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LOAN REHABILITATION: INCOME AND EXPENSE INFORMATION

OMB No. 1845-0120
DRAFT FORM
Exp. Date XX/XX/XXXX

William D. Ford Federal Direct Loan (Direct Loan) Program / Federal Family Education Loan (FFEL) Program

WARNING: Any person who knowingly makes a false statement or misrepresentation on this form or on any accompanying document is subject to penalties that may include fines, imprisonment, or both, under the U.S. Criminal Code and 20 U.S.C. 1097.

SECTION 1: BORROWER INFORMATION

Please enter or correct the following information.

Check this box if any of your information has changed.

SSN _____

Name _____

Address _____

City _____ State _____ Zip Code _____

Telephone - Primary _____

Telephone - Alternate _____

Email (Optional) _____

SECTION 2: HOUSEHOLD INCOME AND REASONABLE AND NECESSARY MONTHLY EXPENSES

You received this form because you asked to rehabilitate your defaulted loans, but objected to the payment amount your loan holder calculated using the 15% formula (see Section 6). After receiving this form, your loan holder will offer an alternative payment amount. The alternative amount may be less or more than the amount calculated using the 15% formula. To begin rehabilitating your defaulted loans, you must choose between the two amounts. To rehabilitate, you must make 9 on-time payments of that amount over a period of 10 consecutive months.

Provide the **monthly** income and expense information listed below. Include documentation of these sources of income or expenses if your loan holder asks you to. Include your spouse's income only if your spouse contributes to your household income. Your loan holder has the authority to determine if the claimed amount of any expense is reasonable and necessary.

Before entering your monthly income and expenses, carefully read the entire form, including Sections 5, 6, and 7.

MONTHLY INCOME

MONTHLY EXPENSES

1. Your employment income _____

2. Spouse's employment income _____

3. Child support received _____

4. Social Security benefits _____

5. Worker's compensation _____

6. Public assistance _____

List types _____

7. Other income _____

Describe _____

8. **Total monthly income (sum of items 1 through 7)** _____

9. If your total monthly income is \$0, explain your means of support

10. Food _____

11. Housing _____

12. Utilities _____

13. Basic communication _____

14. Necessary medical/dental _____

15. Necessary insurance _____

16. Transportation _____

Number of vehicles _____

17. Child/dependent care _____

18. Required child/spousal support _____

19. Federal student loan payments _____

20. Private student loan payments _____

21. Other expenses _____

Describe _____

22. **Total monthly expenses (sum of items 10 through 21)** _____

Borrower Name _____

Borrower SSN _____

SECTION 3: FAMILY SIZE AND SPOUSE IDENTIFICATION

Your family size includes you, your spouse, and your children (including unborn children who will be born before the end of the current calendar year), if the children will receive more than half of their support from you. Your family size includes other people only if they live with you now, receive more than half of their support from you now, and will continue to receive this support from you for the year for which you are certifying your family size. Support includes money, gifts, loans, housing, food, clothes, car, medical and dental care, and payment of college costs.

23. Family size _____

24. Are you requesting rehabilitation of a Direct Consolidation Loan or a Federal Consolidation Loan that was made jointly to you and your spouse?

Yes. Enter your spouse's name and SSN:

Spouse's Name _____

Spouse's SSN _____

No. Continue to Section 4.

SECTION 4: UNDERSTANDINGS, CERTIFICATIONS, AND AUTHORIZATION

I understand that:

1. I have received this form because I requested the opportunity to rehabilitate my defaulted loans and objected to the reasonable and affordable monthly payment amount calculated using the 15% formula.
2. My loan holder will calculate an alternative reasonable and affordable monthly payment amount that will be based solely on the information I provide on this form and, if requested, supporting documentation.
3. If I do not accept either the 15% formula payment amount or the payment amount determined by my loan holder based on information from this form, the loan rehabilitation process will not proceed and I will be required to repay my defaulted loans in accordance with the terms of the loan and applicable law.
4. If I do not provide any supporting documentation requested by my loan holder by the deadline specified by my loan holder, my request for loan rehabilitation will not be considered.
5. If I want to rehabilitate a defaulted Direct Consolidation Loan or Federal Consolidation Loan that was made jointly to me and my spouse and am requesting an alternative payment amount, my spouse and I must each sign below.
6. If I rehabilitate a loan and default on the same loan again in the future, I may not rehabilitate that loan a second time.
7. I must notify my loan holder immediately if my address changes.
8. If my loan is rehabilitated, my loan will be sold or transferred to a new loan holder or loan servicer. After the sale or transfer, I will be asked to select a repayment plan. If I do not select a repayment plan, my loans will be placed on the standard repayment plan, which will likely require me to make a much higher monthly payment amount than the payment I made to rehabilitate my loan.
9. After my loan is rehabilitated, I may be eligible to repay my loans under an income-driven repayment plan that bases my payment on my income and family size. An income-driven repayment plan is the type of repayment plan most likely to have a monthly payment similar to the payment I made to rehabilitate my loans.
10. I can learn more about the eligibility requirements and application process for income-driven repayment plans by visiting StudentAid.gov/IDR or by asking my loan holder.

I certify that **(1)** the information that I have provided on this form is true and correct and **(2)** upon request, I will provide additional documentation to my loan holder to support the information I have provided in this form.

I authorize the loan holder to which I submit this request (and its agents or contractors) to contact me regarding my request or my loans, including the repayment of my loans, at any number that I provide on this form or any future number that I provide for my cellular telephone or other wireless device using automated dialing equipment or artificial or prerecorded voice or text messages.

Borrower's Signature _____

Date _____

Spouse's Signature _____

Date _____

Your spouse must sign this form only if you entered your spouse's name and SSN in Section 3.

SECTION 5: INSTRUCTIONS

If you are not completing this form electronically, type or print using dark ink. Enter dates as month-day-year (mm-dd-yyyy). Use only numbers. Example: March 14, 2017 = 03-14-2017. Include your name and the account numbers for your defaulted loans on any documentation that you are required to submit with this form. If you need help completing this form, contact your loan holder.

Return the completed form to the address shown in Section 8

MONTHLY INCOME IN SECTION 2 (ITEMS 1-9)

Your loan holder may request supporting documentation for any income items.

Employment income documentation may include a pay stub or a letter from the employer stating the income paid to you by that employer.

Child support, Social Security benefits, worker's compensation, or public assistance documentation may include copies of benefits checks or a benefits statement, a letter from a court, a governmental body, or the individual paying child support, specifying the amount of the benefit.

Public assistance: Identify the type of public assistance received (see definition of "public assistance" in Section 6).

Other income: Include any other income not covered in items 1-6 and identify the source of the income.

If you report that your Total Monthly Income is zero, explain your means of support in Item 9.

MONTHLY EXPENSES IN SECTION 2 (ITEMS 10-22)

For each monthly expense, provide the amount you usually spend each month. Your loan holder may request supporting documentation for any of these items. Do not include a single expense in more than one category. If you have no expenses under a category, enter 0 for that category.

Food: Include the amount spent on food, even if purchased using the Supplemental Nutrition Assistance Program (SNAP) (food stamps).

Housing: Include the amount spent on housing and shelter, such as rent, required security deposits, mortgage payments (including principal, interest, taxes, and homeowner's insurance), maintenance, and repairs.

Utilities: Include the amount spent on housing-related utility bills, such as gas, electric, fuel oil, water, sewer, trash, and recycling.

Basic communication: Include the amount spent on basic communication expenses, such as basic telephone, internet, and cable TV.

Medical and dental: Include the amount spent on necessary medical and dental expenses and procedures not covered by insurance, such as medically necessary prescription and nonprescription medications, and medically necessary nutritional supplements. Do not include any costs relating to medical or dental insurance premium payments.

Insurance: Include the amount spent on insurance, such as necessary renter's, auto, medical, dental, or life insurance. Include any amounts paid toward insurance premiums. However, if the income amount you listed under Monthly Income already reflects deductions from your pay for insurance premiums, do not list the amount of these deductions as an Insurance expense. Include homeowner's insurance under Item 11 (Housing).

Transportation: Include the amount spent on basic transportation expenses such as fuel, car payments, basic vehicle maintenance, public transportation, tolls, and parking. Also list the number of vehicles for which you are claiming related transportation expenses.

Child/dependent care: Include the amount spent on care for children or other dependents in the household and other work-related child/dependent care expenses.

Legally required child /spousal support: Include the amount spent on legally required child support and spousal support.

Federal student loan payments: Include the total monthly amount you pay on any federal student loans except for the defaulted loans you are trying to rehabilitate, unless you are subject to mandatory withholding such as wage garnishment or Treasury offset (e.g., your Social Security is being garnished). If you are subject to wage garnishment or Treasury offset include the amount that is collected from you each month.

Private student loan payments: Include the total monthly amount you pay on any private student loans. Include any type of payment, voluntary or otherwise.

Other expenses: Include the amount spent on any other necessary expenses not covered in items 10 - 20 and explain these expenses. These other expenses will be considered only if the Department of Education determines that they should be considered. If more space is needed to list other expenses, attach a separate piece of paper and include your name and Social Security Number at the top.

SECTION 6: DEFINITIONS

The **William D. Ford Federal Direct Loan (Direct Loan) Program** includes Federal Direct Stafford/Ford (Direct Subsidized) Loans, Federal Direct Unsubsidized Stafford/Ford (Direct Unsubsidized) Loans, Federal Direct PLUS (Direct PLUS) Loans, and Federal Direct Consolidation (Direct Consolidation) Loans.

The **Federal Family Education Loan (FFEL) Program** includes Federal Stafford Loans (both subsidized and unsubsidized), Federal PLUS Loans, Federal Consolidation Loans, and Federal Supplemental Loans for Students (SLS).

Rehabilitation of your defaulted loan occurs only after you have made 9 voluntary, reasonable and affordable monthly payments within 20 days of the due date during 10 consecutive months and, for FFEL loans held by a guaranty agency, when the loan has been sold to an eligible lender or assigned to the U.S. Department of Education (the Department). When you rehabilitate your loans, you will regain all the benefits of the Direct Loan Program or FFEL Program, including eligibility for deferments or forbearances and for a repayment plan with a monthly payment amount based on your income. You will also regain eligibility to receive additional federal student aid, including additional federal student loans. After a defaulted loan is rehabilitated, your loan holder will instruct any consumer reporting agency (credit bureau) to which the default was reported to remove the default from your credit history.

Reasonable and affordable payment amount means a monthly payment determined by the loan holder based either on the 15% formula or on information provided in this form and supporting documentation. It cannot be a percentage of your total loan balance or based on information unrelated to your total financial circumstances.

The 15% formula means 15% of the amount by which your Adjusted Gross Income exceeds 150% of the poverty guideline amount that is applicable to your family size and state, divided by 12. Your minimum payment may not be less than \$5.00.

The **loan holder** of a defaulted Direct Loan Program loan is the Department. The loan holder of a defaulted FFEL Program loan may be a guaranty agency or the Department.

Public assistance means payments you receive under a federal or state program. These assistance programs include, but are not limited to, Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), Food Stamps/Supplemental Nutritional Assistance Program (SNAP), or state general public assistance.

SECTION 7: LOAN REHABILITATION AGREEMENT

To rehabilitate your loan, you must accept either the monthly rehabilitation payment amount determined using the 15% formula, or the payment amount determined based on the monthly income, monthly expenses, and family size information that you provide on this form and on any requested supporting documentation.

Your loan holder will provide you with a written loan rehabilitation agreement confirming your monthly rehabilitation payment amount.

To accept the loan rehabilitation agreement, you must sign the agreement and return it to your loan holder.

During the loan rehabilitation period, the loan holder will limit contact with you on the loan being rehabilitated to collection activities that are required by law or regulation, and to communication that supports the rehabilitation.

If you do not accept either monthly payment amount, your rehabilitation request will not be considered any further.

SECTION 8: WHERE TO SEND THE COMPLETED FORM

Return the completed form and any documentation to:
(If no address is shown, return to your loan holder.)

If you need help completing this form, call:
(If no telephone number is shown, call your loan holder.)

SECTION 9: IMPORTANT NOTICES

Privacy Act Notice. The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you:

The authorities for collecting the requested information from and about you are §421 et seq. and §451 et seq. of the Higher Education Act of 1965, as amended (20 U.S.C. 1071 et seq. and 20 U.S.C. 1087a et seq.) and the authorities for collecting and using your Social Security Number (SSN) are §§428B(f) and 484(a)(4) of the HEA (20 U.S.C. 1078-2(f) and 1091(a)(4)) and 31 U.S.C. 7701(b). Participating in the William D. Ford Federal Direct Loan (Direct Loan) Program or the Federal Family Education Loan (FFEL) Program and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate.

The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the Direct Loan and/or FFEL Programs, to permit the servicing of your loans, and, if it becomes necessary, to locate you and to collect and report on your loans if your loans become delinquent or default. We also use your SSN as an account identifier and to permit you to access your account information electronically.

The information in your file may be disclosed, on a case-by-case basis or under a computer matching program, to third parties as authorized under routine uses in the appropriate systems of records notices. The routine uses of this information include, but are not limited to, its disclosure to federal, state, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to consumer reporting agencies, to financial and educational institutions, and to guaranty agencies in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loans, to enforce the terms of the loans, to investigate possible fraud and to verify compliance with federal student financial aid program regulations, or to locate you if you become delinquent in your loan payments or if you default. To provide default rate calculations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to state agencies. To provide financial aid history information, disclosures may be made to educational institutions.

To assist program administrators with tracking refunds and cancellations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal or state agencies. To provide a standardized method for educational institutions to efficiently submit student enrollment statuses, disclosures may be made to guaranty agencies or to financial and educational institutions. To counsel you in repayment efforts, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal, state, or local agencies.

In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may be made to our contractors for the purpose of performing any programmatic function that requires disclosure of records. Before making any such disclosure, we will require the contractor to maintain Privacy Act safeguards. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

Paperwork Reduction Notice. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0120. Public reporting burden for this collection of information is estimated to average 60 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain a benefit in accordance with 34 CFR 682.405 or 685.211. If you have questions regarding the status of your individual submission of this form, contact your loan holder (see Section 8).