state(s) where the counseling is being performed. They should also maintain proof of electronic signature or verbal authorization in each client file, as permissible by the law in the state(s) in which they operate.

3. **Disclosure.** Organization must provide to all clients a disclosure statement. The disclosure statement must explicitly describe the various types of services the organization provides and any financial relationships between the Grantee and any other industry partners. The disclosure must state clearly that the client is not obligated to receive any other services offered by the Grantee or its exclusive partners. This must be presented to the client at the time of counseling. Proof that the client received the disclosure must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable.
4. **Privacy Policy.** Organization must provide to all clients a copy of its privacy policy. Proof that the client received the policy must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable. Although it is a best practice to provide the client with the privacy policy at the time of counseling, the agency may elect to share the privacy policy after the counseling occurs. If that is the case, the organization must keep on file proof that the policy was sent to the homeowner via email, fax, or postal mail. Having access to the privacy policy on the organization's website does not satisfy this requirement unless there is affirmative confirmation and documented proof that the client has reviewed the policy in the file.

Note: it is acceptable for organizations to combine the authorization form, disclosure statement, and privacy policy into a single document which the client signs and the agency maintains in the client file.

5. **Verified Budget at Intake.** Counselor must engage in budget verification during which the counselor reviews documented evidence provided by the client to establish true debt obligations (e.g., credit report), monthly expenses (e.g., monthly bills, banks statements, mortgage statement, credit card statement, utility bill), spending patterns, and realistic opportunities for income (e.g., tax returns, pay stubs, profit and loss statement, third party verification). Grantee should collect verification of all income, expenses and debt as stated by the client. Note: a credit report alone does not satisfy the budget verification requirement, sources of income are also required to be retained in the client's file.
6. **Documentation of DTI.** Using the verified budget, the counselor will calculate the back end debt-to-income ratio. The back end DTI is the ratio of the borrower's total monthly debt payments to the borrower's Monthly Gross Income. A standard for calculating back end DTI is included in the Counseling Protocol on HUD's website. A document indicating the calculation must be in the file, as well as evidence of income and debt. A credit report is not sufficient to calculate DTI, as income must also be validated.
7. **Crisis and/or Long-Term Budget.** Counselor will create a crisis budget (if necessary) and a long-term budget using a standard form and recalculate the new back end debt-to-income ratio. Counselor will also establish that the budget (including analysis of actual income, debt and expenses) must be tracked over the course of counseling.

8. **Action Plan.** Counselor will create an Action Plan which includes a timeline to eliminate unnecessary debt, minimize expenses, increase income, and increase savings. Different from a Level One Action Plan, the 4a Action Plan is focused on how the client can maintain the trial modification and manage his/her budget. *If these items are part of the counselor's notes, NFMC requires that the information be transferred to a form titled 4a Action Plan so that the assessment and course of action are clearly defined for the client and for compliance testing.*
9. **Counsel on Staying Current.** Counselor must discuss terms of mortgage and how to stay current - even if/when the interest rate resets, explain the incentive component and explain that if the client redefaults s/he will be terminated from the program. A loan will be considered to have redefaulted when the borrower reaches a 90-day delinquency status under the MBA delinquency calculation. Note: in order to successfully complete the initial trial period (at minimum three payments at modified terms), a borrower must be current by the third payment.
10. **Referrals.** Refer to job training or referral programs if applicable.
11. **Date of Follow-up Meeting.** Establish follow-up schedule with counselor, with at least one additional appointment, as required by the Action Plan. It is expected that a borrower will notify their counselor if they have a significant change in circumstances.
12. **Session Documentation.** The counselor must document each session, including the borrower's back end debt-to-income ratio and the borrower's willingness to continue/complete counseling.

In order to report a client as having received Level 4a counseling, the following documents must be in the client's file: reason for referral, authorization, disclosure, privacy policy, verified budget at intake, documentation of back end DTI, crisis and/or long-term budget, Action Plan, and date of follow-up meeting. Intermediaries and State HFAs are responsible for ensuring proper documentation exists in client files at each of their Sub-grantee, Branch or Affiliate offices. NWOs are responsible for ensuring proper documentation exists for each client served by their CCEs.

“Level 4b” Counseling: Level 4b (\$150) can only be reported when a Level 4a client has completed one follow-up session and the following documents are in the file:

1. **Authorization.** If not already on file, organization must collect a signed authorization form from the client or have other legally-permissible client authorization on record that will allow organization to (a) submit client-level information to the DCS for this grant (b) allow NFMC to open files to be reviewed for program monitoring and compliance purposes and (c) allow NFMC to conduct follow-up with the client related to program evaluation. Clients may opt out of (c) above only, but proof of this must be retained in the client's file. Clients that opt out of (a) or (b) above cannot be uploaded into the DCS.

NeighborWorks has made available a template authorization form available for Grantees to modify for their own use if they do not already have such a form. Alternatively, Grantees may incorporate the language above into their existing authorization forms. Files uploaded into the DCS without a signed authorization form can create a legal liability for the Grantee; therefore, Grantees must ensure client files submitted to the DCS have a signed authorization form in the client file. *It is acceptable for Grantees to substitute the words “Grant Administrators” or “Funders” in place of “NFMC” in (b) or (c) above.*

Grantees are responsible for performing NFMC counseling within the limits of the laws in the state(s) in which it operates. If agencies are providing NFMC counseling via telephone or online, they should verify verbal/electronic authorization laws in the state(s) where the counseling is being performed. They should also maintain proof of electronic signature or verbal authorization in each client file, as permissible by the law in the state(s) in which they operate.

2. **Disclosure.** Organization must provide to all clients a disclosure statement. The disclosure statement must explicitly describe the various types of services the organization provides and any financial relationships between the Grantee and any other industry partners. The disclosure must state clearly that the client is not obligated to receive any other services offered by the Grantee or its exclusive partners. This must be presented to the client at the time of counseling. Proof that the client received the disclosure must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable.
3. **Privacy Policy.** Organization must provide to all clients a copy of its privacy policy. Proof that the client received the policy must be maintained in the file. Such proof can include a statement signed by the homeowner or an electronic signature, if applicable. Although it is a best practice to provide the client with the privacy policy at the time of counseling, the agency may elect to share the privacy policy after the counseling occurs. If that is the case, the organization must keep on file proof that the policy was sent to the homeowner via email, fax, or postal mail. Having access to the privacy policy on the organization’s website does not satisfy this requirement unless there is affirmative confirmation and documented proof that the client has reviewed the policy in the file.

Note: it is acceptable for organizations to combine the authorization form, disclosure statement, and privacy policy into a single document which the client signs and the agency maintains in the client file.

4. **Documentation of DTI.** Using the verified budget, the counselor will calculate back end debt-to-income ratio. The back end DTI is the ratio of the borrower’s total monthly debt payments to the borrower’s Monthly Gross Income. A standard for calculating back end DTI is included in the Counseling Protocol on HUD’s website. A document indicating the calculation must be in the file, as well as evidence of income and debt. A credit report is not sufficient to calculate DTI, as income must also be validated.

5. **Update on Crisis and/or Long-term Budget.** Counselor will document borrower's ability to keep to crisis and/or long-term budget. Documentation to satisfy this could include copies of current pay stubs, bills, and a credit report. However, a credit report alone will not suffice. Budget Verification must include at least one income verification and at least one debt verification.
6. **Status of Borrower's Modified Loan.** Counselor must verify status of borrower's payment(s) on modified loan. Proof of this includes a current mortgage statement that details the status of the client's payments.
7. **Progress against Action Plan.** Counselor must document borrower's progress against the Action Plan developed during the first visit. Counselor notes or narrative could meet part of this requirement, as could a credit report pulled to ensure the client is paying their debt(s) on time. An updated crisis or long-term budget reflecting that the client is on track will also meet part of this requirement, but the counselor must also address specific steps in the Action Plan and if the client has met them. If a narrative is used, it should be clear that it is pertaining to the progress against the Action Plan.

In order to report a client as having received Level 4b counseling, the following documents must be in the file: authorization, disclosure, privacy policy, documentation of back end DTI, update on budget, status of borrower's modified loan, and progress against Action Plan. Intermediaries and State HFAs are responsible for ensuring proper documentation exists in client files at each of their Sub-grantee, Branch or Affiliate offices. NWOs are responsible for ensuring proper documentation exists for each client served by their CCEs.

In the event that the dollar value for one or more counseling levels changes before the application due date, all eligible Applicants will be notified, and formulas will be changed in GrantWorks, the online grant application system.

2. Program-Related Support – All Applicants are eligible

Applicants will receive Program-Related Support funds valued at 20% of their Counseling award. If Applicant does not wish to use the full 20% on Program-Related Support, it can use these funds to provide additional NFMC Program counseling. A plan for use of these funds, **including the estimated costs of major line-item budget items,** must be included with the application. These funds shall be used to increase foreclosure program efficiencies. State HFAs and Intermediaries must pass through all Program-Related Support funds to their Sub-grantees, Branches or Affiliates, ***unless*** they justify in their application how retaining a portion of this support will have a timely and positive impact on the capacity of Sub-grantees, Branches or Affiliates to conduct foreclosure mitigation counseling. If such a plan is submitted and justified, no more than 50% of the Program-Related Support funds allocated under this section can be held at the Intermediary or State HFA

level. These funds are not intended to cover administrative costs; rather, they are meant primarily to support direct costs associated, as much as possible, with increasing the ability of Sub-grantees, Branches or Affiliate to effectively and efficiently provide quality foreclosure counseling. Eligible uses of Program-Related Support include but are not limited to:

- Establishing a triage system that makes more effective and efficient use of counseling time so counselors are not scheduling and reserving time for clients seeking help with situations not related to mortgage and home foreclosure. Triage can also ensure that clients are better prepared for the counseling session – they have gathered documents and information, for example.
- Outreach to delinquent clients, especially in Areas of Greatest Need. The NFMC Program encourages outreach strategies that prompt delinquent homeowners to seek assistance well before the foreclosure notice is received.
- Group orientation and education sessions to help use counseling time more effectively. Registering attendees, preparing for, and delivering these group sessions are all eligible uses.
- Outreach and communication efforts aimed at preventing “rescue” or loan modification scams
- Infrastructure development and communication
- Improving Grantee capacity and infrastructure for tracking and reporting data
- Costs related to hiring, orienting and training new counseling staff
- Purchasing or leasing equipment and software for counselors
- Collecting data and preparing quarterly reports and draw requests
- Quality control of the counseling function

Applicants may contract out part or all of the activities proposed under Program-Related Support, but must demonstrate that their subcontractors have the required experience and expertise in the application.

3. **Operational Oversight** – *Only Intermediaries and State HFAs are eligible*

Intermediaries and State HFAs will also receive funding for Operational Oversight to cover quality control, day-to-day oversight and management of this grant award, and any required improvements to systems and infrastructure. Among other things, Intermediaries and HFAs are responsible for communicating program requirements to all Sub-grantees, Branches or Affiliates; ensuring their compliance; and reporting on their behalf.

These funds are determined as follows: 7% of the first \$2.5 million received under the Counseling category (or up to \$175,000), and 5% of any amount over \$2.5 million. If Applicant does not wish to use the full percentage on Operational Oversight, it can use these funds to provide additional NFMC Program counseling.

Application Summary and Scoring

The application must be completed online, using NeighborWorks' GrantWorks system. No paper applications will be accepted. The application will incorporate short answer sections and templates to help expedite the application process.

The full application is expected to be available in GrantWorks on November 20, 2012, and will be due December 19, 2012, at 8:00 PM EST. No late applications will be accepted under any circumstance.

Streamlined Application

A previous NFMC Program Grantee may complete a streamlined application if:

- 1) It was a Round 6 Grantee;
 - 2) It has completed 75% of its Round 6 Counseling Award (in dollars, not units) by midnight on November 15, 2012 as determined by uploads into the NFMC Program DCS; and
 - 3) It scored in the top 75% of all Applicants during the Round 6 grant application round.
- NFMC Program staff has individually eligible applicants that did or did not qualify based on this criterion by e-mail dated October 31, 2012.

Organizations that are first-time Applicants or do not meet the criterion above must complete the full application.

Applicants will not be required to determine for themselves which application to submit. When Applicants log in to GrantWorks to initiate an application, the appropriate application will be automatically assigned. If the Applicant believes it qualifies for the streamlined application but was assigned the full application in GrantWorks, please contact nfmc@nw.org or call 202-220-6314 as soon as possible.

Application Guide

A comprehensive Application Guide will be published on www.nw.org/nfmc. It is extremely important that Grantees refer to the Application Guide as they complete the application, as it provides information about what sort of detail should be included for each application question.

Request Amount Limitations

Not more than 15% of the total funds awarded shall go directly to NWOs. These groups have been specifically named as eligible Applicants in previous authorizing legislations.

Recognizing the extreme demand for these funds, the need to provide access to foreclosure counseling services across the country - particularly in areas of greatest need, and the cost of monitoring Grantees to ensure program compliance and effectiveness, no one Applicant can request a total award of more than \$4,000,000 and no one Applicant can request a total award of less than \$50,000.

Applicants should only apply for the amount of funding that they have the capacity to manage or spend down by December 31, 2013.

Depending on total demand for available funding, NeighborWorks reserves the right to establish award limits lower than both the maximum and minimum request amount during the grant review and award process. NeighborWorks also reserves the right to award Applicants less than their full funding request.

Application Scoring

For Applicants with past performance in the NFMC Program, application consideration (for both Streamlined and Full applications) shall be divided into three categories:

- 1) Threshold Requirements – to be considered for funding, an Applicant must:
 - a. Certify that it conforms to the program requirements outlined in this Funding Announcement
 - b. Have demonstrated Experience in delivering foreclosure intervention and loss mitigation counseling services as described in Definition #5 on pages 5-6 of this Funding Announcement
 - c. Be in compliance with OMB A-133 audit filing requirements by the application due date
 - d. State HFAs must have the statutory authority to operate as a State HFA, to serve the entire state, and to apply for and subsequently use any funds received
 - e. HUD must confirm Intermediaries' status is still "Approved" at the application due date
 - f. NWOs must have obtained their NeighborWorks Charter on or before the application due date. NWOs with provisional charters are not eligible to apply for NFMC funding.

- 2) Past Performance and Compliance in NFMC or other counseling programs will be worth 60% of the overall reviewer score and will include:
 - a. Projected spend-down date of current NFMC funds (Round 6)
 - b. Description of challenges Applicant has experienced in implementing previous NFMC grant rounds and actions taken to address these challenges
 - c. Extent to which Applicant has demonstrated that systems and processes are in place to ensure Applicant has efficient program delivery and meets program requirements
 - d. Extent to which Applicant is under investigation related to their foreclosure counseling program
 - e. Past performance with the HUD Housing Counseling Program (program findings, recaptured funds, etc.)
 - f. Extent to which Applicant has demonstrated effectiveness in acting as an intermediary, if applicable, including managing and passing funds through to a network of Sub-

- grantees, Branches or Affiliates; ensuring quality control of services offered; and ensuring adherence to program requirements
- g. Review of audited financial statement, A-133, and management letter, including management response and adequacy of corrective action plan if applicable
- h. Whether Applicant was placed on a modified draw schedule for NFMC Round 6 funding and has demonstrated ability to remedy reasons for being placed on a modified draw schedule
- i. Round 4-5 Quality Control and Compliance findings, including whether Applicant adheres to the National Industry Standards
- j. Results of NFMC Round 5 random file review and timeliness of applicant's responses.
- k. Whether Round 5 or Round 6 funds have been recaptured or de-obligated
- l. Whether Applicant submitted its Round 5 final report on time and has reported on time in Round 6

Note: If Applicant was not a Round 6 Grantee but has received NFMC funds directly in the past, NFMC will consider the Applicant's past performance and compliance in the most recent grant round in which the Applicant participated.

- 3) Round 7 Performance Plan will be worth 40% of the overall reviewer score and will include:
 - a. Applicant's service delivery model
 - b. How realistic projected goals are
 - c. Partnerships in place to ensure homeowners know about the services being offered and receive the level of counseling required, including method of Level Two counseling
 - d. Capacity of Applicant and Sub-grantees, Branches and Affiliates to perform in Round 7 (including number and experience of counselors, recruitment and training of counselors, staffing structure, client management systems, etc.)
 - e. Plan for use of Program Related-Support
 - f. Plan for use of Operational Oversight, if applicable (including Applicant's ability to track which of its Sub-grantees, Branches or Affiliates receive funds directly from NFMC or through another Intermediary or HFA)
 - g. Applicant's plan to oversee Sub-grantees, Branches and Affiliates
 - h. Outreach plans and service to low-income and minority homeowners and zip codes
 - i. Service to Areas of Greatest Need
 - j. Justification for increase in request over Demonstrated Experience, if applicable

When making award decisions, NFMC will also consider whether Applicants are "in good standing" with HUD and with NFMC, as defined on page 36 of this Funding Announcement.

For first-time Applicants, application consideration shall be divided into three categories:

- 1) Threshold Requirements – to be considered for funding, an Applicant must:

- a. Certify that it conforms to the program requirements outlined in this Funding Announcement
 - b. Have Demonstrated Experience in delivering foreclosure intervention and loss mitigation counseling services as described in Definition #5 on pages 5-6 of this Funding Announcement
 - c. Be in compliance with OMB A-133 audit filing requirements by the application due date
 - d. State HFAs must have the statutory authority to operate as a State HFA, to serve the entire state, and to apply for and subsequently use any funds received
 - e. HUD must confirm Intermediaries' status is still "Approved" at the application due date
 - f. NWOs must have obtained their NeighborWorks Charter on or before the application due date. NWOs with provisional charters are not eligible to apply for NFMC funding.
- 2) Demonstrated Experience – Demonstrated Experience will be worth 40% of the overall reviewer score and will include:
- a. Demonstrated Experience in providing foreclosure counseling outside of the NFMC Program
 - b. Description of challenges Applicant has experienced in implementing foreclosure counseling and actions taken to address these challenges
 - c. Extent to which Applicant has demonstrated that systems and processes are in place to ensure Applicant has efficient program delivery and meets program requirements
 - d. Whether Applicant has adopted and required its Sub-grantees, Branches or Affiliates to adopt the National Industry Standards
 - e. Extent to which Applicant has experience acting as an intermediary, if applicable, including managing and passing funds through to a network of Sub-grantees, Branches or Affiliates; ensuring quality control of services offered; and ensuring adherence to program requirements
 - f. Extent to which Applicant is under investigation related to their foreclosure counseling program
 - g. Past performance with the HUD Housing Counseling Program (program findings, recaptured funds, etc.), if applicable
 - h. Review of audited financial statement and A-133, including management response and adequacy of corrective action plan if applicable
- 3) Round 7 Performance Plan will be worth 60% of the overall reviewer score and will include:
- a. Applicant's service delivery model
 - b. How realistic projected goals are
 - c. Partnerships in place to ensure homeowners know about the services being offered and receive the level of counseling required, including method of Level Two counseling

- d. Capacity of Applicant and Sub-grantees, Branches and Affiliates to perform in Round 7 (including number and experience of counselors, recruitment and training of counselors, staffing structure, client management systems, etc.)
- e. Plan for use of Program Related-Support
- f. Plan for use of Operational Oversight, if applicable (including Applicant's ability to track which of its Sub-grantees, Branches or Affiliates receive funds directly from NFMC or through another Intermediary or HFA)
- g. Applicant's plan to oversee Sub-grantees, Branches and Affiliates, if applicable
- h. Outreach plans and service to low-income and minority homeowners and zip codes
- i. Service to Areas of Greatest Need
- j. Justification of need for funds
- k. Justification for increase in request over Demonstrated Experience, if applicable

When making award decisions, NFMC will also consider whether Applicants are "in good standing" with HUD and with NFMC, as defined on page 36 of this Funding Announcement.

Award Amount Determination

Reviewers will determine scores for each of the three non-threshold categories based upon a standard scoring rubric.

If the recommended amounts which are based on the reviewers' scores exceed the amount available to be awarded, NFMC will use one or more of the following steps to bring award amounts within the limits of available funding:

- Institute an award amount cap (note: this will not be related to compliance, but will be an overall cap on the amount any one Grantee can receive)
- Consider the Applicant's utilization rate of previous funding. NFMC will give priority to organizations that are in most need of funds based on when they are projected to run out of their Round 6 funding and spend down their Round 7 award. As with past grant rounds, if this step is necessary, a utilization rate for each Applicant will be calculated based on past performance in the NFMC program. If Applicant has no past experience in NFMC or has not participated in NFMC after Round 3, Demonstrated Experience as reported in the Grant Application will be considered instead. Applicants will be placed into tiers according to the date they are expected to spend down Round 6 and Round 7 awards and award amounts will be proportionately reduced
- Apply across the board cuts and award amount floors

NeighborWorks reserves the right to utilize all three criteria if necessary.

In making award decisions, NeighborWorks may rely on information not contained in Applicant's submitted application, including but not limited to Applicants' previously-submitted HUD

Housing Counseling Agency Activity Reports (HUD 9902s), findings from HUD Housing Counseling performance reviews, financial audit reviews, timely submission of NFMC reports and responses to requests for additional information, and other available relevant information. NeighborWorks reserves the right to give preference to organizations that propose to provide a high percentage of Level Two counseling (see pages 10-21 for a description of Counseling Levels). All Applicants will be held to the Level One and Level Two percentages proposed in their applications, within the variances described in Exhibit 6.

All award decisions are final and cannot be appealed; however, if Applicant requests a debriefing meeting in writing within 45 days of award announcements, NeighborWorks shall grant a meeting to discuss its application.

Funding Time Frame

The anticipated schedule for NFMC Program Round 7 funding for foreclosure intervention counseling follows. All dates are subject to change based on the program being funded and when the Appropriations Bill becomes law.

November 8, 2012	Funding Announcement Available
November 8, 2012	Eligible Applicant Briefings
November 9, 2012	Application Guides Available
November 20, 2012	Applications available in GrantWorks
December 19, 2012	Application deadline 8:00 PM EST
December 20, 2012 – March 15, 2013	Applications reviewed
Within 60 days of bill enabling NFMC funds being signed into law but no sooner than March 31, 2013	Award announcements posted on www.nw.org/nfmc . Grant award letters distributed.
30 days after announcements made	Grant Agreements distributed
30 days after Grant Agreements distributed	Executed Grant Agreements due to NeighborWorks
Rolling	Initial disbursements sent to Grantees, as Grant Agreements are ratified. No Round 7 funds will be disbursed until Grantee has completed its obligations under previous grant rounds, if applicable.
Rolling	Client-level production is uploaded and draws are disbursed. Draws are not tied to quarterly reporting; however, Grantees must be current with their quarterly reports in order for draws to

	occur.
August 1, 2013	First quarterly report required – reporting period October 1, 2012 to June 30, 2013
November 1, 2013	Second quarterly report required – reporting period July 1, 2013 to September 30, 2013
February 1, 2014	Third and final quarterly report required – reporting period September 30, 2013 to December 31, 2013
February 28, 2014	Grantees’ final programmatic & expenditure report due
Ongoing until December 31, 2015	Grantees must comply with program evaluation requests

Match Requirement

Award recipients must match the funding they receive from the NFMFC Program. Recognizing the limits of time and financial resources, match requirements are defined as follows:

- Applicants must provide a 20% match for \$500,000 or less in funding received from the NFMFC Program. For funding in excess of \$500,000 the required match rate drops to 10%. For example, an Applicant applying for \$1 million in funds would be required to demonstrate a match of \$150,000 in cash and/or in-kind resources.
- Match can be cash or in-kind (e.g., staff time, office space, volunteer time, donated equipment, etc.).
- In-kind valuation will be considered consistent with requirements for other federal grant programs. Guidance is posted at www.nw.org/nfmc.
- Applicant match must be related to Applicants’ foreclosure program. This program must include foreclosure intervention counseling, but may also include such activities as triage, outreach, or mortgage workout funding (both grants and loans), plus any administrative or overhead expenses associated with the program.
- Match need not be new resources generated for this grant program, but must be related to foreclosure counseling rather than the Applicant’s general housing counseling program.
- Other federal funds, with the exception of Community Development Block Grant (CDBG) Funds, may not be counted toward match requirements. Examples of federal funds ineligible for use as match include (but are not limited to) HUD Housing Counseling funds, NFMFC funding from prior grant rounds received directly or passed through an Intermediary or HFA, NFMFC Program Legal Assistance awards, HOME Funds, and grants awarded by NeighborWorks to its chartered members from Congressionally appropriated dollars.

- Examples of funds that are eligible for match include (but are not limited to): fees received from servicers or lenders for providing foreclosure counseling to clients not counted under this program; funds received from non-federal sources to capitalize mortgage rescue funds; Community Development Block Grant (CDBG) funds; foundation and corporate grants received for operating a foreclosure counseling and loss mitigation program; municipal, county, or state grants for operating a foreclosure counseling and mitigation program (as long as the funds are not from a federal source); contract income; and unrestricted funds or net assets dedicated toward the foreclosure program.
- If Grantee uses non-restricted net assets or retained earnings as sources of match funds, Grantee must retain and provide back-up documentation that these funds are available and are credited to the foreclosure counseling budget. Examples of supporting documentation are financial records (i.e. profit and loss and balance sheet statements, management accounts, approved budget clearly showing NFMC Program match funds, etc.); signed minutes of meetings committing these funds, Board or agency resolutions; and third-party confirmations.
- The match “window,” or period within which the match must be expended or raised, extends from April 1, 2012 to December 31, 2013. Any expenditures related to the Applicants’ foreclosure mitigation program that occur between April 1, 2012 and the date award funds are received are eligible to be counted toward the match as long as they are not counted for match for previous NFMC Counseling funding rounds or NFMC Legal Assistance Funds. Funds raised before this time period can be counted toward match as long as they will be expended during the time frame April 1, 2012 to December 31, 2013.
- Applicants need not have all the match committed at the time of application, but can list the funds they expect to raise during the year and any qualifying match funds they have expended since April 1, 2012. Once grant funds are awarded, draws will be contingent upon Grantees’ ability to demonstrate that a proportional amount of match funds has been committed or expended.
- Applicants may request that the match requirement be waived for counseling units delivered in local areas (city, county, or tribal land) where the local poverty rate and/or local unemployment rate is greater than 150% of the national rate. When requesting waivers, Applicants must cite supporting data and certify that they have a physical presence (such as an office) in the area for which the waiver is requested. Applicants may rely on unemployment rates from the Bureau of Labor Statistics at www.bls.gov/lau/laucntycur14.txt and poverty rates from the U.S. Census Bureau at www.census.gov/hhes/www/saipe/county.html. Alternately, Applicants may rely on another data source by providing a web link to information about the local unemployment and/or poverty rates. Match waivers may not be requested using data that is older than 2010.
- Waivers are granted on a county-by-county basis for areas that have rates of poverty or unemployment greater than 150% of the national rate. In the event that a service area is *smaller* than the county, Applicants may apply for a match waiver for that smaller local area by

completing the excel spreadsheet titled “Match Waiver Request – smaller than County Level” under the “For All Eligible Applicants” section of www.nw.org/nfmc and e-mailing it to nfmc@nw.org before 8:00 PM EST on December 19, 2012.

- Match waivers will be granted proportionate to the number of counseling units actually awarded in each service area, and detailed fully in the Grant Agreement.

Draw Schedule

If Grantees received previous NFMC Program funds, they must meet 100% of their production goals within the agreed-upon variances, have spent down 100% of their Counseling Award, and have completed the final reporting requirements for all previous grant rounds before Round 7 funds will be disbursed.

See Exhibit 6 for a complete explanation of NFMC Program Round 7 draw release guidelines.

The draw schedule is designed to provide Grantees with sufficient up-front funds to strengthen their counseling capacity, while linking future draws to achievement of counseling goals.

NeighborWorks reserves the right to adjust individual Grantees’ draw schedules and amounts at its sole discretion, including but not limited to if funds are being expended more slowly than projected or if audit or compliance reviews provide reason for a more conservative draw schedule to be implemented. Following execution of the Grant Agreement and NeighborWorks’ receipt of related start-up documents, Grantees will receive 35% of the Counseling award and 35% of the Operational Oversight award, as well as 70% of the Program-Related Support award.

When Grantees can demonstrate that they have counseled enough clients to total 25% of their Counseling Award dollar amount, they can request a second draw. This draw will be equal to 30% of the Counseling award, 30% of the Operational Oversight award and 15% of the Program-Related Support award.

When Grantees can demonstrate that they have counseled enough clients to total 60% of their Counseling Award dollar amount, they can request a third draw. This draw will be equal to 30% of the Counseling award, 30% of the Operational Oversight awards and the remaining 15% of the Program-Related Support award.

The final 5% of the Counseling award and Operational Oversight award can be drawn after Grantees have counseled enough clients to total 100% of their Counseling award dollar amount. Half (2.5%) will be disbursed upon completion of the final report and half (2.5%) upon completion of all the organization’s obligations related to the program evaluation. These obligations could extend through December 31, 2015.

The benefit of this draw schedule is that it can occur more rapidly than a set quarterly schedule in the event that Grantees experience and respond to high counseling demand. It is tied to production, not to the calendar. However, after the first draw, Grantees will not be permitted to make additional draws unless they are current on their quarterly programmatic and expenditure reports, can demonstrate proportionate match funds have been expended or committed, and are in compliance with all terms of the Grant Agreement.

Applicants are required to project counseling goals by level and by geographic area in the grant application. Depending on the amount of funds awarded, Applicants may amend these goals following the grant award, and these new goals will be included in their Grant Agreements.

In order to ensure that Grantees remain on track to meet their goals by MSA and Level, within the allowable variances described in Exhibit 6, each of the Grantee's draws will be evaluated and Grantees shall not receive multiple draws at one time. Remember that Grantees may upload their client-level data as frequently as they wish, but not less frequently than quarterly.

If, at NeighborWorks' sole determination, Grantees do not show substantial progress toward meeting their counseling goals, NeighborWorks reserves the right to recapture or de-obligate funds.

DRAW SCHEDULE EXAMPLE

Example: A State HFA is awarded a grant of \$3,048,000. \$2.4 million is awarded in Counseling funds (based on a projected 8,000 Level One counseling sessions, and 4,000 Level Two counseling sessions). The HFA is awarded \$480,000 in Program-Related Support, and \$168,000 for Operational Oversight. The draw schedule would be as follows:

Draw 1 total: \$1,234,800:

\$ 840,000 (35% x \$2.4 million) (Counseling)
\$ 58,800 (35% x \$168,000) (Operational Oversight)
\$336,000 (70% x \$480,000) (Program-Related Support)

Draw 2 total: \$842,400:

\$ 720,000 (30% x \$2.4 million) (Counseling)
\$ 50,400 (30% x \$168,000) (Operational Oversight)
\$ 72,000 (15% x \$480,000) (Program-Related Support)

Draw 2 requires that the HFA demonstrate it has counseled enough clients to total 25% of its total counseling award (\$600,000) within the allowable variances as stipulated in the Grant Agreement.

In addition, the HFA must complete any quarterly reports that are due before the draw can occur and show evidence of proportional match funds expended or committed, and be in compliance with all terms of the program and Grant Agreement.

Draw 3 total: \$842,400:

\$ 720,000 (30% x \$2.4 million) (Counseling)
\$ 50,400 (30% x \$168,000) (Operational Oversight)
\$ 72,000 (15% x \$480,000) (Program-Related Support)

Draw 3 requires that the HFA demonstrate it has counseled enough clients to total 60% of its total counseling award (\$1,440,000), within the allowable variances as stipulated in the Grant Agreement.

In addition, the HFA must complete any quarterly reports that are due before the draw can occur and show evidence of proportional match funds expended or committed, and be in compliance with all terms of the program and Grant Agreement.

Final Draws: The HFA must have counseled enough clients to total 100% of its total counseling award (\$2.4 million) within the allowable variances stipulated in the Grant Agreement. Half of the remaining \$128,400 (\$64,200) will be disbursed after final report is completed and the remainder (\$64,200) will be disbursed after organization has completed its obligations related to the program evaluation. The final draws consist of 5% of the HFA's Counseling and Operational Oversight funds.

Other Program Requirements

- Applicant and its Sub-grantees, Branches, Affiliates or CCEs must have current certificates in good standing in all states in which it operates.
- Applicant and its Sub-grantees, Branches, Affiliates or CCEs must be currently authorized to do business in all states where it proposes to provide counseling services.
- In order to keep as many options as possible available to clients, Applicants must not engage in exclusivity agreements with clients seeking foreclosure or delinquency counseling or other interested parties such as servicers or lenders, nor shall they otherwise engage in practices which exclude other counseling agencies from working with its clients or its clients' servicers or lenders, should the client willingly seek assistance from another organization.
- State HFA Applicants must have statutory authority to serve the entire state. No more than one HFA per state will receive an award.
- Counseling offices and services must be accessible to persons with disabilities. Grantees must be able to provide a Representations and Warranties Certification for it and all Sub-grantees, Branches, Affiliates, or CCEs that the buildings in which counseling services are provided are accessible, or have a referral list for clients that need accessibility if their building does not provide access.
- If a Grantee does not offer translation services, it must provide a Memorandum of Understanding or other documentation detailing a relationship with a translation agency. Grantees should also provide a referral form that includes options for clients that require translation services.
- To ensure no financial barriers would prohibit clients from receiving foreclosure mitigation counseling services, Applicants and their Sub-grantees, Branches, Affiliates, or CCEs participating in the NFMC Program agree not to charge fees (service fees, membership fees or otherwise) to any foreclosure or delinquency counseling clients in exchange for foreclosure counseling services.
- Staff and volunteers who provide foreclosure intervention counseling under the NFMC Program shall have no conflict(s) of interest due to relationships with servicers, real estate agencies, mortgage lenders, and/or other entities (including itself) that may stand to benefit from particular counseling outcomes.
- If Intermediaries or State HFAs are including non-HUD-approved housing counseling agencies as Sub-grantees under this Funding Announcement, **they must certify that these Sub-grantees meet or exceed HUD's housing counseling approval requirements and will monitor to ensure this is true.**
- HUD-Approved Intermediaries and State HFAs must demonstrate the capacity to serve as an intermediary, including capacity to: distribute funds; communicate with Sub-grantees, Branches or Affiliates; collect requisite data; and monitor quality, performance, and outcomes of each Sub-grantee, Branch or Affiliate. Each Intermediary or State HFA is responsible for

ensuring their Sub-grantees, Branches or Affiliates meet counseling standards and must maintain on file in its offices (a) any multiple Applicant disclosure letters received by Sub-grantees, Branches or Affiliates that are applying through multiple intermediaries and/or State HFAs, and (b) signed certification forms from Page 1 of the application for each of its Sub-grantees, Branches or Affiliates.

- Intermediaries and State HFAs must disburse the majority of Counseling and Program-Related Support funds received with each draw to their Sub-grantees, Branches or Affiliates within 30 days of receipt. If counselors at Branch offices are employees of the Applicant corporation, a separate account does not need to be established for each Branch, but the Grantee should be able to demonstrate in quarterly reports that the funds were allocated and expended at the Branches indicated in their original application. Otherwise, quarterly reports should clearly demonstrate that the Grantee has disbursed funds in accordance with this provision.
- Intermediaries and State HFAs that have received Housing Counseling grants from HUD in the past must be in good standing with HUD. “Not in good standing” is defined as a failure to comply with the laws and regulations that govern the HUD housing counseling program, or the inability of a Grantee to draw down HUD housing counseling grant funds for any reason. Furthermore, Grantees that have received Housing Counseling grants from HUD in the past are “not in good standing” unless they (a) continue to be a HUD-Approved Counseling Agency and (b) are not under investigation(s) by HUD for possible non-compliance that have resulted in funds being withheld by HUD.
- Applicants must also be in good standing with the NFMC Program in order to have any awarded funds disbursed. An Applicant “in good standing” does not have a Notice of Default effective and is not currently suspended from the NFMC Program.
- Applicants must demonstrate capacity to obtain, track, and report household level data, including (without limitation) name, address, loan number, and the originating financial institution. This is essential to avoid payment for duplicate counseling services provided to the same client and to evaluate program effectiveness. Exhibit 4 lists data points that will be collected with each draw request. Applicants must also have the capacity to collect, aggregate and report overall program and production data.
- It is preferable that Applicants currently employ one of two client data management systems: CounselorMax or Home Counselor Online. If Applicants are not using one of these two, they must be using a system that can supply required client level and aggregate data.
- NeighborWorks will not permit discrimination by Grantees against clients on the basis of their gender, race, color, religion, national origin, ancestry, creed, pregnancy, marital or parental status, familial status, sexual orientation, or physical, mental, emotional or learning disability.
- Applicants must have completed an independent audit within six months of the completion of their most recent fiscal year, and must submit their most recent audit with their application, unless NeighborWorks has the most recent audit on file. NeighborWorks will send e-mails to Grantees that do not need to submit an audit with their Round 7 application. Chartered members of the NeighborWorks network already have their audits reviewed and on file with

the Organizational Assessment Division and are therefore not required to submit again for this funding opportunity. Applicants not in compliance with this rule by the application due date (8:00 P.M. EST on December 19, 2012) will not be eligible to have their application forwarded for review. All HUD Approved Intermediaries and State Housing Finance Agencies are also responsible for ensuring that Sub-grantees have completed an independent audit within six months of the completion of their most recent fiscal year. If a Sub-grantee has revenues less than \$300,000 annually AND receives less than \$25,000 in NFMC funding, the Sub-grantee may submit a Review Statement or Compilation Statement in lieu of independent audited financial statements.

- Applicants must be in compliance with the OMB A-133 Audit filing guidelines which state that OMB A-133 audits must be filed with the Federal Audit Clearinghouse within nine months of the organization's fiscal year end. Applicants not in compliance with this rule by the application due date (8:00 P.M. EST on December 19, 2012) will not be eligible to have their application forwarded for review.
- Grantees may use up to 5% of their expended Counseling Award to counsel clients that have been previously counseled with NFMC Program funds by another Grantee. The DCS is programmed to stop accepting uploads once a Grantee has counseled enough clients to total 95% of its Counseling Award. At this point, NFMC Program staff review the Grantee's uploaded records to determine the percentage of non-self-duplicate clients that have been rejected from the system, and will consider this when evaluating the Grantee's production for grant round closeout.
- Grantees must be able to track their NFMC Program grant funds and expenditures.
- Grantees must have all counselors providing counseling under the NFMC Program sign the National Industry Standards Code of Ethics and Conduct. A list of names of all counselors that will be providing NFMC Counseling under this grant, grouped by location, is required to be submitted with grant start-up documentation.
- Grantees with Sub-grantees, Branches or Affiliates must provide the NFMC Program with a detailed description of how they provide oversight of them with their signed Grant Agreement.
- NFMC will conduct random file reviews and compliance visits in Round 7. Grantees may be required to provide the NFMC Program client files for review upon request to ensure compliance with its Grant Agreement.

Post-Award Requirements

- Grantees must certify that they will adhere to the National Industry Standards Code of Ethics and Conduct, and, as appropriate for the level(s) of counseling they plan to provide, offer the Minimum Standard Activities for Foreclosure Intervention and Default Counseling (see Exhibit 7). Grantees that provide direct counseling are encouraged to formally adopt these

standards; Grantees that do not provide direct counseling are encouraged to endorse the standards.

- Quarterly Reports and Final Reports:

Quarterly and Final reports must be filed on aggregate activity toward overall goals established under the grant award as will be specified in the Grant Agreement. While draw requests can occur outside of the quarterly report schedule identified in this Funding Announcement, Grantees must be up-to-date on quarterly reporting in order to obtain the next draw. Quarterly reports will include (but not be limited to) progress against aggregate counseling goals and will include a narrative section on overall program activities, successes and challenges encountered in helping clients avoid foreclosure or mitigate losses, and efforts to ensure the affordability of mortgages when clients retain their homes. Final reports will include these items as well as a revenue and expenditure report.

- All Grantees will maintain a separate budget for their foreclosure program, and all NFMC Program funding will be used to fund Grantees' foreclosure counseling program and related expenses. Intermediaries and State HFAs are responsible for monitoring the expenditure reports of its Sub-grantees, Branches or Affiliates. In the final report, all Grantees will report on expenditure of NFMC Program funds. Intermediaries and State HFAs will report in the aggregate for its Sub-grantees, Branches or Affiliates but should collect and maintain on file expenditure reports from Sub-grantees, Branches or Affiliates and be able to furnish such during the course of the NFMC Program's planned quality control and compliance measures.
- Grantees must also comply with a separate evaluation of NFMC Program activity and client outcomes, which may occur up to December 31, 2015.
- Grantees must comply with third-party quality control and compliance measures which may include site visits, file audits, and other measures to ensure compliance with requirements set forth in this Funding Announcement and terms of the Grant Agreement.
- All award decisions are final and cannot be appealed; however, if Applicant requests a debriefing meeting in writing within 45 days of award announcements, NeighborWorks shall grant a meeting to discuss Applicant's application.



Foreclosure Counseling: Areas of Greatest Need

CRL Research Brief
October 3, 2012

Five years into the foreclosure crisis, borrowers across the country are still struggling with their mortgage payments, and are seeking out the help of housing counselors to help them manage their finances and guide them through the loan modification process. Between 2008 and 2012, the National Foreclosure Mitigation Counseling Program assisted nearly 1.4 million homeowners with foreclosure counseling, and provided mortgage-related legal assistance to more than 37,000 homeowners(1). Below, we provide an analysis of “Areas of Greatest Need,” based on the methodology used in previous rounds of the National Foreclosure Mitigation Counseling Program(2). The goal of this analysis is to help identify which metropolitan and rural areas have been hardest hit by the foreclosure crisis and remain areas of greatest need for additional foreclosure counseling resources.

Determination of Areas of Greatest Need

The following criteria were used to determine areas of greatest need:

Non-Prime, Owner Occupied Loans	Prime, Owner Occupied Loans
Number of non-prime loans that are 30-90 days delinquent	Number of prime loans that are 30-90 days delinquent
Percent of non-prime loans that are 30-90 days delinquent	Percent of prime loans that are 30-90 days delinquent
Percent of non-prime loans that are in the foreclosure process or REO	Percent of prime loans that are in the foreclosure process or REO
Percent of loans originated between 2004 and 2006 that were higher-priced (subprime)	

(1) National Foreclosure Mitigation Counseling Program (NFMC). Seventh Congressional Report, June 11, 2012. Available online at http://www.nw.org/network/foreclosure/nfmcp/congressional_reports.asp.

(2) For details on the previous methodology, see the National Foreclosure Mitigation Counseling Program (NFMC) website’s details on previous rounds of funding. The methodology for Round 5 is available online at http://www.nw.org/network/nfmcp/documents/AreasofGreatestNeed_000.pdf.

Metropolitan and micropolitan areas were separately ranked in each category. In the first part of the analysis, every metropolitan area that was in the top quintile for at least one of the criteria was considered an area of greatest need. For rural areas, states where half or more of the micropolitan areas met at least one criterion were considered areas of greatest need. In the second part of the analysis, we limit areas of greatest need as follows: every metropolitan area that was in the top quintile for at least two of the criteria, and for rural areas, states where half or more of the micropolitan areas met at least two criteria.

The percent of higher-priced loans comes from the Home Mortgage Disclosure Act (HMDA), and reflect the percent of owner-occupied loans originated between 2004 and 2006 that were higher-priced, a proxy for subprime. Higher-priced loans are defined as those with rates three or more percentage points higher than the comparable Treasury rate.

Data for non-prime loans comes from BlackBox(3), which covers over 90% of non-agency pools, including jumbo, subprime and Alt-A mortgages. BlackBox coverage of the U.S. market includes nearly 7,600 deals, over 5,700 of which are active. Loan performance was measured in February of 2012.3 Data for prime loans comes from Lender Processing Services Analytics Inc. (LPS), which collects loan-level data from servicers. Estimates suggest that LPS has extensive coverage, equal to 66 percent of the first-lien mortgages reported to federal regulators in HMDA data from 2005 through 2008. Non-prime loans in LPS were removed from the analysis. Loan performance was measured in February of 2012.

Overall, data was analyzed for 366 metropolitan and 576 micropolitan areas (4).

NFMC NOTE: FOR NFMC ROUND 7, THOSE THAT FELL INTO WORST QUINTILE IN ANY ONE MEASURE IS CONSIDERED AN AREA OF GREATEST NEED; see highlighted cells in table below.

Metropolitan Areas Defined as Areas of Greatest Need

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Anniston-Oxford	AL	x	x
Birmingham-Hoover	AL	x	x
Decatur	AL	x	
Dothan	AL	x	
Gadsden	AL	x	x
Mobile	AL	x	x
Montgomery	AL	x	x

(3) For more information on BlackBox, see the providers website at <http://www.bbxlogic.com/bbx-logic-RMBS-expertise.php>.

(4) Metropolitan and micropolitan statistical areas and components were defined using the December 2009 file from the US Census, available online at <http://www.census.gov/population/metro/data/def.html>. To convert the zip code data to counties, we used the 2010 ZIP Code Tabulation Area (ZCTA) Relationship File, (http://www.census.gov/geo/www/2010census/zcta_rel/zcta_rel_overview.html). Loans were weighted based on the percentage of the housing units within a zip code that falls within the country boundaries. For example, if 20% of a zip code's housing units fall in County A, and 80% in County B, 20% of the loans in that zip code were assigned to County A and 80% to County B.

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Tuscaloosa	AL	x	
Fort Smith	AR	x	x
Jonesboro	AR	x	x
Little Rock-North Little Rock-Conway	AR	x	x
Pine Bluff	AR	x	x
Lake Havasu City-Kingman	AZ	x	
Phoenix-Mesa-Glendale	AZ	x	x
Prescott	AZ	x	
Tucson	AZ	x	x
Bakersfield-Delano	CA	x	x
El Centro	CA	x	x
Fresno	CA	x	x
Hanford-Corcoran	CA	x	
Los Angeles-Long Beach-Santa Ana	CA	x	x
Madera-Chowchilla	CA	x	
Merced	CA	x	
Modesto	CA	x	x
Oxnard-Thousand Oaks-Ventura	CA	x	x
Riverside-San Bernardino-Ontario	CA	x	x
Sacramento--Arden-Arcade--Roseville	CA	x	x
Salinas	CA	x	x
San Diego-Carlsbad-San Marcos	CA	x	x
San Francisco-Oakland-Fremont	CA	x	x
San Jose-Sunnyvale-Santa Clara	CA	x	x
Santa Rosa-Petaluma	CA	x	
Stockton	CA	x	x
Vallejo-Fairfield	CA	x	x
Visalia-Porterville	CA	x	x
Yuba City	CA	x	x
Denver-Aurora-Broomfield	CO	x	x
Pueblo	CO	x	
Bridgeport-Stamford-Norwalk	CT	x	x
Hartford-West Hartford-East Hartford	CT	x	x
New Haven-Milford	CT	x	x
Norwich-New London	CT	x	
Washington-Arlington-Alexandria	DC	x	x
Dover	DE	x	x
Cape Coral-Fort Myers	FL	x	x
Crestview-Fort Walton Beach-Destin	FL	x	x
Deltona-Daytona Beach-Ormond Beach	FL	x	x
Gainesville	FL	x	x
Jacksonville	FL	x	x
Lakeland-Winter Haven	FL	x	x
Miami-Fort Lauderdale-Pompano Beach	FL	x	x

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Naples-Marco Island	FL	x	x
North Port-Bradenton-Sarasota	FL	x	x
Ocala	FL	x	x
Orlando-Kissimmee-Sanford	FL	x	x
Palm Bay-Melbourne-Titusville	FL	x	x
Palm Coast	FL	x	x
Panama City-Lynn Haven-Panama City Beach	FL	x	x
Pensacola-Ferry Pass-Brent	FL	x	x
Port St. Lucie	FL	x	x
Punta Gorda	FL	x	x
Sebastian-Vero Beach	FL	x	x
Tallahassee	FL	x	x
Tampa-St. Petersburg-Clearwater	FL	x	x
Albany	GA	x	x
Atlanta-Sandy Springs-Marietta	GA	x	x
Columbus	GA	x	
Dalton	GA	x	x
Gainesville	GA	x	x
Hinesville-Fort Stewart	GA	x	x
Macon	GA	x	x
Rome	GA	x	
Savannah	GA	x	
Valdosta	GA	x	
Champaign-Urbana	IL	x	
Chicago-Joliet-Naperville	IL	x	x
Danville	IL	x	x
Decatur	IL	x	x
Kankakee-Bradley	IL	x	x
Rockford	IL	x	x
Anderson	IN	x	x
Columbus	IN	x	
Elkhart-Goshen	IN	x	
Indianapolis-Carmel	IN	x	x
Kokomo	IN	x	x
Michigan City-La Porte	IN	x	x
South Bend-Mishawaka	IN	x	
Terre Haute	IN	x	x
Louisville/Jefferson County	KY	x	x
Owensboro	KY	x	
Alexandria	LA	x	
Baton Rouge	LA	x	x
Houma-Bayou Cane-Thibodaux	LA	x	x
Lake Charles	LA	x	x

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Monroe	LA	x	
New Orleans-Metairie-Kenner	LA	x	x
Shreveport-Bossier City	LA	x	x
Boston-Cambridge-Quincy	MA	x	x
Springfield	MA	x	x
Worcester	MA	x	x
Baltimore-Towson	MD	x	x
Cumberland	MD	x	x
Hagerstown-Martinsburg	MD	x	
Salisbury	MD	x	x
Bangor	ME	x	
Lewiston-Auburn	ME	x	
Portland-South Portland-Biddeford	ME	x	
Battle Creek	MI	x	x
Detroit-Warren-Livonia	MI	x	x
Flint	MI	x	x
Grand Rapids-Wyoming	MI	x	
Jackson	MI	x	x
Lansing-East Lansing	MI	x	
Monroe	MI	x	
Muskegon-Norton Shores	MI	x	x
Saginaw-Saginaw Township North	MI	x	
Minneapolis-St. Paul-Bloomington	MN	x	x
Joplin	MO	x	
Kansas City	MO	x	x
St. Louis	MO	x	x
Gulfport-Biloxi	MS	x	x
Hattiesburg	MS	x	x
Jackson	MS	x	x
Pascagoula	MS	x	x
Burlington	NC	x	
Charlotte-Gastonia-Rock Hill	NC	x	x
Fayetteville	NC	x	x
Goldsboro	NC	x	
Greenville	NC	x	
Raleigh-Cary	NC	x	x
Rocky Mount	NC	x	x
Atlantic City-Hammonton	NJ	x	x
Ocean City	NJ	x	
Trenton-Ewing	NJ	x	
Vineland-Millville-Bridgeton	NJ	x	x
Albuquerque	NM	x	
Las Vegas-Paradise	NV	x	x
Reno-Sparks	NV	x	x

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Albany-Schenectady-Troy	NY	x	
Binghamton	NY	x	x
Buffalo-Niagara Falls	NY	x	x
Elmira	NY	x	x
Glens Falls	NY	x	x
Ithaca	NY	x	
Kingston	NY	x	x
New York-Northern New Jersey-Long Island	NY	x	x
Poughkeepsie-Newburgh-Middletown	NY	x	x
Rochester	NY	x	x
Syracuse	NY	x	x
Utica-Rome	NY	x	x
Akron	OH	x	
Cincinnati-Middletown	OH	x	x
Cleveland-Elyria-Mentor	OH	x	x
Columbus	OH	x	x
Dayton	OH	x	
Lima	OH	x	x
Mansfield	OH	x	x
Sandusky	OH	x	x
Springfield	OH	x	x
Steubenville-Weirton	OH	x	x
Toledo	OH	x	x
Youngstown-Warren-Boardman	OH	x	x
Lawton	OK	x	
Oklahoma City	OK	x	x
Bend	OR	x	
Medford	OR	x	x
Portland-Vancouver-Hillsboro	OR	x	x
Allentown-Bethlehem-Easton	PA	x	x
Erie	PA	x	
Johnstown	PA	x	
Lebanon	PA	x	
Philadelphia-Camden-Wilmington	PA	x	x
Pittsburgh	PA	x	x
Reading	PA	x	
Scranton--Wilkes-Barre	PA	x	x
York-Hanover	PA	x	
Providence-New Bedford-Fall River	RI	x	x
Charleston-North Charleston-Summerville	SC	x	
Columbia	SC	x	x
Florence	SC	x	x
Myrtle Beach-North Myrtle Beach-Conway	SC	x	x

Metropolitan Statistical Area	State	Worst Quintile for at least 1 Measure	Worst Quintile for at least 2 Measures
Spartanburg	SC	x	x
Sumter	SC	x	x
Chattanooga	TN	x	x
Clarksville	TN	x	
Cleveland	TN	x	
Jackson	TN	x	x
Memphis	TN	x	x
Morristown	TN	x	
Nashville-Davidson--Murfreesboro-- Franklin	TN	x	x
Abilene	TX	x	
Austin-Round Rock-San Marcos	TX	x	x
Beaumont-Port Arthur	TX	x	x
Brownsville-Harlingen	TX	x	x
Corpus Christi	TX	x	x
Dallas-Fort Worth-Arlington	TX	x	x
El Paso	TX	x	x
Houston-Sugar Land-Baytown	TX	x	x
Killeen-Temple-Fort Hood	TX	x	x
Laredo	TX	x	x
Longview	TX	x	x
Lubbock	TX	x	
McAllen-Edinburg-Mission	TX	x	x
Midland	TX	x	
Odessa	TX	x	
San Antonio-New Braunfels	TX	x	x
Sherman-Denison	TX	x	x
Texarkana	TX	x	x
Tyler	TX	x	
Victoria	TX	x	
Waco	TX	x	x
Wichita Falls	TX	x	x
Salt Lake City	UT	x	x
Danville	VA	x	
Richmond	VA	x	x
Virginia Beach-Norfolk-Newport News	VA	x	x
Seattle-Tacoma-Bellevue	WA	x	x
Janesville	WI	x	
Milwaukee-Waukesha-West Allis	WI	x	x
Charleston	WV	x	
Huntington-Ashland	WV	x	x
Morgantown	WV	x	
Parkersburg-Marietta-Vienna	WV	x	
Wheeling	WV	x	

Rural Areas of Greatest Need

State	Half or more of Micropolitan Areas in Worst Quintile for at least 1 Measure	Half or more of Micropolitan Areas in Worst Quintile for at least 2 Measures
Alabama	X	
Arizona	X	X
Arkansas	X	
California	X	X
Connecticut	X	X
Delaware	X	X
Florida	X	X
Georgia	X	
Hawaii	X	X
Illinois	X	
Indiana	X	X
Kentucky	X	X
Louisiana	X	
Maine	X	X
Maryland	X	X
Michigan	X	
Mississippi	X	X
Nevada	X	X
New Hampshire	X	X
New York	X	X
North Carolina	X	X
Ohio	X	X
Oregon	X	
Pennsylvania	X	X
South Carolina	X	X
Tennessee	X	
Texas	X	
Vermont	X	
Virginia	X	X
Washington	X	X
West Virginia	X	
Wisconsin	X	

Notes:

¹ National Foreclosure Mitigation Counseling Program (NFMC). Seventh Congressional Report, June 11, 2012. Available online at http://www.nw.org/network/foreclosure/nfmc/congressional_reports.asp.

¹ For details on the previous methodology, see the National Foreclosure Mitigation Counseling Program (NFMC) website's details on previous rounds of funding. The methodology for Round 5 is available online at http://www.nw.org/network/nfmcp/documents/AreasofGreatestNeed_000.pdf.

¹ For more information on BlackBox, see the providers website at <http://www.bbxlogic.com/bbx-logic-RMBS-expertise.php>.

¹ Metropolitan and micropolitan statistical areas and components were defined using the December 2009 file from the US Census, available online at <http://www.census.gov/population/metro/data/def.html>. To convert the zip code data to counties, we used the 2010 ZIP Code Tabulation Area (ZCTA) Relationship File, (http://www.census.gov/geo/www/2010census/zcta_rel/zcta_rel_overview.html). Loans were weighted based on the percentage of the housing units within a zip code that falls within the county boundaries. For example, if 20% of a zip code's housing units fall in County A, and 80% in County B, 20% of the loans in that zip code were assigned to County A and 80% to County B.

Exhibit 2: Isserman Typology Designating Counties as Rural or Mixed Rural

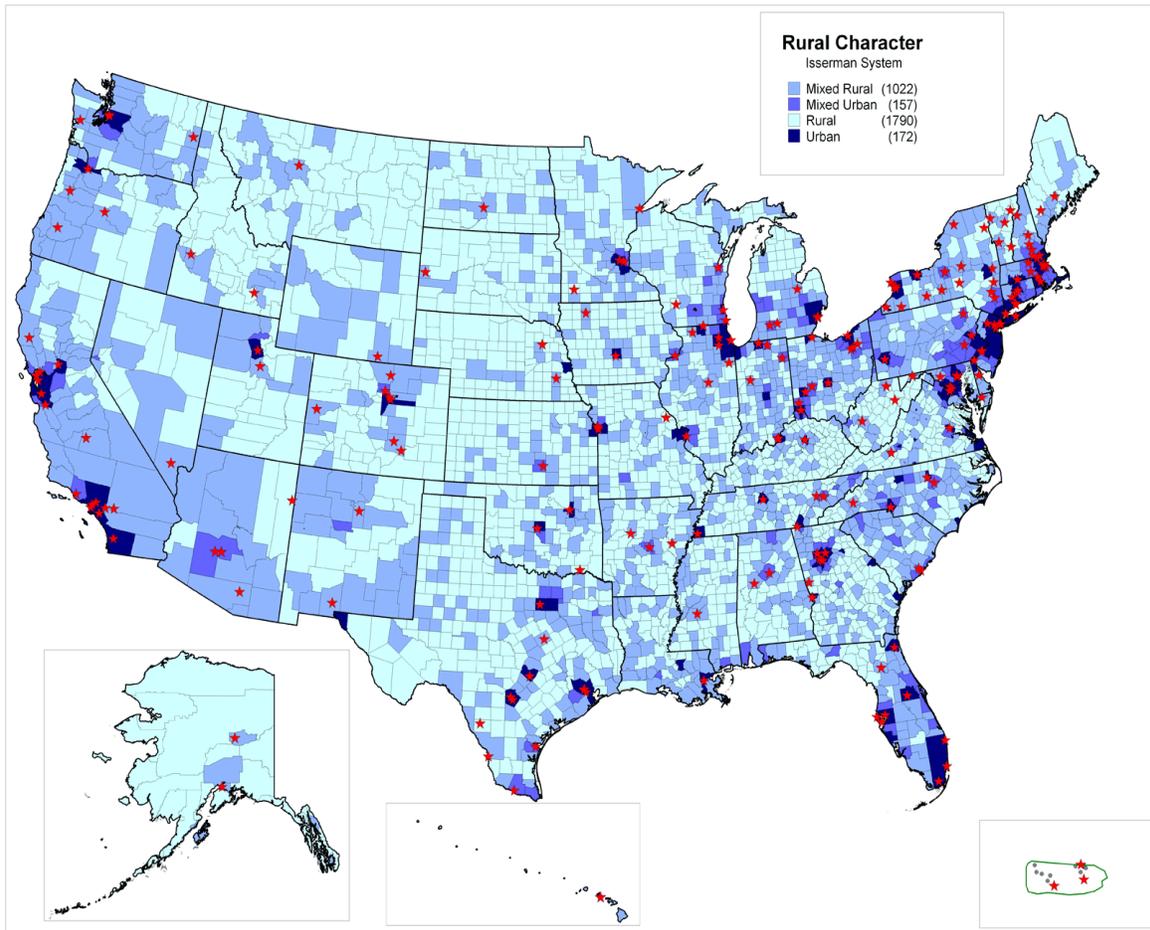


Exhibit 3: HUD-Approved Housing Counseling Intermediaries and State Housing Finance Agencies as of November 20, 2012.

Note: These entities are not automatically qualified agencies by virtue of their names appearing on these lists; rather, they are eligible if their names appear on these lists AND they meet the eligibility criteria outlined in this Funding Announcement.

HUD-APPROVED HOUSING COUNSELING INTERMEDIARIES

Agency Name	City	State
CATHOLIC CHARITIES USA	Alexandria	VA
CITIZENS' HOUSING AND PLANNING ASSOCIATION, INC.	Boston	MA
CLEARPOINT FINANCIAL SOLUTIONS	Richmond	VA
CREDABILITY	Atlanta	GA
ENTERPRISE CORPORATION OF THE DELTA	Jackson	MS
HOMEFREE - U S A	Washington	DC
GREENPATH FINANCIAL SOLUTIONS	Farmington Hills	MI
HOMEOWNERSHIP PRESERVATION FOUNDATION	Minneapolis	MN
HOUSING PARTNERSHIP NETWORK	Boston	MA
MISSION OF PEACE	Flint	MI
MISSISSIPPI HOMEBUYER EDUCATION CENTER-INITIATIVE	Jackson	MS
MON VALLEY INITIATIVE	Homestead	PA
MONEY MANAGEMENT INTERNATIONAL INC.	Houston	TX
NATIONAL ASSOCIATION OF REAL ESTATE BROKERS-NATIONAL INVESTMENT DIVISION, INC	Oakland	CA
NATIONAL COALITION FOR ASIAN PACIFIC AMERICAN COMMUNITY DEVELOPMENT	Washington	DC
NATIONAL COMMUNITY REINVESTMENT COALITION	Washington	DC
NATIONAL COUNCIL OF LA RAZA	Washington	DC
NATIONAL COUNCIL ON THE AGING	Washington	DC
NATIONAL FEDERATION OF COMMUNITY DEVELOPMENT CREDIT UNIONS	New York	NY
NATIONAL FOUNDATION FOR CREDIT COUNSELING, INC.	Silver Spring	MD
NATIONAL URBAN LEAGUE	New York	NY
NEIGHBORHOOD ASSISTANCE CORPORATION OF AMERICA	Jamaica Plain	MA
NEIGHBORHOOD REINVESTMENT CORPORATION	Washington	DC
NUEVA ESPERANZA	Philadelphia	PA
RURAL COMMUNITY ASSISTANCE CORPORATION	West Sacramento	CA
SPRINGBOARD	Riverside	CA
WEST TENNESSEE LEGAL SERVICES, INCORPORATED	Jackson	TN

State Housing Finance Agencies (HFAs)

Alabama Housing Finance Authority
Alaska Housing Finance Corporation
Arizona Department of Housing/Arizona Housing Finance Authority
Arkansas Development Finance Authority
California Housing Finance Agency
Colorado Housing and Finance Authority
Connecticut Housing Finance Authority
Delaware State Housing Authority
District of Columbia Housing Finance Agency
Florida Housing Finance Corporation
Georgia Department of Community Affairs/Georgia Housing and Finance Authority
Hawaii Housing Finance and Development Corporation
Idaho Housing and Finance Association
Illinois Housing Development Authority
Indiana Housing and Community Development Authority
Iowa Finance Authority
Kansas Housing Resources Corporation
Kentucky Housing Corporation
Louisiana Housing Finance Agency
MaineHousing
Maryland Department of Housing and Community Development
MassHousing
Michigan State Housing Development Authority
Minnesota Housing
Mississippi Home Corporation
Missouri Housing Development Commission
Montana Board of Housing/Housing Division
Nebraska Investment Finance Authority
Nevada Housing Division
New Hampshire Housing Finance Authority
New Jersey Housing and Mortgage Finance Agency
New Mexico Mortgage Finance Authority
New York City Housing Development Corporation
New York State Division of Housing and Community Renewal
New York State Housing Finance Agency/State of New York Mortgage Agency
North Carolina Housing Finance Agency
North Dakota Housing Finance Agency
Ohio Housing Finance Agency
Oklahoma Housing Finance Agency
Oregon Housing and Community Services
Pennsylvania Housing Finance Agency
Puerto Rico Housing Finance Authority
Rhode Island Housing
South Carolina State Housing Finance and Development Authority
South Dakota Housing Development Authority
Tennessee Housing Development Agency
Texas Department of Housing and Community Affairs

Utah Housing Corporation
Vermont Housing Finance Agency
Virgin Islands Housing Finance Authority
Virginia Housing Development Authority
Washington State Housing Finance Commission
West Virginia Housing Development Fund
Wisconsin Housing and Economic Development Authority
Wyoming Community Development Authority

Exhibit 4: Client Level Data and Quarterly Reporting Requirements

The following data points will be collected for each draw request. If, upon implementation of the National Foreclosure Mitigation Counseling program, it is realized that certain data points are problematic or not able to be transferred in the manner they were designed by a significant number of Grantees, we will notify all Grantees and expect such details to be noted in client files rather than submitted electronically.

NFMC Program Data Points for Round 7 Grantees (Note: There have been no changes to the required client-level data points from Round 6 to Round 7)

Data Point	Description	Values	Required?
1	Branch ID	Sub grantee identifier (defined by Grantee)	Yes
2	Client Unique Identifier	Client's ID (defined by Grantee)	Yes
3	Counseling Level	1, 2, 4a,4b	Yes
4	Counseling Intake Date	Date	Yes
5	Counseling Mode		No
		Phone	
		face to face	
		Internet	
		video conference	
		Other	
6	First Name		Yes
7	Last Name		Yes
8	Age		Partially
9	Race		Yes
		American Indian or Alaskan Native	
		Asian	
		Black or African American	
		Native Hawaiian or Other Pacific Islander	
		White	
		American Indian or Alaskan Native and White	
		Asian and White	
		Black or African-American and White	
		American Indian or Alaskan Native and Black or African American	
		Other	
		Chose not to respond	
10	Ethnicity		Yes
		No	
		Yes	
		Chose not to respond	
11	Gender	Female/Male	Yes
12	Head of Household		Partially
		Single adult	
		Female-headed single parent household	
		Male-headed single parent household	
		Married without dependents	
		Married with dependents	

		Two or more unrelated adults	
		Other	
13	Household Family Income	Annual gross income	Yes
14	Household Income Category (% of AMI)		Partially
		less than 50% of Area Median Income (AMI)	
		50 - 79% of AMI	
		80 - 100% of AMI	
		greater than 100% AMI	
15	House Number	House or Unit number of property	Yes
16	Street	Street name of property.	Yes
17	City	The actual city location of the property.	Yes
18	State	Two digit state (or U.S. territory) code of property	Yes
19	Zip	Five digit ZIP code of property.	Yes
20	Total Individual Counseling Hours Received	Sum of all foreclosure related one-on-one counseling provided to the client.	Yes
21	Total Group Education Hours Received	Sum of all foreclosure related group education provided to the client.	Yes
22	Name of Originating Lender	Name of lender originating the primary or foreclosure problem loan for client	No
23	FDIC/NCUA # or Originating Mortgage Co.	If the originating lender is FDIC insured, use their FDIC number.	No
24	Original loan Number	Loan number of foreclosure related problem loan.	No
25	Current Servicer	Name of current servicer the primary or foreclosure problem loan for client	Yes
26	FDIC/NCUA # or Current Servicer name	If the servicer is FDIC insured, use their FDIC number.	No
27	Loan Number Assigned by Current Servicer	Loan number of foreclosure related problem loan.	Partially
28	Credit Score	Credit score at intake for foreclosure counseling.	Partially
29	If No Credit Score		
		Client refused to authorize credit report pull	
		NFMC Counseling Organization analyzed credit report that did not contain score	
		NFMC Counseling Organization does not analyze credit report for this level of service	
		NFMC Counseling Organization does not have relationship with credit reporting bureau	
		Foreclosure expected within 14 days	
30	Source of Credit Score		Partially
		TransUnion	
		Equifax	
		Experian	
		Tri-merge	
31	PITI at Intake	Total (all loans and escrows) principal, interest, taxes and insurance paid by customer at intake.	Yes
32	Which loan are you reporting?		Yes
		First	

		Second	
33	If first, does homeowner have a second loan?		*Yes if 32 is "First"
		No	
		Yes	
34	Type of Loan at Intake		Yes
		Fixed rate currently under 8%	
		Fixed rate currently 8% or greater	
		ARM currently under 8%	
		ARM currently at 8% or greater	
		Fixed rate currently under 8% as a result of loan modification in last six months	
		Fixed rate currently 8% or greater as a result of loan modification in last six months	
		ARM currently under 8% as a result of loan modification in last six months	
		ARM currently at 8% or greater as a result of loan modification in last six months	
		Client did not disclose	
35	Interest Only Loan	Yes/No	Yes
36	Hybrid ARM	Yes/No	Y, if data point 34, Loan Product Type is ARM
37	Option ARM	Yes/No	Y, if data point 34, Loan Product Type is ARM
38	FHA or VA Insured Loan	Yes/No	Yes
39	Privately Held Loan	Yes/No	No
40	Has Interest Rate Reset on ARM loan	Yes/No	Y, if data point 34, Loan Product Type is ARM
41	Primary Reason for Default		Yes
		Reduction in income	
		Poor budget management skills	
		Loss of income	
		Medical issues	
		Increase in expenses	
		Divorce/separation	
		Death of family member	
		Business venture failed	
		Increase in loan payment	
		Other	
		Not in Default	
42	Loan Status at First Contact		Yes
		Current	

		30-60 days late	
		61-90 days late	
		91-120 days late	
		121+ days late	
43	Counseling Outcome		No
		Initiated forbearance agreement/repayment plan	
		Executed a deed-in-lieu	
		Mortgage foreclosed	
		Received second mortgage	
		Other	
		Counseled and referred to another social service or emergency assistance agency	
		Obtained partial claim loan from FHA lender	
		Bankruptcy	
		Counseled and referred for legal assistance	
		Withdrew from counseling	
		Currently in negotiation with servicer; outcome unknown	
		Referred homeowner to servicer with action plan and no further counseling activity; outcome unknown	
		Foreclosure put on hold or in moratorium; final outcome unknown	
		Brought mortgage current with rescue funds	
		Brought mortgage current (without rescue funds)	
		Mortgage refinanced into FHA product	
		Mortgage refinanced (non-FHA product)	
		Mortgage modified with PITI less than or equal to 38% & at least 5 year fixed rate	
		Mortgage modified with PITI greater than 38% or interest rate fixed for less than 5 years and appears to be sustainable	
		Mortgage modified with PITI greater than 38% or interest rate fixed for less than 5 years and appears not to be sustainable	
		Homeowner(s) sold property (not short sale)	
		Pre-foreclosure sale/short sale	
		Counseled on debt management or referred to debt management agency	
		Home lost due to tax sale or condemnation	
44	Counseling Outcome Date	Enter the date of reported outcome	*Yes if Outcome (Point 43) is reported
45	Back End Debt-to-Income Ratio	Enter the Back End Debt to Income Ratio (as a floating Point number, such as 36.5) Ratio must be greater than equal to zero.	*Yes if Counseling Level is 4a or 4b

Not required: The NFMC Program requests that you submit this information if it is known. The Outcome data, mode of

counseling, and credit score information are particularly crucial to the evaluation of this program. Please make a point to report these data as much as possible. **Note: For counseling outcomes, If you've heard back from the servicer that they have agreed upon outcome, enter that outcome even if official bank documentation has not been received.**

Always required. Records with any of these fields left blank will not be accepted in to the system

Partially required - There are 6 data points that are Partially Required. This means that 3 of the 6 data points must be filled out for the client to be accepted into the DCS. Most Client Management Systems will not check for this in audit reporting. Please be aware of this and manually check records before uploading.

***National Foreclosure Mitigation Counseling Program
Quarterly Reporting Requirements***

There have been no changes to the reporting questions between Rounds 6 and 7. The question numbering is based upon when the questions were added/removed from the system; they are not in sequential order.

The quarterly reports will be completed via the Data Collection System at:
www.nfmc-reporting.org

Shaded fields will be fed back to Grantee/auto-populated based on data reported in the Data Collection System.

Outcomes

2. Number of clients served between (*Start of Applicable Reporting Quarter*) and (*End of Applicable Reporting Quarter*) that achieved each of the following outcomes:

Outcome	Number of Clients whose Outcome was known when reported to Data collection system	Number of clients whose outcome was not known when reported to data collection system
Initiated Forbearance Agreement/Repayment Plan		
Executed a Deed-in-Lieu		
Mortgage Foreclosed		
Received Second Mortgage		
Other		
Counseled and referred to another social service or emergency assistance agency		
Obtained partial claim loan from FHA lender		
Bankruptcy		
Counseled and referred for legal assistance		
Withdrew from counseling		
Currently in negotiation with servicer; outcome unknown		
Referred homeowner to servicer with action plan and no further counseling activity; outcome unknown		
Foreclosure put on hold or in moratorium; final outcome unknown		
Brought mortgage current with rescue funds		
Brought mortgage current (without rescue funds)		
Mortgage refinanced into FHA product		
Mortgage refinanced (non-FHA product)		
Mortgage modified with PITI less than or equal to 38% of gross monthly income with at least a 5 year fixed rate		

Mortgage modified with PITI greater than 38% of gross monthly income or interest rate fixed for less than 5 years and appears to be sustainable		
Mortgage modified with PITI greater than 38% of gross monthly income or interest rate fixed for less than 5 years and appears not to be sustainable		
Homeowner(s) sold property (not short sale)		
Pre-foreclosure sale/short sale		
Counseled on debt management or referred to debt management agency		
Home lost due to tax sale or condemnation		
Ending counseling after level 1~outcome unknown		
Total	(sum of this column)	(sum of this column)

Mode of Counseling

3. Number of counseling units that were provided via the following modes during the reporting Quarter (*Start of Applicable Reporting Quarter*) and (*End of Applicable Reporting Quarter*):

Outcome	Number of Counseling Units with Mode of Counseling known when reported to Data collection system	Number of Counseling Units with Mode of Counseling not known when reported to data collection system
Phone		
Face-to-Face		
Internet		
Video Conferencing		
Other		
Total	(sum of this column)	(sum of this column)

Foreclosure Counselor Capacity

20. As of the end of the most recent reporting quarter, how many foreclosure counselors (number of FTEs) are employed by your organization and all of its NFMC sub-grantees, branches, affiliates?

6. How many foreclosure counselors received additional foreclosure related training between (*Start of Applicable Reporting Quarter*) and (*End of Applicable Reporting Quarter*)?

Use of Program-Related Support

8. Please estimate the percentage of program-related support funds used for the following activities:

Activity	% of funds used for
----------	---------------------

	that activity
Establishing a triage system that makes more effective and efficient use of counseling time	
Outreach to delinquent borrowers	
Group orientation and education sessions to help use counseling time more effectively	
Infrastructure development and communication	
Improving applicant capacity and infrastructure for tracking and reporting data	
Costs related to hiring, orienting, and training new counseling staff	
Purchasing or leasing equipment and software for new counselors	
Collecting data and preparing quarterly reports and draw requests	
Quality control of the counseling	
Other, please specify:	
Other, please specify:	
Other, please specify:	

Use of Operational Oversight

9. This is your plan for using operational oversight to ensure required data tracking and reporting (for HFAs and Intermediaries only)

(The application will show the answer from your grant application)

Your plans for other uses of operational oversight are:

(The application will show the answer from your grant application)

* Please describe progress against these plans:

Successful Strategies and Challenges

The legislation enabling these funds requires that we collect the following information:

10. Please name and describe a few key factors or strategies that contributed to the successes you encountered in helping clients avoid foreclosure, mitigate losses, or ensure the affordability of mortgages when clients retain their homes and *estimate* the percentage of clients for whom each strategy has been successful. If you see clients under the *Making Home Affordable Program*, you must include at least one strategy pertinent to that program and check the appropriate box.

HFAs and Intermediaries must submit at least 2 strategies and NWOs must submit at least 1, with a maximum of 10.

Brief Description of Strategy	What was most important in making this a successful strategy?	% of clients for whom this strategy has been successful	What types of borrowers and types of loans were typically helped with this strategy?	Is this a MHA Specific Success <input type="checkbox"/>

11. Please name and describe a few key challenges encountered in helping clients avoid foreclosure, mitigate losses, or ensure the affordability of mortgages when clients retain their homes. If you see clients under the *Making Home Affordable Program*, you must include at least one challenge pertinent to that program and check the appropriate box.

You must submit at least 2 challenges, with a maximum of 10.

Brief Description of Challenge:	How did this challenge affect your organization's ability to achieve successful outcomes?	% of clients for whom this challenge has been a factor	What factors, if any, helped your organization overcome this challenge?	What changes, if they were made, could help overcome this challenge in the future?	Is this a MHA Specific Challenge <input type="checkbox"/>

Success Stories

12. Please provide the name and contact information of two people that received services as a result of NFMC funds who are willing to be contacted to discuss their situation and possibly be highlighted in future NFMC reports, with their approval.

Borrower #1:

Borrower's Name	
Borrower's phone number	
Borrower's e-mail	
Borrower's current address	
Gender	
Race/ Ethnicity	
Marital status	
Age	
How they heard of your services	
Information about their mortgage situation	

(i.e. type of loan, delinquency status at time of contact, etc.)	
Level of counseling received:	
Resolution	
How resolution was reached:	
Other relevant information describing the borrower's situation:	

Borrower #2:

Borrower's Name	
Borrower's phone number	
Borrower's e-mail	
Borrower's current address	
Gender	
Race/ Ethnicity	
Marital status	
Age	
How they heard of your services	
Information about their mortgage situation (i.e. type of loan, delinquency status at time of contact, etc.)	
Level of counseling received:	
Resolution	
How resolution was reached:	
Other relevant information describing the borrower's situation:	

Compliance

13. Are you/are your sub-grantees or branches in compliance with all terms and conditions of the grant agreement and funding announcement, including OMB Circulars?

If no, how will you remedy during the upcoming quarter?

14. Languages

Please note the languages of which you and/or your sub grantees offer counseling services. Note how many counselors provide services for each language. Note: It is not necessary to put a 0 (zero) value for languages which no services are provided.

Language	Number of Counselors
English	
African languages	
American Sign Language	
Arabic	
Armenian	

Cantonese	
Chinese	
French (incl. Patois, Cajun)	
French Creole	
German	
Greek	
Gujarati	
Hebrew	
Hindi	
Hungarian	
Italian	
Japanese	
Korean	
Laotian	
Miao, Hmong	
Mandarin	
Mon-Khmer, Cambodian	
Navajo	
Other Native North American languages	
Other Slavic languages	
Panjabi	
Persian	
Polish	
Portuguese or Portuguese Creole	
Russian	
Spanish	
Serbo-Croatian	
Tagalog	
Thai	
Urdu	
Vietnamese	
Yiddish	
Other	

Making Home Affordable (MHA)

19. Approximate percentage of your clients during the past quarter that were seeking assistance with the Homeowner Affordability and Stability Plan or Making Home Affordable prior to obtaining a workout?

Approximate percentage of your clients during the past quarter had received a MHA modification and a servicer referral because their Back End DTI is equal to or greater than 55%? %

Expenditures

Reminder: At the end of the grant term, you will need to have an expenditure report for each grantee on file which demonstrates that funds received through this program have been expended on the foreclosure counseling program of applicant and/or sub-grantees and branches.

Exhibit 5: National Foreclosure Mitigation Counseling Program Making Home Affordable Eligibility Determination Checklist

Directions: Please check the appropriate “Yes” or “No” box when determining a client’s eligibility for the Making Home Affordable Program®. Shaded areas are requirements or options to be considered for the program. Non-shaded areas denote criteria that would disqualify the client from participating in the listed program. All shaded areas must be checked to determine if a client is eligible for a particular program. At the end of each section, check whether a client is eligible for the program by checking “Yes” or “No” and noting the reason, if applicable.

Modification: Home Affordable Modification Program (HAMP or HAMP Tier 1): NFMC Program Grantees must screen for eligibility by determining and documenting the following:

	Yes	No
Was the mortgage loan a first lien mortgage loan originated on or before January 1, 2009?		
Has the mortgage been previously modified under HAMP or has the client ever received a Trial Period Plan?		
Is this loan owned, guaranteed, or insured by Fannie Mae, Freddie Mac, FHA, VA, or USDA?		
Is the mortgage loan delinquent or is default reasonably foreseeable?		
Is the client a “natural” person? (Mortgage loans made to business entities are not eligible for assistance under HAMP)		
Is the mortgage loan secured by a single-family, one- to four-unit property that is occupied by the client as his or her primary residence? (Additionally, a loan will be considered for HAMP if: <ul style="list-style-type: none"> • The property was originally non-owner occupied, but the servicer can verify that it is currently the client's principal residence; or • The client is temporarily displaced (e.g. military service, temporary foreign service assignment, or incarceration) but was occupying the property as his or her principal residence immediately prior to his or her displacement, intends to occupy the property as his or her principal residence upon his or her return and the current occupant is not a tenant). 		
Is the property securing the mortgage loan vacant or condemned? (The property may be vacant if, as described above, the client is temporarily displaced).		
Is the mortgage loan secured by a single-family property that is used by the client for rental purposes only and not occupied by the client, whether as a principal residence, second home, or vacation home? (If the answer is yes, then the client is not eligible for HAMP, but may be eligible for HAMP Tier II. See the HAMP Tier 2 checklist below).		
Is the client’s current monthly mortgage payment, PITIA (including principal, interest, taxes, insurance, and when applicable, association fees, and existing escrow shortages) greater than 31% of the client’s verified income?		
Has the client provided documentation of his or her financial hardship?		
Has the client agreed to set-up an escrow account and flood insurance prior to the beginning of the trial period, if one does not exist?		
Is the current unpaid principal balance of the mortgage less than \$729,750 for a one-unit property, \$934,200 for a two-unit property; \$1,129,250 for a three-unit property; and \$1,403,400 for a four-unit property?		

Note: Under HAMP Tier 1, a borrower or co-borrower may receive only one modification.

Is the client eligible for HAMP?

Yes No _____

Modification: Home Affordable Modification Program Tier 2 (HAMP Tier 2): Please note, pursuant to NFMC guidelines, NFMC funds can only be used for single-family, owner-occupied, one-to-four unit properties. NFMC Program Grantees must screen for eligibility by determining and documenting responses to the following:

	Yes	No
Is the mortgage loan secured by a single family, one- to four-unit property that is occupied by the client as his or her primary residence? (Additionally, a loan will be considered for HAMP if: <ul style="list-style-type: none"> • The property was originally non-owner occupied, but the servicer can verify that it is currently the client’s principal residence; or • The client is temporarily displaced (e.g. military service, temporary foreign service assignment, or incarceration) but was occupying the property as his or her principal residence immediately prior to his or her displacement, intends to occupy the property as his or her principal residence upon his or her return and the current occupant is not a tenant). 		
Is the property securing the mortgage loan vacant or condemned? (The property may be vacant if, as described above, the client is temporarily displaced).		
Is the client a “natural” person? (Mortgage loans made to business entities are not eligible for assistance under HAMP)		
Is the mortgage loan delinquent or is default reasonably foreseeable?		
Is the mortgage loan secured by a single-family property that is used by the client for rental purposes only and not occupied by the client, whether as a principal residence, second home, or vacation home?		
Is the mortgage loan securing the rental property delinquent? (Please check “No” or write in “N/A”, if this is not applicable)		
Was the mortgage loan a first lien mortgage loan originated on or before January 1, 2009?		
Is this loan owned, guaranteed, or insured by Fannie Mae, Freddie Mac, FHA, VA, or USDA? (If so, the homeowner is not eligible for HAMP or HAMP Tier 2)		
Has the client’s mortgage been previously modified or have they received a HAMP Tier 1 Trial Period Plan, of which, they defaulted? (HAMP Tier 2 Trial Period Plan must be at least 10% less than the failed Tier 1 Trial Period Plan); or (Please circle one option below) <ul style="list-style-type: none"> • The client received a HAMP Tier 1 permanent modification, of which, they defaulted. (Additional eligibility criteria include: demonstratable change in circumstances or 12 or more months since effective date of HAMP Tier 1 modification); or • The client received a HAMP Tier 2 Trial Period Plan or permanent modification, of which, the client defaulted. 		
Is the client’s current monthly mortgage payment, PITIA (including principal, interest, taxes, insurance, and when applicable, association fees, and existing escrow shortages) greater than 25% of the client’s verified income?		
Has the client provided documentation of his or her financial hardship?		
Has the client agreed to set-up an escrow account and flood insurance prior to the beginning of the trial period, if one does not exist?		

Is the current unpaid principal balance of the mortgage less than \$729,750 for a one-unit property, \$934,200 for a two-unit property; \$1,129,250 for a three-unit property; and \$1,403,400 for a four-unit property?		
Has the client been convicted of felony larceny, theft, fraud, forgery, money laundering or tax evasion in connection with a mortgage or real estate transaction within the last 10 years?		

Note: Under HAMP Tier 2, a borrower or co-borrower may receive a total of three permanent modifications, one each on three different mortgage loans.

Is the client eligible for HAMP Tier 2? Yes No _____

Refinance: Home Affordable Refinance Program (HARP or HARP 2.0): Please note, pursuant to NFMC guidelines, NFMC funds can only be used for single-family, owner-occupied, one-to-four unit properties. NFMC Program Grantees must screen for eligibility by determining and documenting the following:

	es	Y o	N
Is client the owner of a one- to four-unit home?			
Is the loan a first lien, conventional mortgage owned or guaranteed by Fannie Mae or Freddie Mac?			
Is client current on their mortgage (client must be current on the mortgage, have not missed more than one payment in the last 12 months, and have not missed any payments in the prior 6 months. If the client has had the loan for less than 12 months, he/she must not have missed any payments in the previous 6 months and have not missed more than one payment since inception of the mortgage)?			
Was the loan sold to Freddie Mac or Fannie Mae on or before May 31, 2009?			
Was the loan refinanced under HARP previously? (Not applicable to Fannie Mae loans that were refinanced under HARP between March-May 2009).			
Is the current loan to value greater than 80%? (For HARP 2.0 there is no longer a maximum LTV limit for borrower eligibility. However, if the client refinances under HAMP and their new loan is an adjustable loan their LTV may not be above 105%)			
Does the client have a source of income to support the new mortgage payments?			
Does the refinance improve the long-term affordability or stability of the loan?			

Is the client eligible for HARP or HARP 2.0? Yes No _____

FHA Loans For clients with FHA loans, NFMC Program Grantees must screen for eligibility by determining and documenting the following:

	es	Y o	N
Is the client the owner of a one- to four-unit home?			
Is the client less than 12 payments behind on their mortgage?			
Does the client have income sufficient to support the new mortgage payments?			
With the modification, will the client's front end DTI be as close as possible, but not less than 31% and their back end DTI less than 55%?			
Is the client eligible for the FHA Special Forbearance, or the FHA Loan Modification			

and Partial Claim?

Is the client eligible for a FHA Loan? Yes No _____

Short Sale or Deed-in-Lieu: Home Affordable Foreclosure Alternatives (HAFA): NFMCC Program Grantees must screen for eligibility by determining and documenting the following:

	Y es	N o
Was the mortgage loan a first lien mortgage loan originated on or before January 1, 2009?		
Is the loan a first lien, conventional mortgage owned or guaranteed by Fannie Mae or Freddie Mac?		
Is client the owner of a one- to four-unit home? (The first loan must be less than \$729,750)		
Is the home the client's primary residence? (For mortgage loans that are more than 30 days delinquent, the property may be a principal residence, a second home, or an investment property. In addition, the property may be vacant but must not be condemned. For mortgage loans that are less than 31 days delinquent but evaluated as in imminent default, the mortgage property must be the client's principal residence).		
Was this property purchased in the last 12 months?		
Was the client qualified for HAMP based on verified income, but: <ul style="list-style-type: none"> Was not offered a trial modification due to inability to meet HAMP qualifications (for example, did not pass the NPV test or meet the target monthly mortgage payment ratio); or Was not offered a trial modification due to inability to meet HAMP qualifications (for example, did not pass the NPV test or meet the target monthly mortgage payment ratio); or Failed to complete the trial period successfully; or Became two consecutive payments (31 or more days) delinquent on the modified loan; or Requested a short sale or deed-in-lieu? 		
Is the client more than 60 days delinquent and have cash reserves less than the greater or three times their current mortgage payment?		
Is the client in foreclosure, pending foreclosure, in pending litigation involving the mortgage, or in active bankruptcy?		
Has the client provided documentation of his or her financial hardship?		
Is the client's monthly debt ratio greater than 55%? (Active duty military service members of the U.S. armed forces with PCS orders relocating from a primary residence purchased on or before June 30, 2012, are exempt from the total monthly debt ratio requirement).		
Is the title on the client's property clean?		
Has the client been convicted of felony larceny, theft, fraud, forgery, money laundering or tax evasion in connection with a mortgage or real estate transaction within the last 10 years?		

Is the client eligible for a Short Sale or Deed-in-Lieu? Yes No _____

Note: This document should be used to determine a client's eligibility for the Making Home Affordable (MHA) Program. Grantees should use this form during their initial assessment of their clients. Additionally, the form can be shared with clients to help them better understand MHA requirements. Last updated: September 24, 2012

Exhibit 6: NFMC Program Counseling Award Draw Requirements for Round 7

1. Draw 1 (Draw 1 = 70% of PRS; 35% of Counseling; 35% of OO) For the typical Grantee¹, this represents 40.5% of its total NFMC Program award.

Released upon ratification of Grant Agreement. Round 6 must be closed out before the first draw of Round 7 will be released.

2. Draw 2 (Draw 2 = 15% of PRS; 30% of Counseling; 30% of OO)

Total disbursed to Grantee at this point is 85% of PRS; 65% of counseling; 65% of OO. For the typical Grantee¹, this represents 68% of its total NFMC Program award.

Released when enough clients have been counseled to total 25% of the Counseling Award dollar amount and:

- A. Grantee has no significant compliance findings
 - B. Grantee has submitted proof of the requisite match funds
 - C. Grantee is within allowable variances by geographic area²
 - D. Grantees with contracted requirements to provide a certain amount of counseling sessions in low-income or minority zip codes, or to low-income or minority homeowners, will be required to achieve at least the contracted percentage of production in those areas
-

3. Draw 3 (Draw 3 = 15% of PRS; 30% of Counseling; 30% of OO)

Total disbursed to Grantee at this point is 100% of PRS; 95% of counseling; 95% of OO. For the typical Grantee¹, this represents 96% of its total NFMC Program award.

Released when enough clients have been counseled to total 60% of the Counseling Award dollar amount³ and:

- A. Grantee has no significant compliance findings
 - B. Grantee has submitted proof of the requisite match funds
 - C. Grantee is within allowable variances by geographic area²
 - D. Grantees with contracted requirements to provide a certain amount of counseling sessions in low-income or minority zip codes, or to low-income or minority homeowners, will be required to achieve at least the contracted percentage of production in those areas
-

4. Draw 4 (Draw 3 = 2.5% of counseling; 2.5% of OO)

Total disbursed to Grantee is 100% of PRS; 97.5% of counseling; 97.5% of OO. For the typical Grantee¹, this represents 98% of its total NFMC Program award.

Released when:

- A. Grantee has no significant compliance findings
- B. Grantee has submitted proof of the requisite match funds

- C. Grantee has counseled enough borrowers to fully spend down 100% of the dollar amount awarded to it in Counseling Funds³. Note: The NFMC Program will allow up to 5% of the Grantee's counseling award to be used to cover duplicate clients that were not self-duplicates. This will be applied at Draw 4 and may reduce the dollar amount and/or units of counseling needing to be achieved before releasing Draw 4.
- D. At least 75% of the Grantee's production was provided in Areas of Greatest need. If the Grantee was contracted to provide less than 75% of its units of counseling in Areas of Greatest need, it must be within 5% of its contracted percentage. *For example, if a Grantee was contracted to provide 65% of its total units of counseling in Areas of Greatest Need, it must provide at least 60% in AGN to close out the grant.*
- E. Grantees with contracted requirements to provide a certain amount of counseling sessions in low-income or minority zip codes, or to low-income or minority homeowners, will be required to achieve at least the contracted percentage of production in those areas
- F. Grantee has completed its Final NFMC Program Programmatic Report

Exceptions to be considered:

The executed Grant Agreements requires that Grantees meet certain goals. The following provisions have been established to allow Grantees to draw down some of their NFMC Program funds and continue providing counseling services if they have not met the contracted requirements but have sufficiently documented the reasons why and have proven they have made best efforts to achieve their goals.

At the time of the 2nd draw, If Grantee is not within allowable variances geographic area, or (if applicable) by service to low-income and minority homeowners or zip codes, Grantee must send an e-mail detailing its plan to get back on track. Once this is reviewed and accepted, the NFMC Program will release Draw 2.

At the time of the 3rd draw, if Grantee is unable to meet the geographic area requirements, Grantee must send an e-mail giving a satisfactory explanation for how they will make best efforts get back on track. Once this is reviewed and accepted, the NFMC Program will release half of Draw 3.

To receive the second half of the third draw, Grantee must upload additional units of counseling, and NFMC Program staff must analyze progress to date on the geographic areas where Grantee was below acceptable variances at the time of the 3rd draw. If Grantee has increased production so it is within the variance, then the second half of the third draw will be authorized.

If Grantee has not increased production to be within the variance, NFMC Program staff will review the documented best efforts reported by the Grantee to address the variance. Factors that may allow a waiver of the Grant Agreement requirements during this stage of review would include: the geographic area is not an Area of Greatest Need, the geographic area is being served satisfactorily by the program overall, Grantee makes up less than 15% of the overall proposed production for that geographic area, production in immediately adjacent MSAs or rural areas of a state make up for the units of counseling not delivered in the contracted geographic area, documentation that clients were served in the under-

reported geographic areas but billed to another funding source, or documentation that specific outreach and efforts to affiliate new sub-Grantees (if applicable) have not produced the required volume of borrowers to allow Grantee to meet its goal.

¹ This percentage may vary slightly, as NeighborWorks Organizations were not eligible to apply for Operational Oversight funds.

² To determine if Grantee is within allowable variances by geographic area, the NFMC Program looks at the following:

- For geographic variances, Grantee must have achieved at least 75% of the units of counseling expected at each draw for each MSA and rural area of a state it was contracted to serve for Draw 2 and 50% for Draw 3. The NFMC Program will not penalize Grantees that achieve more than 125% of its counseling goals, provided this does not cause other geographic areas Grantee was contracted to serve to fall below its goals.
- *Draw 2 Example: If a Grantee received a counseling award of \$120,000 and was contracted to provide 800 units of counseling in the Atlanta MSA, it would reach the Draw 2 trigger when it had uploaded enough units of counseling to total \$30,000 (or 25% of the counseling award). If at least 75% of those units were provided in the Atlanta MSA, the Grantee is considered to be within the allowable variance. Draw 3 Example: That same Grantee would reach the Draw 3 trigger when it had uploaded enough units of counseling to total \$72,000 (or 60% of the counseling award). If at least 50% of those units were provided in the Atlanta MSA, the Grantee is considered to be within the allowable variance. If it is determined that Grantee is under-producing in rural areas, the NFMC Program will analyze whether the Grantee has produced units of counseling in rural areas of MSAs using the USDA 502 rural definition. If this is the case, units of counseling that fall within these areas can be counted toward the Grantee's rural production.*

³ To determine if Grantee has counseled enough borrowers to spend down 25%, 60% or 100% of its counseling funds, the NFMC Program multiplies the number of units produced at Level 1 by \$150 and adds to that the number of units produced at Level 2 by \$300. The resulting amount must equal or exceed 25%, 60% or 100% of the Grantee's counseling award, depending on the Draw being released.

*Exhibit 7: National Industry Standards for Homeownership Education and Counseling –
Foreclosure Intervention Specialty*



Introduction – Homeownership Done Right™



As the link between sustainable homeownership and quality counseling and education becomes more and more clear, stakeholders across the housing industry agree that there is a vital need to ensure that consistently high-quality counseling and education become the norm across the nation. We call it “Homeownership Done Right™”—three simple words which are embodied in the National Industry Standards for Homeownership Education and Counseling. Simply put, the National Industry Standards are a set of training and performance benchmarks designed to promote increased quality and reliability in the delivery of homeownership education and counseling programs. In practice, they provide a common industry roadmap for excellence that delivers confidence to homebuyers and which instills professionalism and credibility among and across the diverse stakeholders who are part of the homeownership experience.

Creating industry-wide standards for homeownership counseling and education is a basic idea, but one that has far-reaching benefits. By adopting the National Industry Standards, homeownership counseling organizations demonstrate their belief in the importance of maintaining a high level of expertise on the part of their counselors and educators and of ensuring that all clients receive consistent, quality service. Likewise, by supporting the Standards, Housing Finance Agencies, other government entities, regional and national lenders, mortgage insurers and GSEs demonstrate accountability and commitment towards providing the greatest chance for sustainable homeownership. In turn, consumers gain confidence knowing that organizations that adopt and follow the Standards can be counted on to provide reliable information and professional service that has the homebuyer’s best interests in mind. Put it all together, and you get “Homeownership Done Right.™”

Encouraging Nationwide Quality

Organizations providing homeownership counseling and education services are encouraged to integrate the recommended benchmarks from the Standards into their everyday business operations and strive to exceed these benchmarks. The National Industry Standards for Homeownership Education and Counseling focus on a set of six core areas:

Competency, including strong knowledge of the homebuying process, money management and credit

Skills, including communication and listening skills, adult education and facilitation skills

Training, with recommendations for a minimum number of hours of training and certification

Operational Knowledge, regarding programs, fundraising and marketing

Code of Ethics and Conduct, which practitioners must sign and abide by

Performance Standards, including standards for delivery, curriculum, recordkeeping and reporting

Benefits of the Standards

The National Industry Standards for Homeownership Education and Counseling provide numerous benefits to a wide variety of housing industry stakeholders.

Benefits for Community Development Organizations

By adopting the National Industry Standards, organizations are better able to:

- Promote responsibility and sustainability for homeownership in the community
- Create consistencies in content delivered to clients across the nation
- Raise awareness for the organization and the homeownership counseling/ education field
- Gain the public's trust
- Provide guidance to practitioners to perform at the highest level of professionalism
- Promote sustainability for organizations that adopt the Standards by reassuring funders and fee-paying clients of the quality of services provided
- Allow consumers to identify organizations that adopt and follow the Standards to ensure they are receiving high-quality, ethical service
- Elevate the industry's reputation for quality service delivery

Benefits for Practitioners

Achieving (or exceeding) the benchmarks established by the Standards helps homeownership professionals to:

- Increase their knowledge and skill-set to best serve their clients
- Earn the trust of their clients

- Distinguish themselves professionally
- Advance their career
- Enhance their credibility and image

Benefits for Partner Organizations

By endorsing and promoting the Standards, corporations and government entities:

- Take the lead in advocating for education and counseling as a critical part of the homeownership experience
- Demonstrate their commitment to best practices in achieving sustainable homeownership
- Show public support for homeownership educators and counselors
- Endorse a mechanism that will instill greater public trust in the market
- Raise the bar of excellence for organizations seeking funding opportunities

Benefits for Homebuyers and Homeowners

Homebuyers and current homeowners benefit by knowing that organizations that adopt and follow the Standards will:

- Provide a solid source of information to draw upon before and after the home purchase
- Make sure their counselors/educators serve clients with competence, fairness and respect

- Ensure that clients receive consistent and correct information
- Provide counselors/educators with the proper tools and training to support their work

Development of The National Industry Standards

Building on the effective practices found at every point of the homeownership experience, the National Industry Standards for Homeownership Education and Counseling were drawn from a variety of sources, including existing standards used by the U.S. Department of Housing and Urban Development (HUD) and local, regional and national housing counseling agencies. Input on the Standards was gathered by the Advisory Council for the National Industry Standards and from a variety of housing industry partners.



Advisory Council

- Bank of America
- Chase
- Chrysalis Consulting Group, LLC
- Citi
- Community Development Corporation of Long Island, Inc.
- Consumer Credit Counseling Services of San Francisco
- Fannie Mae
- Federal Reserve Board
- Freddie Mac
- The Housing Partnership Network
- Minnesota Housing
- Mortgage and Credit Center
- NAREB – National Investment Division
- National Association of REALTORS®
- National Council of State Housing Finance Agencies
- National Council of La Raza
- NeighborWorks® America
- NHS of Great Falls
- U.S. Department of Housing and Urban Development
- Wells Fargo

How To Use This Booklet

This booklet is designed to serve three purposes: (1) To provide comprehensive information about the National Industry Standards and the Code of Ethics and Conduct for professionals across the homeownership industry, (2) To be a call to action for organizations to adopt the National Industry Standards and (3) To serve as a reference guide for practitioners—homeownership educators and counselors, as well as other homeownership industry professionals—who will benefit from having the National Industry Standards guidelines and benchmarks and Code of Ethics and Conduct printed in one handy place.

Adopting The Standards

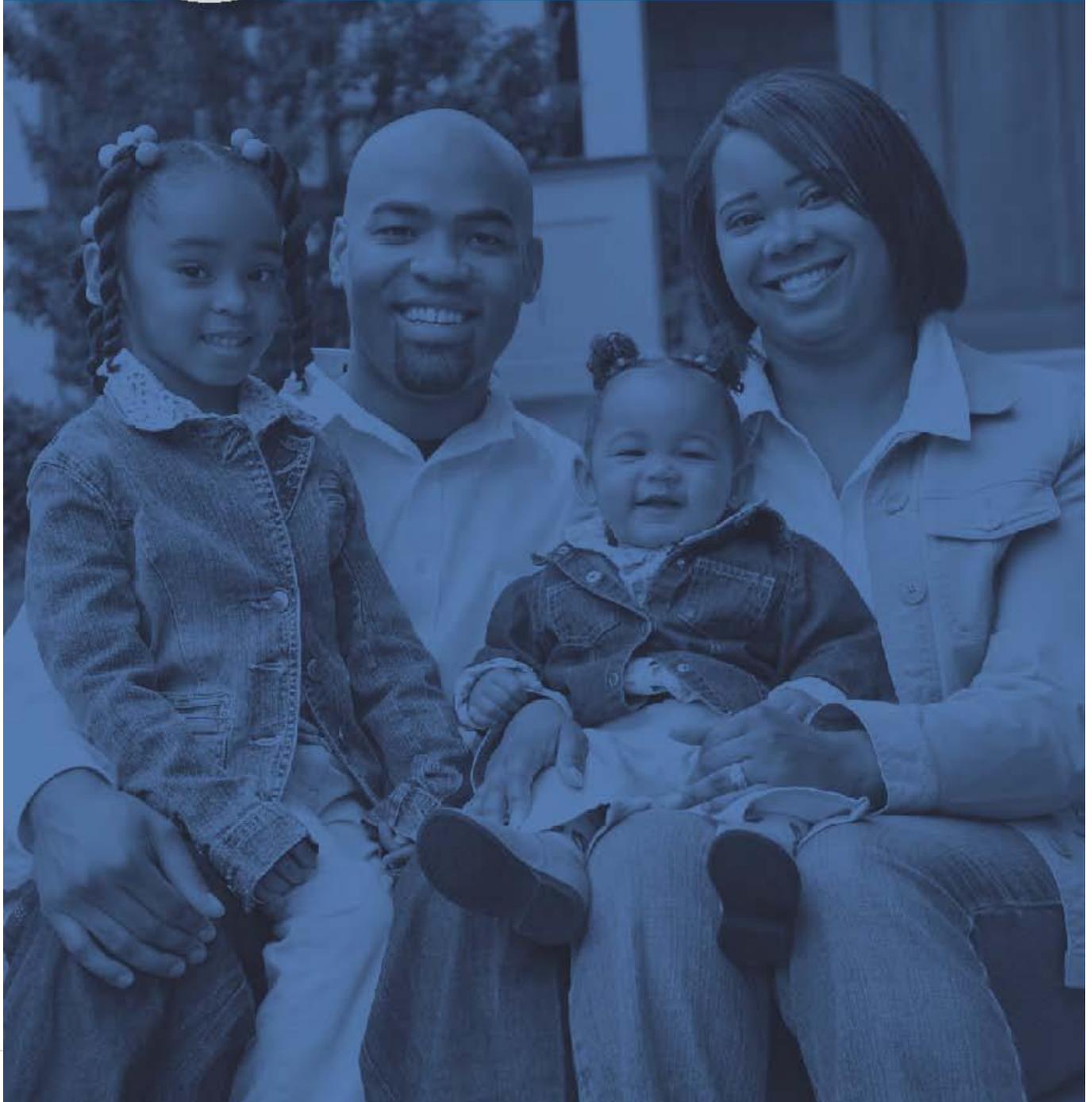
Many organizations that currently provide homeownership education and counseling will find that their programs meet or exceed the recommended benchmarks for industry standards and can readily adopt the National Industry Standards and National Industry Standards Code of Ethics and Conduct.

For more information and to adopt the Standards, turn to page 32 and log on to www.homeownershipstandards.com.





Standards for Homeownership Education and Counseling— Foreclosure Intervention Specialty



Program administered by NeighborWorks® America

Purpose of the Standards

To ensure consistency in the quality of foreclosure intervention counseling efforts nationwide, and adopt industry best practices.

In order to best serve clients, organizations providing homeownership counseling and individual homeownership counselors providing foreclosure intervention services agree to adopt the following:

Core Operating Standards

1. Competency: Possess a strong knowledge in the area of mortgage default and/or foreclosure intervention counseling, specifically relating to the current industry practices of loss mitigation to include loan repayment, forbearance, modification, refinance, loan assumption, short sale, deed-in-lieu, community referrals and other remedies available to the homeowner to avoid foreclosure. The counselor should understand the structure of the primary and secondary markets, the collection and loss mitigation functions of those entities collecting mortgage payments, financial management and budgeting, and be familiar with state and federal regulations regarding the foreclosure process. The counselor should possess the skills to obtain pertinent client information, analyze financial and property data and draft a comprehensive written action plan (see Exhibit E) based on the client's goals outlining the recommendations for foreclosure avoidance or sale.

- **Recommended Benchmark:** Individuals new to the field of foreclosure intervention counseling should obtain appropriate orientation, introductory level training and prerequisite curricula during the initial six months of employment.

- **Recommended Benchmark:** Those counselors new to foreclosure intervention and default counseling should (prior to seeing clients) be involved in an on-the-job training/coaching/mentoring program for at least 90 days.
- 2. Skills:** Exhibit professional communication (written and verbal), organizational, listening, customer service, cultural competency and time management skills. Foreclosure Intervention Counselors must demonstrate a hands-on knowledge of the remedies available to the homeowner to avoid foreclosure including negotiation and critical thinking skills, and demonstrate an ability to provide timely crisis counseling to families in need.
- 3. Training:** As soon as possible but no later than within 12 months of being hired, foreclosure intervention counselors will obtain minimum training equivalent to no less than 30 hours of facilitated instruction, utilizing a variety of methods including lecture, interactive, demonstration, on-line and case study.
- **Recommended Benchmark:** Those counselors new to foreclosure intervention and default counseling should (prior to seeing clients) be involved in an on-the-job training/coaching/mentoring program for at least 90 days. To best meet the client's needs in this highly specialized field, facilitated training in foreclosure intervention and default counseling should be completed within six months and no later than one year to obtain the competency and skills listed under the Core Operating Standards.

4. **Certification:** Certification is considered critical in the industry. Subsequent to the requisite training, a comprehensive exam consisting of approximately 100 questions must be administered with a demonstrated proficiency of 80% passing. The exam will cover foreclosure intervention counseling competency content meeting the standards listed under the Core Operating Standards and demonstrated in the related activities identified in Exhibit D herein.

- **Recommended Benchmark:** Certification should be completed as soon as reasonably possible, but no later than within 18 months of employment.

5. **Continuing Education:** Complete a minimum of 10 hours of continuing education annually in subjects primarily related to the core content and delivery of foreclosure intervention and default counseling.

- **Recommended Benchmark:** Professional certification continuing education requirements may meet or exceed this standard.

6. **Foreclosure Intervention Counseling Operations:** Implement effective program operations for foreclosure counseling including techniques, outreach and marketing of services available to the community, partnership building with private sector partners including servicers and lenders, fundraising, customer service, customer tracking, reporting, program evaluation and program design.

- **Recommended Benchmark:** These skills can be obtained through training and experience.



7. **Code of Ethics and Conduct Statement:** Sign and adopt the written National Industry Standards Code of Ethics and Conduct policy that specifically addresses any real and apparent conflicts of interest, guidelines for professional behavior, privacy and confidentiality, payment for services, consultation, referrals, quality assurance and integrity.

Performance Standards

1. **Delivery:** Perform individual, personalized foreclosure intervention and default counseling to clients.

- **Recommended Benchmark:** Content, delivery and format of the counseling is tailored to meet the needs of the client. Content and delivery should be done in a culturally competent manner and in the preferred language of the client. Use of a translator or referral to an agency that provides adequate service in the appropriate language is recommended.

- **Recommended Benchmark:** Clients should be counseled immediately (if possible) particularly when there is a high degree of certainty

that foreclosure is imminent. At a minimum, upon request, clients should receive acknowledgement of inquiry within 48 hours of initial contact. When initial contact is made, clients should be assessed to determine the status of the client's mortgage and client urgency. Those clients that have a high degree of foreclosure risk should be prioritized for appointments.

- **Recommended Benchmark:** Foreclosure intervention counselors must complete appropriate intake of client information to make proper and timely recommendations to the client to assist in avoiding foreclosure. Counselors must provide a comprehensive written action plan (see Exhibit E) to the client summarizing a statement of the problem, steps to be taken by the client, steps to be taken by the counselor and the timeline necessary to accomplish these tasks.
- **Recommended Benchmark:** Foreclosure intervention counselors should always instruct the client of the importance of making and keeping contact with the lender. Where possible, the counselor should attempt to contact the lender on



behalf of the client to assess status and to further inform the lender of the proposed recommendations as specified in the written action plan (see Exhibit E).

- **Recommended Benchmark:** Active, open client files should be closely monitored, with timely follow-up in accordance with the stated action plan. When no contact from the client has taken place for three consecutive months, the file may be classified as inactive.
 - **Recommended Benchmark:** Where there is no mortgage delinquency, foreclosure intervention counselors should provide basic financial management or credit counseling and encourage further homeownership education as a deterrent to future mortgage default.
 - **Recommended Benchmark:** Client satisfaction surveys are used to evaluate the effectiveness of the counseling.
2. **Expected Counseling Outcome:** Upon completion of foreclosure intervention counseling, clients will understand the various options available to assist them to avoid foreclosure, the need to keep constant communication with their lender and will have received a written action plan (see Exhibit E) outlining the necessary steps to achieve their desired objectives. After counseling, if the client determines that either they cannot afford to keep their home or no longer desire to keep their home, they will receive information relative to each of these options and how this action might result in civil and/or tax liability.



- **Recommended Benchmark:** Foreclosure intervention counselor should collect pertinent information as outlined in Exhibit D.
 - **Recommended Benchmark:** Comprehensive, effective delivery should be determined based upon the individual needs of the client to reach their desired outcome. The minimum standard for delivery of individual foreclosure intervention counseling should be at least one session of at least 30-60 minutes, utilizing either face-to-face or telephone counseling.
- 3. Recordkeeping:** Collect and maintain specific information from clients in accordance with all laws and governing organizations (i.e., HUD, Intermediary, etc.)
- **Recommended Benchmark:** An intake form should be completed and collected with client profile information to include contact information, services sought/provided, household size, ethnicity (optional), and household income. Additional information to collect from the client is outlined in Exhibit D.
 - **Recommended Benchmark:** Aggregate information for clients should be maintained including total number of persons served and other demographic information.

- **Recommended Benchmark:** A checklist should be utilized to ensure files are consistently maintained and meet reporting standards and quality assurance.
 - **Recommended Benchmark:** Files should be maintained in secured file cabinets and/or electronically in a secure data system in order to protect client privacy.
 - **Recommended Benchmark:** Files should be maintained for a minimum of three years. Longer file retention requirements may be required if the household has received grant or loan assistance through state or federal subsidy programs. At the time of disposal, files should be shredded or electronic copies should be deleted.
- 4. Reporting:** Utilize an electronic Client Management System for collecting and reporting data.
- **Recommended Benchmark:** An electronic method in place for collecting reporting data may be as basic as an Excel spreadsheet or Access database application that captures needed data fields from each client, but *preferably* should be a software application compliant with HUD's CMS vendor list or equivalent. Visit www.hud.gov and refer to HUD's CMS vendor list.
- 5. Service Thresholds:** Establish referral networks for individuals and families seeking services that the foreclosure intervention counselor does not provide or possess sufficient competency to adequately and effectively deliver.

- **Recommended Benchmark:** The Department of Housing and Urban Development (HUD) maintains a list of organizations and corresponding services (www.hud.gov). In addition,

legal aid, tax professionals and other state or local agencies that may provide needed services aligned with foreclosure intervention including rescue funds should be sought.

Exhibit D

Minimum Standard Activities for Foreclosure Intervention and Default Counseling

Activities
Perform intake by gathering baseline information from client including: <ul style="list-style-type: none"> a. Client’s goals/intent b. Reason for delinquency or default c. Client’s financial situation and possibility of workout d. Client’s loan type e. Home’s value/condition f. Credit report g. Original loan documents, if available h. Demographic information: contact information, household size, household income, ethnicity (optional), etc.
Assess client’s mortgage, payment status and urgency in the delinquency and foreclosure process
Develop loss mitigation options
Communicate with the servicer*
Submit loss mitigation package to servicer*
Negotiate with junior lien holders and Homeowners Association*
Create written action plan for foreclosure avoidance or client’s preference
Provide follow up to client
Provide client with contact information for additional community services that might be available

* When Applicable. Foreclosure Counseling can include a range of the activities depending on the client’s financial situation and the severity of the mortgage delinquency. Specifically, activities 4, 5 and/or 6 vary and may not always be performed for a client.

Exhibit E

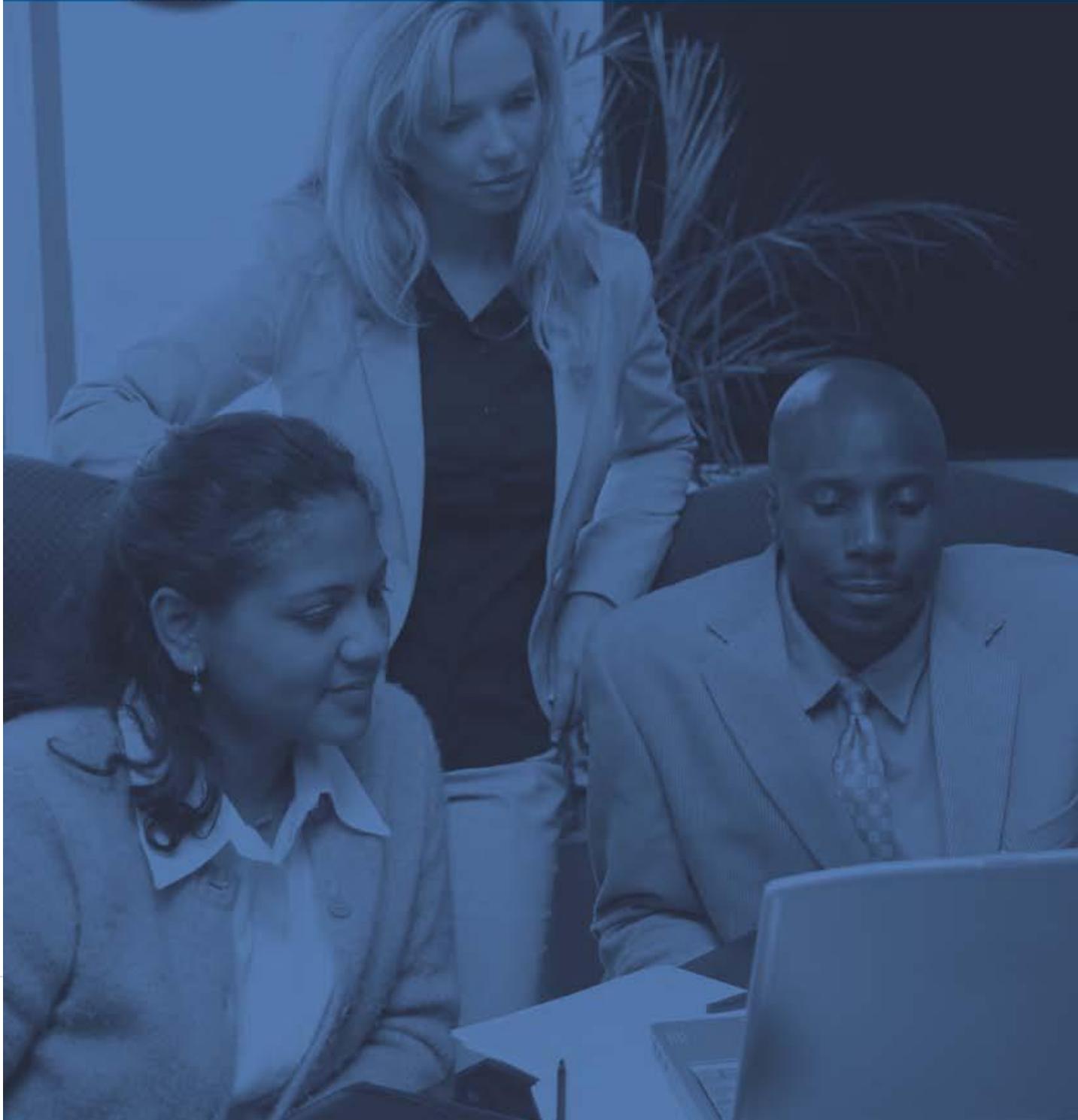
Foreclosure Intervention Counseling— Recommended Content for Written Action Plan

Recommended Features of the Action Plan
State briefly why the homeowner is delinquent or in danger of becoming delinquent, including the involuntary inability to pay, unexpected increase in expenses, decrease in income, loan reset and/or other factor.
Include an assessment of the property's condition and a discussion and calculation of equity, if any.
Include a financial assessment that leads to the recommendations for resolving the delinquency (assuming that the client wants to and can afford to keep the house). Otherwise, discuss foreclosure in general, sale of the property, deed in lieu, short sale and possible tax consequences and/or deficiency judgment issues.
State what steps the homeowner will take to resolve the delinquency and what steps the counselor will take to assist in this process.
Include other contact information for community referrals which may be able to assist the client.
Issue the Action Plan within 24 hours of counseling session (and immediately if face-to-face)





National Industry Standards Code of Ethics and Conduct for Homeownership Professionals





The National Industry Standards Code of Ethics and Conduct for Homeownership Professionals* is a voluntary, self-governing standard for professional performance/conduct for homeownership counselors and educators that provide homeownership education and counseling services to consumers.

The Code of Ethics and Conduct for Homeownership Professionals offers a set of values and principles to guide conduct and decision-making in the homeownership education and counseling field. Homeownership professionals who adhere to the Code of Ethics and Conduct agree to provide quality education and counseling to clients.

How to Utilize the National Industry Standards Code of Ethics and Conduct:

Counselors and Educators: The National Industry Standards Code of Ethics and Conduct should be adopted by counselors and educators and adhered to in their daily business operations. For more information on how to demonstrate adoption of these documents, visit www.homeownershipstandards.com.

Organizations: Organizations providing homeownership education and/or counseling services are encouraged to adopt the Code of Ethics and Conduct and ensure compliance with these ethics by their counselors and educators.

*The National Industry Standards for Homeownership Education and Counseling Code of Ethics and Conduct was developed by a collaborative group of industry partners. The term "Homeownership Professionals" includes both homeownership educators and counselors.

1. Commitment to Clients

- The primary responsibility of homeownership educators and counselors is to provide high-quality education and counseling services to prospective and existing homeowners.
- Homeownership educators and counselors will act on behalf of a client and observe his/her best interests.

2. Client Decision-Making

- Homeownership educators/counselors will provide necessary tools, resources and information to assist their clients in making decisions about finances, home buying or homeownership based on the client's needs and preferences.
- In instances when clients experience literacy or language challenges, homeownership educators/counselors will take steps to ensure clients' comprehension. This shall include arranging for a qualified interpreter or translator or referring the client to a qualified language educator/counselor.

3. Competence

- Homeownership educators/counselors will provide services only within the boundaries of their education, training, certification or other relevant professional experience. Referrals will be provided to clients when essential services are beyond the scope of the individual or agency to provide.
- Homeownership educators/counselors shall be culturally competent in their service area and sensitive to cultural differences and needs.

4. Conflicts of Interest

- Homeownership educators/counselors will avoid actual and the appearance of conflicts of interest. They will inform clients when a real or potential conflict of interest arises and take all necessary steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.
- Homeownership educators/counselors will not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political or business interests.
- Any potential conflicts of interest (such as a counseling agency providing low-cost loans), will be disclosed to clients in a written disclosure document.

5. Privacy and Confidentiality

- Homeownership educators/counselors will respect clients' right to privacy. Private information will not be requested from clients unless it is critical to providing services. Once private information is shared, privacy laws apply as well as client confidentiality.
- Homeownership educators/counselors will disclose confidential information only as specified by a valid written consent of client.
- Homeownership educators/counselors will not discuss confidential

information in any setting unless privacy can be ensured. Counselors and educators will abide by privacy laws and keep information confidential and protected.

- Homeownership educators/counselors will not disclose clients' information, including their identity, when responding to requests from members of the media without the client's express consent.
- Homeownership educators/counselors will protect the confidentiality of clients' written and electronic records and other sensitive information. Clients' records shall be stored in a secure location and not made available to others who are not authorized to have access.
- Homeownership educators/counselors will take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information will be avoided unless specifically permitted by client.



- Homeownership educators/counselors will dispose of clients' records in a manner that protects clients' confidentiality and is consistent with state statutes governing records and social work licensure.
- Homeownership educators and counselors will be familiar with relevant local, regional and national laws regarding privacy and confidentiality.

6. Professional Behavior

- Homeownership educators/counselors will not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.
- Homeownership educators/counselors will not use derogatory language in their written or verbal



communications to or about clients. Accurate and respectful language will be used in all communications to and about clients.

- Homeownership educators/counselors will not participate in, condone, or be associated with dishonesty, fraud or deception.
- Homeownership educators/counselors will not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.

7. Payment for Services

- When setting fees, homeownership educators/counselors will ensure that the fees are fair, reasonable and commensurate with the services performed. Clients will be informed of any applicable fees prior to the delivery of any services.
- Homeownership educators/counselors will not solicit a private fee or other personal remuneration for providing services to clients.

8. Discontinuation of Services

- Homeownership educators/counselors will close files and discontinue services to clients when such services are no longer required or no longer serve the clients' needs or interests.

9. Consultation

- Homeownership educators/counselors will seek the advice and counsel of more experienced colleagues whenever such consultation is in the best interests of clients. Consultation

will only be sought from colleagues who have demonstrated knowledge, expertise and competence related to the subject of the consultation.

- When consulting with colleagues about clients, homeownership educators/counselors will disclose the least amount of information necessary to achieve the purposes of the consultation.
- Client information will only be shared with other colleagues with the written consent of the client.

10. Referrals

- Homeownership educators/counselors will limit services to those within their training and expertise and refrain from giving legal, tax or accounting advice unless licensed to do so. Non-homeownership issues should be referred to other appropriate agencies to serve clients fully.
- Homeownership educators/counselors shall not give payment or receive payment from an outside source for a referral unless professional services of comparable value have been provided.

11. Integrity of the Homeownership Education and Counseling Profession

- Homeownership educators/counselors will work toward the maintenance and promotion of high standards of practice for the industry.



- Homeownership educators/counselors will uphold and advance the values, ethics, knowledge and mission of the profession. They will protect, enhance and improve the integrity of the profession through service development, partnerships and active participation in the industry.
- Homeownership educators/counselors will contribute time and professional expertise to activities that promote respect for the value, integrity and competence of their profession.



**Homeownership
Done Right.™**

LEARN HOW TO ADOPT National Industry Standards for Homeownership Education and Counseling

Unifying the industry on the issue of education and counseling standards is the first step to achieving that goal on a national level. An organization can make the commitment to incorporate the National Industry Standards in their day-to-day business practices to help promote a high level of consistency and quality in homeownership education and counseling nationwide.

Your organization can adopt the Standards by following these simple steps:

- 1 Go online to www.homeownershipstandards.com. Select the **Sign Up** button from the homepage (the executive director or a high-ranking decision-maker for your organization must complete the sign-up form).
- 2 Download and read through the **National Industry Standards Guidelines and Code of Ethics and Conduct** (each staff member should also read and complete the Code of Ethics and Conduct).
- 3 Provide **information about your agency** (be sure to include complete training and certification information for each of your counseling staff).
- 4 **Submit** copies of your staff's training and certification details to:

National Industry Standards
1325 G Street, NW, Suite 800
Washington, D.C. 20005

Or, fax to 202-376-7276, Attn. National Industry Standards.

Upon review and verification of your submittal, you will receive notification of your adoption status. Once approved, your organization's name will be listed as an adopter on the National Industry Standards website and a Certificate of Adoption will be mailed.

If you have questions about the National Industry Standards, call **866-472-9477**.

www.homeownershipstandards.com