

FHA Fixed Rate

General Description:

FHA Fixed Rate principal and interest level payments for the life of the loan.
Follow published FHA guidelines if item not addressed below.

Lenders are responsible for complying with all applicable FHA/HUD regulations as further modified by the guidelines within this product description.

APPRAISAL	<p>Appraisal Forms</p> <ul style="list-style-type: none"> • 1 unit residence requires Form 1004. • 2-4 unit residence requires Form 1025. • Condo requires Form 1073. • All appraisals of 1-4 unit properties dated on/after April 1, 2009 must contain the Market Conditions Addendum to the Appraisal Report (Form 1004MC). <p>Appraiser Requirements (See ML 2008-39 and ML 2009-36)</p> <ul style="list-style-type: none"> • All FHA appraisals must be assigned to state certified (certified residential or certified general) FHA Roster Appraisers effective October 1, 2009. • It is the responsibility of the submitting lender to verify the state certified status of the appraiser at the time of appraisal assignment. • The appraiser status may be verified within FHA Connection under Single Family FHA/Single Family Origination/FHA Approval Lists/Appraisers. • FHA Appraisals assigned to a non-certified appraiser on or after October 1, 2009 are unacceptable, and a second FHA appraisal must be completed by a state certified appraiser at the submitting broker's/lender's expense. • Non-Permitted additions are not allowed. <p>Transferred Appraisals</p> <ul style="list-style-type: none"> • DMC will accept FHA appraisals ordered by other lenders for FHA loans. The following conditions apply: <ul style="list-style-type: none"> • The appraisal must have been ordered by the previous lender; • The appraiser must provide a "Certificate of Compliance"; • The previous lender must provide a transfer letter; • The underwriting disposition sheet from the previously lender is required; and • A desk review of the appraisal must be ordered through DMC's shopping cart. <p>Age of Appraisal</p> <ul style="list-style-type: none"> • Maximum 120 days. This applies regardless of the property's construction stage (existing, new, under construction, or proposed). See ML 2009-30
BORROWERS	<p>Eligible</p> <ul style="list-style-type: none"> • Individuals with a valid U.S. Social Security Number (SSN). • Permanent and non-permanent Resident Aliens, provided they: <ul style="list-style-type: none"> - Have a valid SSN. - Are eligible to work in the U.S. - Occupy the property as a principal residence <p>Ineligible</p> <p>Any type of borrower not listed as eligible, including but not limited to:</p> <ul style="list-style-type: none"> • Any individual without a valid U.S. SSN. • Individuals with a U.S. Individual Taxpayer Identification Number (ITIN). An ITIN is formatted like a SSN but begins with "9". No valid SSN begins with a "9". • Investors, except for streamline refinance without appraisal. • Foreign nationals and borrowers with diplomatic immunity. • More than four (4) Borrowers to a transaction. • Any individual listed on HUD's Limited Denial of Participation (LDP) list at https://www5.hud.gov/ecpcis/main/ECPCIS_List.jsp or the General Services Administration's (GSA) Excluded Party List https://www.epls.gov/.
BROKER APPROVALS	<ul style="list-style-type: none"> • Affiliated Business Relationships are allowed with these conditions: <ol style="list-style-type: none"> (1) Broker must inform DMC of the affiliated relationship at the time of application; (2) Broker must provide DMC with a photo of businesses if they are housed in the same building; (3) Affiliated businesses must have separate entrances.
CASH RESERVES	<ul style="list-style-type: none"> • AUS loans follow DU/LP guidelines. • 3 month's PITI is required on all 3-4 unit purchase transactions regardless of AUS findings. No reserves are required for all other transactions.

CLOSING COSTS	<p>Borrowers may pay customary and reasonable closing costs, subject to these limitations:</p> <ul style="list-style-type: none"> • Tax service fee not allowed. • Third-party fees may not be “marked up”. • Commitment and/or lock-in fees may only be charged when the interest rate and discount points (if any) are guaranteed to the borrower <i>in writing</i> for a minimum of 15 days. DMC will require a copy of the lock-in agreement when this fee is charged. • Fees and charges must comply with all Federal, State and local regulations and predatory lending rules. • Borrower-paid closing costs may no longer be used to count as part of the borrower’s required investment.
CLOSING REQUIREMENTS	<ul style="list-style-type: none"> • Interest credit allowed (calculated at 1/365th) <ul style="list-style-type: none"> - Loan must fund by the 5th calendar day of the month preceding the first payment date • A full 30 days of interest will be charged for the month in which the loan funds (as allowed by HUD and charged by servicers when the payoff is not received on the 1st day of the month) • Proof that the previous month’s payment was made within the month due. (e.g. updated payoff statement). • For FHA Streamline and no-Cash-Out refinance transactions, any cash received by the borrower at closing must be incidental due to changes in the payoff and cannot exceed \$500. • Termite, Well and Septic Inspections/Certifications are required as noted on appraisal and/or sales agreement. • A minimum of 24 months chain of title as evidenced by the title commitment satisfactory to DMC review and meeting FHA anti-flipping requirements • Principal curtailments are generally not allowed but may be considered on a case by case basis up to \$999
CONDOS/PUDS	<ul style="list-style-type: none"> • We now require a condominium borrower to obtain a “Walls In” coverage policy (commonly known as an HO-6 policy). Coverage is to include interior walls, floor coverings, fixtures, cabinetry, appliances, and improvements and betterments made to the unit’s interior. The HO-6 policy must provide coverage is an amount that is no less 20% of the condominium unit’s appraised value. <p>Eligible</p> <ul style="list-style-type: none"> • Condos must be HRAP-approved. <p>Ineligible</p> <ul style="list-style-type: none"> • Multiple unit condos. • Leasehold condos not allowed.
CREDIT HISTORY	<ul style="list-style-type: none"> • Loans must meet DMC minimum credit score requirements. • Purchase, rate/term loans (all types) – max 1X30 mortgage in the last 12 months regardless of AUS findings. • Streamline refinance transactions with > 0 x 30 on any mortgage account within the last 12 months. <ul style="list-style-type: none"> - The credit report for the mortgage history must be updated to include the payment made for the most recent month due. • If a borrower is refinancing a privately held mortgage, the following guidelines apply: <ul style="list-style-type: none"> - The borrower must provide evidence that 12 months of mortgage payments have been made on the current mortgage. If the account has been opened less than 12 months, verification of all payments made is required. - The mortgage payments must be verified with either cancelled checks or bank statements (if the payment is automatically withdrawn from the borrower’s account). - Evidence must be included in the loan file that the loan being paid off is a current recorded lien against the subject property. • Refinance transactions where any open debt secured by the subject property is delinquent or in arrears, not current for the month due, has been re-structured, or will be re-subordinated for less than the total amount due are not eligible. • See Underwriting for loans requiring manual downgrade to “Refer” with review by a DE Underwriter, as per the FHA TOTAL Scorecard User Guide, Chapter 2, “System Overrides and Manual Downgrades”, currently published as a supplement to ML 04-47. DMC does not manually underwrite FHA loans (except streamlines).

CREDIT HISTORY (CONTINUED)	<p>Community Property States (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington and Wisconsin):</p> <ul style="list-style-type: none"> • Debts of a non-purchasing spouse must be counted in the borrower's qualifying ratios. • The non-purchasing spouse's credit performance is not a consideration. <p>Refer to the Credit History and Refinance sections of this chapter for further clarification and requirements</p> <p>Bankruptcy</p> <ul style="list-style-type: none"> • <u>Chapter 7</u> – Two years must have elapsed since the date of the DISCHARGE of the bankruptcy. The borrower must also have re-established good credit. • <u>Chapter 13</u> – The bankruptcy must be discharged and the borrower must have re-established good credit. <p>Previous Foreclosure / Paid Foreclosure / Current – was Foreclosure</p> <ul style="list-style-type: none"> • A waiting period of three years is required and re-established acceptable credit. <p>Short Sale, Short Payoff/Restructured Loans</p> <ul style="list-style-type: none"> • Borrowers purchasing a home that is being sold under a short sale are eligible provided the transaction is arms-length. • Borrowers who have entered into a short refinance/restructured debt on the subject property are not eligible. • Borrowers who have completed a short refinance or restructured loan and are purchasing or refinancing a property which is not the subject of the short refinance/restructured loan must have re-established credit for a minimum of three (3) years since completion on short refinance/restructure and no more than 1x30 days late on any mortgage in the past 12 months. <p>Short Sale Restrictions</p> <ul style="list-style-type: none"> • Short sell negotiator fees may be paid by the buyer only if the contract is between the buyer and short sell negotiator. If the contract is between the seller and short sell negotiator, the buyer may not pay the associated fees. If the contract is between the seller and short sell negotiator and, the seller does not have sufficient funds to pay the associated fees, they may be charged to the seller side of the HUD-1 and paid for by the real estate sales agents. • Additional monies to the seller's mortgage company may not be paid by the buyer. • DMC will provide new financing to borrowers with previous short sales per <u>ML 2009-52</u>. However the need for a new primary residence must be driven by employment relocation and the subject property must be located 100+ miles from the prior residence.
CREDIT SCORES / NON- TRADITIONAL CREDIT	<p>As determined by Underwriter or DU/LP, except</p> <ul style="list-style-type: none"> • The indicator score is the lowest of each borrower's middle score. • Borrowers with non-traditional credit are no longer acceptable. A loan considered to have non-traditional credit is when all borrowers do not have a credit score and/or are establishing a credit history through non-traditional means such as a rental history, utility payments, etc. • At least one borrower qualifying for the loan must have a decisioning credit score. • Minimum fico score is 580.
DOCUMENTATION	<ul style="list-style-type: none"> • As determined by DU/LP <p>Minimum Documentation Requirements</p> <ul style="list-style-type: none"> • A signed IRS Form 4506-T must be included in all loan files where the following apply: • Loan transmittal (HUD 92900-LT) replaces the MCAW • Loan Application Addendum (HUD 92900-A) revised 5/2008
DOWN PAYMENT	<ul style="list-style-type: none"> • Effective with case numbers assigned on or after January 1, 2009 (ML 2008-23): <ul style="list-style-type: none"> - The borrower must make a minimum cash investment of 3.5% (Statutory Investment Requirement), based on lesser of Sales Price or Appraised Value. - Closing costs paid by the borrower may no longer count towards the 3.5% cash investment. • <i>See Gift Funds section for additional direction and requirements</i>
ESCROWS	<ul style="list-style-type: none"> • Escrow waivers not allowed under any circumstances. No exceptions.

ESCROW HOLDBACKS	<p>Only eligible on HUD Repos or as an exception on a case by case basis with the following requirements:</p> <ul style="list-style-type: none"> • 2X the bid amount • Maximum \$3,500 • 2 Bids from 2 different companies. • Escrow funds to be held by DMC. • \$250 Fee paid to DMC at closing. • FHA Compliance Inspection Report required before funds will be released. • Work must be completed within 7 days of funding. • DMC to hold Broker check until the work has been completed.
FLIPPING REQUIREMENTS	<ul style="list-style-type: none"> • Any property being sold within 90 days of the seller's acquisition date is not eligible for FHA financing, unless exempt under a recent temporary waiver which exempts from the 90-day resale restriction, those properties that are being sold by the foreclosing lender, or on their behalf by their documented subsidiary or agent. See HUD Waiver of Requirements below for properties being sold within 90 days that are not exempt from the 90-day restriction. • If property is being sold between 91 and 180 days of the seller's acquisition and the sales price has increased by 100% or more, a second FHA appraisal is required. No exceptions. The borrower may not be charged for the appraisal. Loan must be based on the lower of the two values. • If property is being sold within 12 months of the seller's acquisition and the sales price increased significantly. A second FHA appraisal may be required at the discretion of the underwriter. • See ML 2008-37 for exemptions in Presidentially Declared Major Disaster Areas. • HUD Waiver Requirements - HUD has issued a Waiver of Requirements regarding transactions that are considered property flips. The waiver will take effect on February 1, 2010 and is effective for one year, unless otherwise extended or withdrawn by the FHA Commissioner. DMC will allow this under programs 6231 and 6233. The following guidelines apply: <ol style="list-style-type: none"> 1. Resales within the first 90 days of seller's acquisition require second appraisal and full property inspection report if the sales price is 20% or greater above the previous transaction sales price. The second appraisal cannot be paid for by the borrower. The property inspection report must be ordered by the Lender; 2. Seasoning is determined by Seller Acquisition Date & earlier of final Contract Acceptance Date or Application Date; 3. All <=90 day flips must be arms-length with no identity of interest between the buyer & seller or other parties participating in the transaction; 4. All flips require a 12 month chain of title; 5. Contain no pattern of previous flipping or assignment of interest; 6. Evidence the property was marketed openly & fairly is required.
GEOGRAPHIC RESTRICTIONS	<ul style="list-style-type: none"> • Properties may be located in the District of Columbia and any state. • U.S. Territories not allowed (e.g. Puerto Rico, American Samoa, Guam, etc.) • Community Property States (Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington and Wisconsin): <ul style="list-style-type: none"> - Debts of a non-purchasing spouse must be counted in the borrower's qualifying ratios. - The non-purchasing spouse's credit performance is not a consideration • High Cost loans in the state of South Carolina allow a maximum DTI of 50% • Cash out Refinance is not eligible in the state of Texas. • DMC will no longer fund loans in Wayne County, Michigan.

GIFT FUNDS	<p>Gift Donors</p> <ul style="list-style-type: none"> • Eligible: Borrower's relative, spouse, domestic partner, or close friend with a clearly defined and documented interest in the borrower. Borrower's employer or labor union. A charitable organization that does not replenish available gift funds with seller contributions. A governmental agency or public entity that has a program to provide homeownership assistance to low- and moderate-income families or first-time homebuyers, • Ineligible: Any person or entity with an interest in the sale of the property, such as the seller, real estate agent or broker, builder, or any entity associated with them. <p>"Seller-funded" Down Payment Assistance (DPA)</p> <ul style="list-style-type: none"> • DMC does not underwrite or purchase loans with "seller funded" DPA's of any kind. <p>AUS-underwritten loans</p> <ul style="list-style-type: none"> • Gift deposited prior to closing <ul style="list-style-type: none"> - A gift letter and full documentation of the gift transfer is required, including: <ul style="list-style-type: none"> i. evidence of donor's account ownership and ability to give the gift, ii. copy of donor's cancelled check or bank-validated withdrawal slip, and iii. Evidence of deposit into borrower's account. - Donor's cash-on-hand is not an acceptable source. - Gift letter must contain donor's name, address, phone, and relationship to borrower; match the exact amount of gift, state that gift is not repayable, and be signed by donor and borrower. - Gifts deposited prior to closing and documented in this manner may be included in the borrower's account balance when submitting to TOTAL, but should be identified separately as gift funds on the MCAW and 1003. - Excess gift funds may be used as cash reserves (1- and 2-unit properties only). • Gift received at closing <ul style="list-style-type: none"> - Full gift letter required. - Gift must be submitted to TOTAL as "gift funds" and <i>not</i> included in borrower's account balance. - Excess gift funds may <i>NOT</i> be used as cash reserves. - <i>By check:</i> Copy of cashier's check or other bank check purchased by donor, and evidence that funds used to purchase check were withdrawn from donor's own account. Donor's personal check or cash-on-hand is not acceptable. NOTE: To avoid funding delays, copies of these documents must be provided and cleared prior to docs. - <i>By wire:</i> Copy of incoming wire evidencing deposit into settlement agent's account on or before the day of closing. <p>DMC to validate relationship between the borrower and the donor by a third party service. If unable to validate by this service, then legal documents will be required to validate the relationship.</p>												
INVESTMENT PROPERTIES	<ul style="list-style-type: none"> • Streamline refinance without appraisal only. • Term is limited to the lesser of 30 years or the unexpired term of the existing mortgage plus 12 years. • See <i>REFINANCE TRANSACTIONS – STREAMLINE (without appraisal)</i>. 												
JUMBO	<ul style="list-style-type: none"> • 1-Unit property with base loan amount > \$417,000, Alaska and Hawaii > \$625,500. • 2-unit property with base loan amount > \$533,850, Alaska and Hawaii > \$800,775. • See FHA Jumbo loan program guidelines. 												
LOAN TERM	<ul style="list-style-type: none"> • 15, 20, 25 and 30 years 												
LOAN-TO-VALUE	<table border="1" data-bbox="386 1318 1511 1541"> <thead> <tr> <th>Type of Loan</th> <th>Maximum LTV/CLTV ⁽¹⁾</th> </tr> </thead> <tbody> <tr> <td>Purchase</td> <td>96.5% ⁽⁵⁾ / 96.5% ⁽²⁾</td> </tr> <tr> <td>Rate-and-Term Refinance*</td> <td>97.75% / 97.75% ⁽³⁾</td> </tr> <tr> <td>FHA-to-FHA Streamline Refinance w/Appraisal*</td> <td>97.75% / 97.75% ⁽⁴⁾</td> </tr> <tr> <td>FHA-to-FHA Streamline Refinance w/o Appraisal*</td> <td>See Refinance section ⁽⁴⁾</td> </tr> <tr> <td>Cash-Out Refinance</td> <td>85% / 85% ⁽³⁾</td> </tr> </tbody> </table> <ol style="list-style-type: none"> 1) In addition to the appropriate LTV and Maximum Mortgage Worksheet calculations, the base loan amount may not exceed the lesser of the local Statutory Mortgage Loan Limit as published by HUD, or the applicable limit set for this product (see <i>MAXIMUM / MINIMUM LOAN AMOUNT</i>) 2) CLTV may be exceeded with approved government entity second lien. 3) Refinance transactions other than streamline refinance transactions; CLTV cannot exceed the maximum allowable LTV for the transaction. New subordinate financing is not allowed. (For case numbers assigned on or after September 7, 2010) 4) Existing subordinate financing may remain in place for up to 125% maximum CLTV on 1-unit owner occupied properties. New subordinate financing is not allowed. 5) Additional circumstances due to interested party transactions may limit LTV. 	Type of Loan	Maximum LTV/CLTV ⁽¹⁾	Purchase	96.5% ⁽⁵⁾ / 96.5% ⁽²⁾	Rate-and-Term Refinance*	97.75% / 97.75% ⁽³⁾	FHA-to-FHA Streamline Refinance w/Appraisal*	97.75% / 97.75% ⁽⁴⁾	FHA-to-FHA Streamline Refinance w/o Appraisal*	See Refinance section ⁽⁴⁾	Cash-Out Refinance	85% / 85% ⁽³⁾
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LOAN TYPE /ELIGIBLE SECTION OF THE ACT (continued)	Ineligible: Any Section of the Act not listed above, including but not limited to: <ul style="list-style-type: none"> • 203(k) Rehabilitation loan • 238(c) Military impact area (UFMIP waived) • Section 8 Loans • FHA Loans to Non-profit organization borrowers • Hope for Homeowners Program • HUD 184 Program – Indian Reservations
MAXIMUM/MINIMUM LOAN AMOUNT	General Guidelines: <ul style="list-style-type: none"> • In addition to the appropriate LTV and Maximum Mortgage Worksheet calculation, the base loan amount may not exceed the lesser of : <ul style="list-style-type: none"> (a) the local <u>Statutory Mortgage Loan Limit</u> as published by HUD, or (b) the applicable limit set for this product: <ul style="list-style-type: none"> 1-unit \$417,000, AK & HI \$625,500 2-unit \$533,850, AK & HI \$800,775 3-unit \$645,300, AK & HI \$967,950 4-unit \$801,950, AK & HI \$1,202,925 • UFMIP may be added to the calculated base loan amount. • All loans must be submitted in whole dollar amounts. Minimum Loan Amount: DMC does not have a minimum loan amount.
NON-OCCUPANT CO-BORROWERS/ CO-SIGNERS	<ul style="list-style-type: none"> • Allowed per FHA published guidelines. • May not be added to meet qualifying requirements for a cash-out refinance. • Non-occupant co-borrowers already on the loan may remain in title, but may not remain on the loan to meet qualifying requirements for a cash-out refinance.
NUMBER OF LOANS	Number of Loans per Borrower <ul style="list-style-type: none"> • A borrower may not have more than 1 FHA loan at a time, except under situations described in 4155.1 Section 1-2 A-D.
OCCUPANCY	Owner-occupied primary residence only on all transactions except streamline refinance without appraisal.

<p>PROGRAMS & SPECIAL FEATURES</p>	<p>Energy Efficient Mortgage (EEM) Program (http://www.hud.gov/offices/hsg/sfh/eem/eemhome.cfm - Click to follow link to the FHA Energy Efficient Mortgage Webpage) Standard FHA guidelines apply except for the following:</p> <ul style="list-style-type: none"> • <i>DMC exception processing is required due to LTV and county loan limit issues; pricing adjustment may apply.</i> • This program allows qualified borrowers to finance up to 100% of the eligible expense of a cost-effective “Energy-Efficient” (EE) package. • Borrower does not have to qualify for the additional financing or provide additional down payment. • The appraisal does not need to reflect the EE package value for either new or existing construction. • Purchase and refinance transactions, including streamlines, are eligible. <ul style="list-style-type: none"> - New and existing 1-4 family properties, including 1-unit condos, are eligible. The allowable EEM dollar amount is for the entire property and not based on a per unit basis for multiple unit properties. - The EEM may be used with Sections 203(b), 234(c) Condos, and 203(h) Disaster loans. - Underwriter will determine how much of the EE cost may be added to the loan amount by using the <u>Home Energy Rating System (HERS) report</u> and the <u>EEM Worksheet</u>. - The amount added for the EE package cannot exceed the greater of (a) \$4,000 or (b) the lesser of \$8,000 or 5% of the property value. - The allowable EE amount is added to the base loan amount before UFMIP. - The FHA county loan limit may be exceeded by the amount added for the EE package. - In the Remarks section of the MCAW, underwriter must indicate that the loan is for an EEM, list borrower qualifying ratios prior to adding the EE cost, and show the final loan amount calculations. - For a streamline refinance, the borrower’s P&I on the new loan including the EE package can exceed the P&I payment on the current loan, provided the estimated monthly energy savings shown on the HERS report exceeds the P&I increase. - For a streamline refinance without appraisal, the Original Principal Balance substitutes for an appraised value – for the EEM calculations only. The LTV on a streamline refi w/o appraisal continues to be determined by the <i>Original Property Value</i>. Both of these figures must be taken from the FHA Connection Case Number Assignment or Refinance Authorization. • Documentation, Fees, Escrow Requirements: <ul style="list-style-type: none"> - Home Energy Rating System (HERS) report, copy to borrower and lender. - <u>HUD-92300 Mortgagee’s Assurance of Completion</u> (prepared by DMC). 90 days allowed for completion, no extensions or exceptions. After 90 days, unused funds must be applied to reduce the principal balance. - EE packages on new construction must be complete prior to funding (no escrows). - The borrower cannot be paid for his/her own labor nor receive cash back, except for documented material costs. - Fees charged to the borrower for the HERS report must be reasonable and customary for the area. These fees may be financed as part of the EE package if the eligible amount allows for inclusion. <p>If not, such fees are considered allowable closing costs.</p> <ul style="list-style-type: none"> - Underwriting: Submit loan amount including the EE package to the FHA Total Scorecard. An “AUS- Refer” rating for the loan amount including the EE costs is acceptable <i>only if</i> the loan receives an “AUS-Accept” rating for the loan amount prior to adding the EE costs, or if the loan otherwise qualifies for manual override approval of an AUS-Refer (see <i>UNDERWRITING</i>). “Ineligible” ratings are acceptable if the ineligible determination is strictly due to exceeding the county loan limit by the amount of the EE package.
<p>PROPERTY ELIGIBILITY</p>	<p>Eligible</p> <ul style="list-style-type: none"> • 1-4 unit attached or detached primary residence including condos and PUDs. • Condos must be FHA-approved (See Condo section). • HUD or VA Repo properties – See “<i>Appraisal Standards and Guidelines</i>” section. <p>Ineligible</p> <ul style="list-style-type: none"> • Any property where the seller is not the owner of record. • Any property being re-sold within 90 days of the seller’s acquisition date unless exempt. • All non-owner occupied properties (except streamline refinance without appraisal). • Properties that are not primarily residential in nature and use. • Manufactured or mobile housing. • Leasehold condos. • Co-ops.

PROPERTY INSPECTIONS	<p><u>Termite, Well and Septic Inspections</u></p> <ul style="list-style-type: none"> • Properties <i>under one year old</i> require mandatory inspection, treatment and testing, even if previously occupied. • For existing properties <i>over one year old</i>, inspection and/or testing is only required if: <ul style="list-style-type: none"> - The appraisal indicates there may be a problem or that problems are common in the area. - Mandated by the state or local jurisdiction (see below). - Required by the sales contract. - A water purification system is present. If the water supply does not test safe without the purification system, then the requirements must be met. - The property has been vacant for more than 30 days (applies to septic systems only) • Wells and Other Water Systems: <u>FHA Single Family Reference Guide</u> Ch 1, Pg 1-21 • Septic Systems: <u>FHA Single Family Reference Guide</u> Ch 1, Pg 1-20 <p>State and Local Requirements</p> <ul style="list-style-type: none"> • DMC will generally rely on the appraiser and Realtor (via the sales contract) for notification of mandatory state or local inspections.
RATIOS	<ul style="list-style-type: none"> • Qualifying ratios are 31% / 43%, unless there are significant compensating factors or an AUS approval is received.
REFINANCE TRANSACTIONS	<p>General Guidelines</p> <ul style="list-style-type: none"> • Payoff statement must be included in the loan file with submission. • Refinance transactions where any open debt secured by the subject property is delinquent or in arrear, not current for the month due, has been restructured, or will be re-subordinated for less than the total amount due are not eligible. • Lenders are expected to exercise sound judgment and due diligence in the underwriting of loans to be insured by FHA. In order to comply with HUD's directive, refinance transactions should "make sense" and be in the borrower's best interest. • In states with predatory lending laws, the state-specific refinance or "Tangible Net Benefit" worksheet will supersede guidelines. • Principal reductions are not allowed in Texas. <p>Cash Out Refinance Transactions:</p> <ul style="list-style-type: none"> • Allowed • Maximum LTV is based on Length of Ownership: <ul style="list-style-type: none"> - 12 Months or More: The subject property must have been owned by the borrower as his or her principal residence for at least 12 months preceding the date of the loan application in order to obtain the maximum 85% of the appraiser's estimate of value. - Less than 12 Months: If the subject property has been owned less than 12 months preceding the date of the loan application as the borrower's principal residence, the mortgage amount is limited to the lesser of 85% of the sales price of the property when acquired OR 85% of the current appraised value. <ul style="list-style-type: none"> - A sales price, however, need not be considered if the property was acquired as the result of inheritance and is or will become the heir's principal residence. • Owner-occupied primary residence only • Not allowed in the state of Texas • New simultaneous subordinate liens not allowed. • Properties listed for sale within the last 6 months are not eligible for cash out refinances. <p>Rate/Term Refinance Transactions:</p> <ul style="list-style-type: none"> • Allowed. • Owner-occupied primary residence only. • Cash back at closing limited to \$500, (\$0 in Texas), and must be due to changes in the payoff and/or closing costs and prepaids. At time of origination and loan approval, the 1003, GFE and Loan Transmittal must show no cash back. (ML 05-43) • No holding period but acquisition cost must be considered if owned < 1 year and not already FHA-insured (see <i>MAXIMUM LOAN AMOUNT</i>). • Existing subordinate financing may remain in place provided the CLTV does not exceed the maximum allowable LTV for the transaction and borrower qualifies with all payments counted. • No new subordinate financing is allowed on any refinance transaction. • When paying off subordinate liens, if any portion of the funds in excess of \$1000 on an existing equity line of credit was advanced within the past 12 months and was not used for repairs or rehabilitation of the property, the line of credit is not eligible to be paid off in the new mortgage unless the new transaction will be treated as a Cash-Out refinance (ML 2008-40).

REFINANCE TRANSACTIONS <i>(CONTINUED)</i>	<p>Streamline Refinance Transactions</p> <ul style="list-style-type: none"> • Prohibited in some states. See <i>GEOGRAPHIC RESTRICTIONS</i>. • Must meet minimum credit score requirements (see <i>CREDIT SCORES</i>). • Applicable FICO-based price adjustments will apply. • 12-month mortgage history reported from all 3 repositories. • Streamline refinances must be current and the previous payment history can not contain a 30-day late or greater payment in the most recent 12 months. The following documentation is required: <ul style="list-style-type: none"> - Evidence the existing loan is current. - If the loan is seasoned 12 months or more, evidence of no 30-day late payments in the most recent 12 months. • Full credit reports are required. • Owner-occupied primary residence only except streamline refinance without appraisal • Cash back at closing limited to \$500, (\$0 in Texas), and must be due to changes in the payoff and/or closing costs and prepaids. At time of origination and loan approval, the 1003, GFE and MCAW must show no cash back. (ML 05-43)
REFINANCE TRANSACTIONS – BENEFIT TO BORROWER	<ul style="list-style-type: none"> • Lenders are expected to exercise sound judgment and due diligence in the underwriting of loans to be insured by FHA. In order to comply with HUD’s directive, refinance transactions should “make sense” and be in the borrower’s best interest. • In states with predatory lending laws, the state-specific refinance or “Tangible Net Benefit” worksheet will supersede these guidelines, if they are more conservative. See the DMC website for state disclosures and worksheets. <p><u>Streamline Refinances:</u></p> <ul style="list-style-type: none"> • The new mortgage must provide a net tangible benefit for the borrower by meeting the following parameters (ML 09-32) <ul style="list-style-type: none"> - When refinancing from a fixed rate to a fixed rate or an ARM to an ARM, the total PITI payment (including monthly/annual MIP) must be reduced 5%. - When refinancing from an ARM to a fixed rate, the new fixed rate may not be more than 2% above the current rate of the ARM. - A Hybrid ARM may be streamline refinanced to a fixed rate mortgage, with or without appraisal, provided that the payment will not increase more than 20%. - Reducing the term of the mortgage. <ul style="list-style-type: none"> - Term reduction refinance transactions are not eligible for streamline documentation and must be underwritten and closed as a rate/term refinance. <p><u>Rate/Term Refinance</u></p> <ul style="list-style-type: none"> • DMC requires that, unless the new loan is refinancing ARM-to-fixed, reducing the term, or providing a cash-out benefit to the borrower, then FHA refinance transaction should generally meet at least 2 of the following criteria, or provide an acceptable alternative benefit to borrower. <ul style="list-style-type: none"> - Borrower’s payment reduced by at least 5% or \$50, whichever is less. - Borrower’s interest rate reduced at least 1%. - Closing costs (not including prepaids) recaptured through the monthly PITI savings in 5 years or less.

SUBORDINATE FINANCING	<p>Purchase Transactions</p> <ul style="list-style-type: none"> • Secondary financing includes any financing that creates a subordinate lien against the subject property, even if it is a “soft”, “silent”, or “forgivable” second. • Borrower must be qualified with any required payment unless repayment is deferred at least three years. (ML 07-11) • Secondary financing for the borrower’s required investment may only be provided by a valid city, county, state or Federal governmental agency, or a HUD-approved non-profit that is also considered an instrumentality of government. FHLB silent or soft seconds and grants are considered under instrumentality of government. • Additionally, the actual lien must be held by and the Note must be payable to: <ul style="list-style-type: none"> - The governmental agency or HUD-approved non-profit that provided the funds, or, - Another approved governmental agency or HUD-approved non-profit appointed as Agent for the entity that provided the funds. • In other words, no entity that is not either a valid governmental agency or a HUD-approved non-profit may be involved in the providing or lending of funds for financing that will subordinate to an FHA loan. • Underwriter must examine a sample of the note and deed to verify that the allowable governmental agency or the HUD-approved non-profit is the <i>actual lien holder</i>. • HUD-approved non-profits that are not also considered an instrumentality of government may provide secondary financing for closing cost and prepaids assistance <i>only</i>. • The borrower must make a 3.5% cash investment and the combined 1st and 2nd liens may not exceed the FHA statutory limit. • Secondary financing that requires a special designated servicer for the first lien or imposes any servicing or resale restrictions on the first lien is not allowed. • No “Bond” Programs. • Must meet all additional requirements for secondary financing as stated in HUD Handbook 4155.1 REV-5, Par 1-13-A and -B. • May be subject to a pricing adjustment - contact the Pricing Desk. • Other secondary financing providers may be allowed on an exception basis subject to additional LTV/CLTV restrictions and statutory loan limits as stated in the 4155.1 REV-5, Par 1-13-C. <p>Refinance Transactions</p> <ul style="list-style-type: none"> • Existing subordinate financing that will be re-structured or re-subordinated for less than the total amount due is not eligible for re-subordination on a new FHA refinance transaction. • See <i>REFINANCE TRANSACTIONS</i> for additional rules applicable to refinance transactions.
SELLER CONTRIBUTION	<ul style="list-style-type: none"> • Property seller contributions must not exceed 6% of the sales price. • Included in the 6% limitation is the payment of the UFMIP.
TEMPORARY BUYDOWNS	<ul style="list-style-type: none"> • Not Eligible

UNDERWRITING

Lenders are responsible for complying with all applicable FHA/HUD regulations as further modified by the guidelines within this product description.

- **ALL** loan files must include an IRS Form 4506T executed by each borrower at the time of closing.

Automated Underwriting System (AUS)

- All FHA loans must be submitted through DU or LP.

General Underwriting Information

- Case numbers are now only valid for 6 months.
- **Real estate commission** that is in excess of 8% must be deducted from the sales price/appraised value LTV calculation when determining maximum LTV.
- **Rental income** supported by a lease with a family member or other interested party is not acceptable.
- **Conversion of Principal Residence to Investment Property:** Rental income on the property being vacated may be used, after reducing by the appropriate Vacancy Factor, only under the following circumstances. The following guidance applies solely to the conversion of a primary residence to an investment property is not applicable to existing rental properties disclosed and confirmed by tax returns (Schedule E of form IRS 1040). See *ML 08-25* for further details.
- **Relocations:** The homebuyer is relocating with a new employer, or is transferred by the current employer to an area not within a reasonable and locally recognized commuting distance. A properly executed lease agreement of at least one year's duration is required from the date the loan closes, along with the receipt of a security deposit from the tenant and proof of deposit into the borrowers account.
- **Sufficient Equity in Vacated Property:** The homebuyer has a loan-to-value ratio of 75% or less, as determined by either a current (less than six months old) residential appraisal or by comparing the unpaid principal balance to the original sales price of the property. The appraisal, in addition to using forms Fannie Mae 1004/Freddie Mac 70, may be an exterior-only appraisal using form Fannie Mae/Freddie Mac 2055, and for condominium units, form Fannie Mae 1075/Freddie Mac 466.
- If the borrower's current residence is secured by an FHA mortgage, additional criteria will apply per Handbook 4155.1 REV-5, paragraph 1-2.
- A borrower is now allowed to purchase a new primary residence when their departure residence is underwater if all of the following criteria are met:
 - The departure residence is being rented. A bona fide lease agreement must be provided. Just like in other situations, a copy of the renter's photo ID and 1st month's rent or security deposit check must be provided.
 - An appraisal OR AVM is required to determine the amount of negative equity. Additionally, a comparable rent schedule is required to establish the market rents.
 - The maximum amount of negative equity is 150% of the current value OR \$100,000, whichever is less.
 - The borrower must qualify with both payments.
 - 6 months of PITI for both properties is required to be in reserves.
- The existing mortgage on the departure residence must be fully amortizing. No Interest Only or Negatively Amortized loans allowed.

Job Stability

- Current employment must be equal to or greater than 90 days.
- Cumulative gap in employment must be no more than 60 days during the past 2 years - for more than 2 jobs - and 90 days gap will be allowed if there have only been 2 employers in 2 years.
- Only 4 total jobs are allowed during the past 2 years, without an exception request approved.

FHA Streamlines

- Current employment information is required on the loan application.
- Self-employed borrowers must provide a CPA Letter or Business license.
- For retired borrowers or borrowers receiving social security we will accept a letter of explanation.
- A verbal VOE will be performed prior to the loan closing and at funding.
- If the borrower(s) have been in the subject property for 24+ months AND have no mortgage lates (subject property), then we will not consider unrelated mortgage lates (other properties) in underwriting.
- If the borrower(s) have been in the subject property for less than 24 months and/or have any mortgage lates (subject property), we will consider unrelated mortgage lates (other properties) in underwriting. Having worse than a 60 day unrelated mortgage late would disqualify the borrower(s).

Tax Transcripts

- As part of Direct Mortgage's firm commitment to quality, it is necessary for us to execute form 4506-T on ALL loans, including salaried borrowers and wage earners. To avoid unnecessary delays in the processing of your loans, please make sure form 4506-T is uploaded into Scanned Images at the time of submission. Form 4506-T must be signed and dated within the last 60 days.
- Tax transcripts are required for the current year if the tax return income is used to qualify (i.e.; self-employed borrowers, dividend income, etc). Tax extensions are not allowed. A filed tax extension is okay if a wage earner.

Broker Compensation

- Max Broker Compensation is 4% of the loan amount. When the broker compensation exceeds 2.5% management approval is required and a second appraisal may be required.
- When the Real Estate Broker Compensation exceeds 6.5% management approval is required and a second appraisal may be required.

UNDERWRITING
(CONTINUED)

Departure Residences - Policy regarding departure residences when they are mobile homes.

- Whether the borrower owns the land or pays lot rent, rental income may never be considered when the departure residence is a mobile home.
- If the borrower is moving out of a mobile home and owns the land, an appraisal or AVM must be provided to verify that they are not upside down in value and mortgage.
- If the borrower is moving out of a mobile home and pays lot rent, no appraisal or AVM is required. However, we must verify the amount of lot rent and hold it against them as a net rental loss.

Additional Requirements

- Repair escrows are only allowed on program 6199.
- All NAL and Identity-of-Interest transactions where buyer and seller are related will require a copy of the seller's payoff and mortgage history.
- On a cash out refinance the borrower must have made at least 6 payments. Mortgages with less than 6 months of payment history are not eligible for a cash out refinance.
- When paying off a land contract the loan must be treated as a cash out refinance.

Debts paid off at (or prior to) closing:

- Revolving and installment debt paid off prior to the date of the loan application and credit report does not need to be included in the debt to income ratios. However, funds used to pay these items may need to be sourced and seasoned. Here is our policy regarding debts paid after the date of the loan application:
 - a) Purchase & Rate/Term Loans:
 - i) Revolving debts may not be paid off or paid down in order to qualify.
 - ii) Installment loans may not be paid down in order to qualify. Installment loans may be paid off in order to qualify. A borrower may not use gifts funds to pay off an installment loan in order to qualify.
 - b) Cash-out Loans:
 - i) Revolving debts may be paid off in order to qualify, as long as they are paid through closing using loan proceeds.
 - ii) Installment loans may not be paid down in order to qualify. Installment loans may be paid off in order to qualify. They may be paid off with borrower funds or loan proceeds. A borrower may not use gift funds to pay off an installment loan in order to qualify.

Self Employed Documentation Requirements

- Self-employed borrowers will need to provide tax returns on April 15th of the current year. January 1st through April 15th, financial statements (profit/loss & balance sheet) along with Oct – Dec business bank statements will be required.

Non-Arms Length and Identity-of-Interest

- Non-Arms Length and Identity-of-Interest transactions are NOT allowed when the occupancy type is second Home or Investment.
- Non-Arms Length and Identity-of-Interest transactions are NOT allowed when the seller has entered into a short sell agreement with the existing lien holder or when a bank is the seller and the buyer is related to the previous owner.
- Non-Arms Length and Identity-of-Interest transactions ARE allowed – on a case by case basis for primary homes. DMC does not allow “bailouts.”

Mortgage Insurance

The table below shows the previous and the new duration of annual MIP by amortization term and LTV ratio at origination.

Term	LTV (%)	Previous	New
≤ 15 yrs	≤ 78	No annual MIP	11 years
≤ 15 yrs	> 78 – 90.00	Cancelled at 78% LTV	11 years
≤ 15 yrs	> 90.00	Cancelled at 78% LTV	Loan term
> 15 yrs	≤ 78	5 years	11 years
> 15 yrs	> 78 – 90.00	Cancelled at 78% LTV & 5 yrs	11 years
> 15 yrs	> 90.00	Cancelled at 78% LTV & 5 yrs	Loan term

The first table shows the previous and the new annual MIP rates by amortization term, base loan amount and LTV ratio. **All MIPs in this table are effective for case numbers assigned on or after April 1, 2013.**

Term > 15 Years			
Base Loan Amt.	LTV	Previous MIP	New MIP
≤ \$625,500	≤ 95.00%	120 bps	130 bps
≤ \$625,500	> 95.00%	125 bps	135 bps
> \$625,500	≤ 95.00%	145 bps	150 bps
> \$625,500	> 95.00%	150 bps	155 bps
Term ≤ 15 Years			
≤ \$625,500	78.01% - 90.00%	35 bps	45 bps
≤ \$625,500	> 90.00%	60 bps	70 bps
> \$625,500	78.01% - 90.00%	60 bps	70 bps
> \$625,500	> 90.00%	85 bps	95 bps

The second table shows the previous and the new effective annual MIP rates for loans with an LTV of less than or equal to 78 percent and with terms of up to 15 years. **The new annual MIP for these loans is effective for case numbers assigned on or after June 3, 2013.**

Term ≤ 15 Years			
Base Loan Amt.	LTV	Previous MIP	New MIP
Any Amount	≤ 78.00 %	0 bps	45 bps

Note: For streamline refinances with an endorsement date on or before May 31, 2009 the upfront MIP is 0.01% and the annual MIP is 0.55%

Upfront MIP

- Upfront MIP is 1.75% on all loans except streamline refinance with an endorsement date on or before May 31, 2009.