

All [conveyances](#) of property and [assignments](#) of mortgages in exchange for the benefits of HUD mortgage insurance must name, as grantee, the “Secretary of Housing and Urban Development of Washington, D.C., his/her successors and assigns.”

Multifamily Insurance Claim Processing Steps Overview

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I. Time Requirements

- A. Assignment of Mortgage or Conveyance of Property
1. HUD Regulations at 24 [CFR](#) Part 200, Subpart B, require multifamily [mortgagees](#) to report mortgage delinquencies, [defaults](#), [reinstatements](#), assignment elections, withdrawals of assignment elections, and related mortgage information to HUD electronically through the Internet. HUD developed the Multifamily Delinquency and Default Reporting (MDDR) System to assist mortgagees in satisfying these requirements.
 2. A mortgage is considered delinquent when the payment is not received by the fifteenth (15th) day of the month due. Mortgagees must report the mortgage delinquency through the [MDDR](#) system between the sixteenth (16th) and twentieth (20th) day of the month due.
 3. *Within sixty (60) days after the [date of default](#)*, the mortgagee must file a [Notice of Default](#) through the MDDR system as required by HUD Regulations at 24 CFR 207.256.
 4. *Within forty-five (45) days after the date that the mortgagee becomes eligible to file for insurance benefits* (see 24 CFR 207.255 (c)), the mortgagee must provide the [Commissioner](#) notice of its intention to file an insurance claim. The notice must include the mortgagee’s election either to assign the mortgage to the Commissioner, or to acquire and convey title to the Commissioner per HUD Regulations at 24 CFR 207.258(a). The [Notice of Election](#) must be submitted electronically to HUD through the MDDR system. HUD Headquarters’ Office of Asset Management (OAM) will approve/acknowledge the [Notice of Election to Assign](#).
 5. For the purpose of determining a date of default, see definition in attached glossary for [date of default](#). Where there has been a [rolling default](#), see definition of rolling default in the MDDR Best

Practices Guide for determining the date of default.

- B. Assignment of Mortgage
1. The Mortgagee must file its application for insurance benefits per HUD Regulations at 24 CFR 207.258(b), as further described in [Instruction II](#), and file for record the assignment of mortgage within thirty (30) days after the date that HUD sends the mortgagee an [Election to Assign Approval](#) (“record by”) letter through the MDDR system. The application must be delivered to HUD no later than the time of delivery of the fax of the assignment information described as follows in item 2.
 2. *On the day the assignment is filed for record*, the mortgagee must fax the assignment information set forth in [Instruction III](#) to HUD per HUD Regulations at 24 CFR 207.258(b)(1).
 3. *Within forty-five (45) days after filing the assignment for record to HUD*, the mortgagee must submit the [Fiscal Data](#) to [HUD, Multifamily Claims Branch](#) (MFCB).
 4. Separately, *within forty-five (45) days of the filing for record of the assignment to HUD*; the mortgagee must submit the documents required for [legal clearance](#) to the Office of the General Counsel (OGC).
- C. Conveyance of Property
1. The requirements for Conveyances of Property are similar to those above for Assignments of Mortgages. However, the time frames for conveyances of the title differ, depending upon whether the mortgagee secures the title by foreclosure or by means other than foreclosure (see 24 CFR 207.258(c)(2) or (3)).
 2. *Within forty-five (45) days following the date that the mortgagee becomes eligible for insurance benefits* (see 24 CFR 207.255 (c)), the mortgagee must notify the Secretary of its [election to convey](#) as required by HUD Regulations at 24 CFR

207.258. The [Notice of Election to Convey](#) must be filed electronically through the MDDR system.

3. *Within thirty (30) days after the date of the filing of the Notice of the Election to Convey*, the mortgagee must take one of the following actions per HUD Regulations at 24 CFR 207.258(c)(2) or (3):
 - a. The mortgagee may commence foreclosure proceedings (24 CFR 207.258(c)(2)). Within thirty (30) days of the date that the mortgagee institutes foreclosure proceedings, the mortgagee shall give written notice to the Commissioner per HUD Regulations at 24 CFR 207.258(4).
 - b. Alternatively, the mortgagee may, with the approval of HUD, acquire possession of and title to the property by means other than foreclosure per HUD Regulations at 24 CFR 207.258(3).
4. *Within thirty (30) days following the mortgagee's acquisition of title to the property*, either by foreclosure or deed, the mortgagee must have the deed recorded in the Secretary's name.
5. *On the date the deed to the Secretary is filed for record*, the mortgagee must file its application for insurance and fax the conveyance information set forth in [Instruction III](#) to HUD as required by HUD Regulations at 24 CFR 207.258(c)(5).
6. *Within forty-five (45) days after the date that the instrument of conveyance is recorded*, the mortgagee must submit the fiscal data to [MFCB](#).
7. *Separately, within forty-five (45) days of the date that the instrument of conveyance is recorded*, the documents required for legal clearance must be submitted to the [OGC](#). (See [Instruction VIII](#).)

D. Extension of Time Requirements for Assigned Mortgages and Conveyed Projects:

1. If for any reason beyond its control, the mortgagee is unable to comply with the above requirements, the mortgagee must request an extension of time on or prior to the deadline date. If an extension is granted, and if necessary actions are taken within such extended time, accrued interest included in the cash payment will be computed to the date of settlement.
 - a. A request for an extension on the Notice of the Election to Assign or Convey must be requested electronically through the MDDR system.
 - i. These requests are not automatically approved.
 - ii. HUD's Multifamily Hub/Program Center Offices will respond to these requests by email or letter in a manner so that the response will be received at least one business day prior to the deadline date.
 - iii. As a general rule, there must be a plan in progress that will bring the mortgage current and avoid an insurance claim.

- b. If an extension is required on the recordation of assignment of the mortgage, the request must be submitted electronically through the MDDR system.
 - i. Please note that requests for extensions on the recordation assignment are reviewed by [OAM](#) staff and are not automatically approved.
 - ii. Decisions to approve requests for extensions will be made on a case by case basis. As a general rule, if HUD has not caused the delay in the recordation of assignment, an extension will not be granted.
 - iii. OAM will respond to the extension request by letter or email.
- c. To request an extension of time to submit the fiscal data, the mortgagee must submit its request to MFCB by fax or email.
 - i. For fiscal data requirements, no more than two (2) fifteen (15) day extensions of time may be granted.
- d. A request for an extension of time to submit the required legal documents must be submitted to OGC.
 - i. Please review the legal instructions, which can be obtained electronically through the MDDR system.
 - ii. For legal clearance, only one fifteen (15) day extension may be granted.

II. Forms Submitted Prior to Assignment or Conveyance

- A. The mortgagee must complete and submit the following three forms to MFCB:
 1. Form HUD-2747, Mortgagee's Application for Insurance Benefits;
 2. Form HUD-2537, Mortgagee's Application for Partial Settlement, and
 3. Form HUD-1044-D, Multifamily Insurance Benefit Claim, Payment Information in Support of Claim.
- B. For assignment of a mortgage, the mortgagee must submit the forms within thirty days after the date of the [Election to Assign Approval Letter](#), and prior to, or at, the time of assignment as provided in [Instruction I](#).
- C. For conveyance of property, these forms must be submitted on the date the instrument of conveyance is filed for record.
- D. When the mortgagee has the option, based on the [Section of the Act](#), to elect payment in FHA [debentures](#), the mortgagee must deliver written notification to HUD of its election for debentures along with the three forms identified above.
- E. Execute and submit an original and one copy of these forms (only one copy is required if delivery is by fax or e-mail, with an original and one copy to follow) to [HUD, Multifamily Claims Branch](#).

III. Assignment of Mortgage or Conveyance of Property

On the date the assignment or deed is filed for record, the mortgagee must notify MFCB of the assignment or conveyance, as applicable, by fax that includes the information below to the Chief, MFCB at (202) 619-8259.

- A. The notice must contain the following information:
 1. All of the information required in **Exhibit A** of the election approval/acknowledgement e-mail letter;
 2. A certification that the mortgagee or [servicer](#) has completed and submitted:
 - a. [Form HUD-2747](#);
 - b. [Form HUD-2537](#);
 - c. [Form HUD-1044-D](#), and
 3. A statement as to whether there is, or is not, a [Debtenture Lock Agreement](#).
- B. After the assignment of the mortgage or conveyance of the deed to the Secretary has been filed for record, any taxes that will become due within forty-five (45) days must be paid by the mortgagee and included in the claim for insurance benefits. The amount of penalties paid on delinquent taxes will be disallowed.
- C. Any tax bills that will become due after the forty-fifth (45th) day following the date of assignment must be forwarded to [HUD, Multifamily Notes Servicing](#).
- D. For multifamily assigned mortgage claims paid in debentures, all escrow deposits, [reserve for replacements](#) funds, undisbursed mortgage proceeds, any undisbursed balance under a letter of credit, and other monies held by the mortgagee for the account of the mortgagor must be remitted to HUD on or before the date that the mortgagee delivers to HUD the fiscal submission in [Instruction VII](#). Send remittances to [HUD, Multifamily Mortgage Notes](#).
- E. All escrow balances required by HUD, the mortgagee, or any other entity, and any other payments on behalf of the mortgagor that the mortgagee receives subsequent to the assignment or conveyance must be made payable to HUD and forwarded to [HUD, Multifamily Mortgage Notes](#).
- F. For all remittances, a cover letter stating the amount of the check, nature of the payment, project number and name must be submitted with the payment sent to [HUD, Multifamily Mortgage Notes](#). At the same time, fax a copy of the cover letter to MFCB. The fax number is (202) 619-8259.

IV. Method of Payment

- A. Settlement will be made in cash or in debentures as determined by the Section of the Act under which the mortgage is insured.
- B. The exceptions to the foregoing are with respect to the following claims which will be paid in cash, unless the mortgagee requests debentures:
 1. Sections 220, 221, and 233 endorsed on or after July 7, 1961;
 2. Sections 235(j)(1), 236; Section 241 loans made in connection with any of the foregoing and endorsed on or after July 15, 1978;
 3. Title X mortgages endorsed on or after March 1, 1980, and

4. All other multifamily mortgages endorsed under another Section of Titles II or XI pursuant to Section 223(e).
- C. Where settlement is made in debentures, the debentures will:
 1. Be issued in the amount of the partial settlement or, if in final settlement, the net amount of the claim less the amount of the partial settlement previously issued;
 2. Generally be issued as of the date of default;
 3. Be issued as a book entry, and
 4. Bear interest from the date of default, payable semi-annually for twenty (20) years, on the first day of January and the first day of July of each year at the higher of the rate in effect as of the date that HUD's firm commitment was issued or as of the date of the [initial endorsement](#) of the mortgage.

V. Partial Settlement

- A. HUD makes a partial settlement on cash claims filed for insurance benefits no later than three (3) business days from the date that HUD receives the fax of the assignment or conveyance.
- B. HUD pays up to ninety percent (90%) of the unpaid principal balance (UPB), plus accrued interest at the debenture rate from the date of default to the date of settlement, if the mortgage is finally endorsed.
- C. HUD pays up to seventy percent (70%) of the [UPB](#), plus accrued interest at the debenture rate from the date of default to the date of settlement, if the project is not finally endorsed.
- D. If the aggregate escrow amounts reported in block 5 of form HUD-2537 equals ten percent (10%) or more of the UPB, HUD will deduct the escrow amount from the UPB before computing the partial settlement.
- E. HUD will include accrued interest in the partial settlement amount.
 1. HUD will compute the accrued interest based on the amount of the unpaid principal balance.
 2. HUD will compute accrued interest at the debenture rate from the date of default.
 3. HUD will compute the accrued interest to the date of settlement if the mortgagee takes the required actions within the time set forth in the HUD regulations or within such further times if HUD has granted written extensions.
4. If the mortgagee fails to take the required actions within the time limits set forth in the regulations, or as extended in writing, HUD will compute the interest to the final date the action should have occurred under the HUD regulations.

VI. Determining the Date of Default

The date of default must be determined accurately and in accordance with the applicable regulations.

- A. The date of default for the purpose of claim settlement is the due date of the defaulted payment as provided in HUD Regulations at 24 CFR 207.255(d).
- B. The date of default may be advanced by crediting all complete monthly payments received prior to election (to assign the mortgage or to convey the property) to the first unpaid installment in the order specified in the mortgage; that is, to escrow deposits, interest and principal, then to the reserve for replacements due concurrently therewith and then to the succeeding required monthly payments in the same order.
- C. Amounts received prior to election which do not cover a full monthly installment and all amounts received after the election to receive insurance benefits must be applied as a reduction of the claim settlement in accordance with HUD regulations at 24 CFR 207.259(b).
 1. Note: The above order of application applies specifically and solely to determining the date of default for the purpose of claim settlement.
 2. Accordingly, any debentures issued will be dated as of the date of default as so determined, or the interest adjustment will be computed from that date if the settlement is in cash.
- D. Covenant Default
 1. A covenant default is a non-monetary default of a requirement or prohibition of the Regulatory Agreement or the mortgage.
 - a. For a covenant default of the mortgage, the lender has the authority to demand payment in full, (accelerate the mortgage). If the borrower does not correct the deficiency within the thirty (30) day cure period, the lender will submit an "Initiate Covenant Default" in the MDDR system. Such a loan is said to be in covenant default.
 - b. HUD may declare a covenant default under the Regulatory Agreement for certain acts. For instance, if the borrower fails to conform to the HUD requirements in the Regulatory Agreement to maintain the property in good repair, HUD may direct the lender in writing to call the loan due, and accelerate, even if payments have been made as agreed under the note and the mortgage.
 2. In a covenant default, the default date is the date the mortgagee sent the acceleration letter to the mortgagor informing him or her of the regulatory or covenant violation.
 3. The mortgagee must provide a copy of the following letters with the fiscal package when submitting its claims; the HUD acceleration letter sent by the mortgagee to the mortgagor, and any HUD acceleration letter or approval to accelerate sent to the mortgagee.

- E. See Instruction XI for determining the date of default under certain circumstances for Section 236 mortgages.

VII. Fiscal Data Submission

Submit fiscal data on form HUD-2742, Fiscal Data in Support of Claim for Insurance Benefits.

- A. The fiscal data instructions and forms used in computing the claim for insurance benefits are available on HUD's web site at www.HUD.gov and in the MDDR system.
- B. Submit an original and one copy of the completed fiscal data package to the HUD, Multifamily Claims Branch.
 1. For mortgages that are bond financed, the mortgagee must submit a copy of the bond trust indenture with the fiscal package.
 2. In addition, include an informational letter that identifies by page number where the following information is located in the indenture:
 - a. Type of bond;
 - b. Final balance;
 - c. Disposition instructions and beneficiaries, and
 - d. Trustee addresses.
 3. For mortgages that have a Debenture Lock Agreement, the mortgagee must also submit a copy of the Debenture Lock Agreement and the Asset Parity Table with the fiscal package.
- C. To prepare the form HUD-2742, first complete the schedules as appropriate:
 1. Form HUD-2744-A, Allocation of Mortgagee's Receipts and Disbursements, Schedule A;
 2. Form HUD-2744-B, Mortgagee's Report of Project Collections, Schedule B;
 3. Form HUD-2744-C, Mortgagee's Report of Project Disbursements, Schedule C;
 4. Form HUD-2744-D, Mortgagee's Report of Other Disbursements, Schedule D;
 5. Form HUD-2744-E, Mortgagee's Report of Special Escrows, Schedule E, and
 6. Form HUD-434, Statement of Taxes.
- D. Complete Schedules A and E for all claims.
- E. Complete Schedules B and C only in those instances where the mortgagee, either directly, or through a servicer or the mortgagor, has had control of the project property and is, therefore, accountable for the collection of rents and payments of operating expenses.
- F. Complete Schedule D for conveyance disbursements not covered by Schedules B and C and for completion and preservation expenses meeting 24 CFR 207.259(b)(1)(ii).
- G. Submit the appropriate schedules and form HUD-2742, Fiscal Data in Support of Claim for Insurance Benefits, in an original and one (1) copy.

1. Note: Where a receiver has operated the property pursuant to a Court Order, the mortgagee is not considered to be in control of the property during the period of such receivership, therefore, Schedules B and C are not required for that period. However, the mortgagee must furnish copies of the receiver's accounting which must include copies of the following:
 - a. Court Order appointing the Receiver;
 - b. The Receiver's report(s) to the Court;
 - c. Court Order(s) approving the Receiver's Accounting, and
 - d. The Court Order discharging the Receiver, fixing fees and cancelling the receiver's bond.
 2. The mortgagee must also show the receiver's net income in column 12 of [Schedule A](#) and transfer it to item 'g' on form HUD-2742.
- H. Preparation of form HUD-2744-A, Allocation of Mortgage Receipts and Disbursements, Schedule A
- The period covered by this schedule begins with the date the claimant became the mortgagee. Schedule A shows only receipts and disbursements from the borrower, without reflecting advance activity of mortgagee. Report all transactions in chronological order.
1. If the claimant was the mortgagee during the construction period, show the dates of advances of mortgage proceeds in column (1), and the amounts of the advances in parentheses in columns 2 and 9. Interest collections during this period must be shown with the dates received in column 1 and the amounts received in columns 2 and 8. In the event of a participation agreement, the full amount of the advances made and/or interest collected must be shown rather than the amount of the participant's share. Enter due date(s) for advances and interest received in column 3.
 2. If the mortgage was acquired by the claimant from another mortgagee after the construction period, show the date acquired in column 1 and show the unpaid principal balance in parentheses in columns 2 and 9. Show any accrued interest purchased in parentheses in columns 2 and 8. Give a full explanation if there are more than three (3) business days between the date the mortgagee acquired the mortgage and the date the accounting begins.
 3. Escrow funds on deposit to the mortgagor's credit at the date of acquisition of the mortgage by the claimant must be shown on the line following the entry recording the acquisition of the mortgage. Show in column 1 the date, in column 2 the total funds, in columns 4, 5, 6, 7 and 10 the amounts, if any, to the mortgagor's credit for each item. Amounts in column 7 must be identified in column 11.
 4. All payments made by the mortgagor which are received prior to the date of election to assign the mortgage or convey the property must be shown in columns 1 through 10 with the exception of incomplete payments received after default.
 5. Show the date of payment in column 1, the total amount received on that date in column 2 and the date or dates due in column 3. If the payment is made to cover amounts due on different dates, use a separate line, starting with column 3, for the amounts applicable to each date. In columns 4 through 10, show how the total amount received was applied. Attention is called to the fact that columns 4 through 9 appear on this schedule in the order in which the standard form of mortgage or other credit instrument requires the amounts received to be applied.
 6. To avoid the necessity of transcribing unnecessary detail with respect to mortgage payments received more than three (3) years preceding the date of default, which are in the same amount each month, and where the monthly allocation to the individual escrow accounts for mortgage insurance premiums, taxes, and hazard insurance premiums remain constant, it is permissible to show a lump sum entry for all such like payments received consecutively.
 - a. For example, if ten consecutive monthly payments were received, each in the same amount and with exactly the same allocations to escrow, show in column 2 "10 payments @ \$ _____", on the next line show in column 2 the total of the ten payments and in column 3 show the inclusive dates the payments were due, as for example, "1/1 - 10/1" and show in columns 4, 5, 6, 8, 9 and 10 the total allocations for the ten monthly installments.
 - b. Show disbursements for the period covered by such lump sum allocation separately and in chronological order immediately following the lump sum entry for any period. See item number 10 of these instructions for detailed information on disbursements. Since it is necessary that individual entries for each separate payment be shown on Schedule A for all mortgage payments which are received for the *years prior to default*, it will not be possible to show lump sum allocations unless the mortgage has been held by the claimant for more than three (3) years.
 - c. Copies of the payment record ledger must be submitted showing in detail *all transactions* since the claimant became the mortgagee.
 7. Reporting hazard insurance proceeds:
 - a. If you, as the mortgagee, receive hazard insurance proceeds (for damages due to fire, floods, etc.) prior to assignment, follow the instructions of OAM to apply the proceeds to the debt (column 9), or to the repair or reconstruction of the premises as prescribed in the Deed of Trust or mortgage. If you do not apply the proceeds to the debt, report the receipt of proceeds and their subsequent release in column 7.
 - b. If you receive hazard insurance proceeds after assignment, remit all such hazard proceeds to [HUD, Multifamily Mortgage Notes](#).

8. Not all mortgages require the reserve for replacements fund shown in column 10. Use this column only if such a requirement is imposed by the mortgage or other agreements. Please note the following special instructions:
 - a. **Where a Mortgage is Assigned to the Secretary:** In the event any or all of the funds accumulated in the reserve for replacements account were invested and redeemed at a price other than par, the mortgagee must advise MFCB as soon as possible of the type and amount of such investments, the cost of the investments (showing a breakdown of brokerage fees), accrued interest and related costs. Such investments must be redeemed on assignment of the mortgage and forwarded to [HUD, Multifamily Mortgage Notes](#). In this event, a statement, including documentation of the redemption proceeds, is required showing the date of redemption, amounts received and any other information pertinent to the transaction. The receipt and disposition of all investment income received prior to the date of default must be shown in column 10.
 - b. **Where a Property is Conveyed to the Secretary:** In the event any or all of the funds accumulated in the reserve for replacements account were invested, the value of the investment(s) as of the date of the foreclosure sale must be determined and this amount entered in column 10. If the property is being conveyed pursuant to a deed in lieu of foreclosure, the value of the investment(s) must be determined as of the date the property is deeded to the mortgagee, or, if by a direct conveyance to the Secretary, the date title passes to the Secretary. The receipt and disposition of all investment income received prior to the date of default must also be shown in column 10.
 - c. For mortgages that have investments in the reserves for replacement fund, the following must take place as soon as possible after the day the assignment is filed for record or the property is conveyed:
 - i. All investments must be liquidated.
 - ii. Any penalties for early withdrawal of investments must be absorbed by the mortgagee.
 - iii. For claims paid in debentures, all investment proceeds received, plus the cost of any penalties for early withdrawal, must be remitted to HUD no later than thirty (30) days after assignment to [HUD, Multifamily Mortgage Notes](#).
 - iv. For claims paid in cash, proceeds received, plus the cost of any penalties for early withdrawal, must be retained by the mortgagee in the reserves for replacements fund.
9. Column 12 must be used to record all amounts received which cannot be applied to sums due under the mortgage. Report any payment received after default which is not complete with respect to escrows, interest, principal and reserve for replacements in column 12. All payments received after the date of election to receive insurance benefits must be reported here. Include in this column returned premiums on cancelled hazard insurance policies, interest received after default on investments of the reserve for replacements fund, refunds of deposits left with utility companies, amounts received as proceeds of a receivership, etc. Enter dates received in column 1, the amounts in columns 2 and 12, and identify the source of the funds in column 11. Do not show net rental income received during the period the claimant operated the project, since Schedules B and C are provided for reporting this amount.
10. From time to time disbursements may have been made for items for which the escrow funds in columns 4, 5, 6, 7, and 10 were established. Show the date of disbursement in column 1 and the amount disbursed in column 2 in parentheses, show the due date of the item for which the disbursement was made in column 3 and show the amount disbursed again in parentheses in the applicable columns (4, 5, 6, 7 or 10). All amounts entered in column 7 must be identified in column 11. Disbursements in column 10 for any purpose other than investments must be supported by letters of authorization from HUD ([form HUD-9250](#)). Hazard insurance premiums for policies with the effective date after the date of assignment or conveyance should not be paid.
11. After all entries have been made, sub-total columns 4 through 7. A deficit balance in any of these four columns may be offset by a transfer from a column that has a credit balance. Report transfers by showing "transfer of funds" in column 3.
12. The adjusted totals of the other columns must then be shown in the space provided at the bottom of the page. This schedule, if correctly and accurately prepared, is self-balancing. The net total of column 2 must equal the totals of all the other columns.
13. Submit invoices and front and back copies of cancelled checks, or receipted invoices; where payment was made by wire or ACH, HUD will accept from the mortgagee, in lieu of a front and back copy of a cancelled check, wire advice confirming such payment or the mortgagee's bank statement showing the wire or ACH that evidences or includes such payment. Evidence of the last payment of taxes, water and sewer charges, etc., in column 5 must be evidenced as described above. Invoices and evidence of payment, as described above, must be submitted to cover all disbursements shown in columns 6 and 7, made subsequent to the date of default. In addition, such supporting evidence is required for the last invoice paid for hazard insurance, irrespective of whether the last hazard insurance payment was made before or after default.

14. Submit two copies of the mortgagee's loan history ledger records to support this schedule. If copies were previously submitted and later entries were made in the ledger, new copies are required. The loan history must cover the period from the date the claimant became the mortgagee to the date of assignment or recordation of the deed to the Secretary.

I. Preparation of form HUD-2744-B, Mortgagee's Report of Project Collections, Schedule B

Use this schedule only if the mortgagee either directly, or through its servicer or the mortgagor, has had control of the project property and is, therefore, accountable for the collection of rents and payment of operating expenses which the project incurred during that period. Use it to report and account for all rents collected by the mortgagee, or its servicer, as well as to account for periods of vacancies and rents in arrears.

1. In column 1 show the unit number or the other symbol by which the units are identified. All units, whether occupied or vacant, must be listed and accounted for.
2. In column 2, report the occupancy status of each unit in the project during the entire period from the date the claimant took over control to the date such control ended (the dates shown at the top of the schedule). Show the status of the unit on the date control was assumed by inserting tenant's name or the word "vacant" in column 2. If the occupancy status changed, show on the next line under the same unit number (which need not be repeated) the change in status whether it was a change in tenants or a change from occupancy to vacancy or vice versa and complete the other applicable columns. Repeat this procedure for each change in order that the entire period is covered.
3. In column 3, show the monthly rental rate. If the rental rate was changed during the period covered by the schedule, show the original rate in column 3 and the period during which that rate was in effect in columns 4 and 6. Then show the new rate in column 3 and the period during which it was in effect in column 4 and columns 5 or 6, whichever is applicable.
4. In column 4 show the date a tenant's rent started with respect to total collections shown in column 7 or unpaid rent in column 8. For example, if the mortgagee assumed control on March 16th and the tenant's rent had been previously paid through March 31st, the date the rent started would be April 1st (assuming of course that all rent is current and the tenant is paying from the 1st). Using the example above, if the tenant was paying rent on a 15th to the 15th of a month basis: the date shown in column 4 would be March 15th. If a tenant was in arrears from December 1st when a mortgagee assumed control on March 16th, the date to be shown in column 4 would be December 1st.

5. In column 6 show the date through which the tenant's rent was paid by calculating rent at the rate or rates shown in column 3 against the total rent paid as shown in column 7.

6. In column 7 show the *total rents* collected from the tenant between the beginning and ending dates shown at the top of the Schedule.

a. **Do Not Prorate Rental Collections.** For example, if the property was conveyed to the Secretary on the 15th of a month, all rents collected by the mortgagee prior to the 15th, regardless of the period covered by the amounts received, are retained by the mortgagee and accounted for on [Schedule B](#). All rents paid on the date of conveyance and subsequent thereto must be paid to the rental broker for HUD. If any rent refund was made to a tenant, enter the amount *in parenthesis* in column 7 and explain in column 2.

b. **Do Not Show Rent Refunds on Schedule C.** There are some instances where recurring items other than shelter rental must be included on Schedule B, such as furniture rental, flat charges for utilities, garage rental, etc. All amounts received for such items from each tenant must be shown in column 7 *after* all rental collections have been listed for the tenant. A corresponding explanation must be shown in column 2. Miscellaneous collections not applicable to a particular tenant must be shown at the end of the report.

7. In column 8 show the amount of rents in arrears. That is calculated as the daily rental rate multiplied by the number of days from the date shown in column 6 to the date shown in column 5 for those tenants who vacated, and covering the period from that shown in column 6 to the date the mortgagee relinquished control for those tenants still in occupancy.

a. All balances due from present and former tenants are formally assigned to the Secretary in compliance with instructions issued by the OGC. Column 8 of Schedule B provides the data as to the actual amounts due from tenants and covered by that assignment. On the basis of the amounts shown in column 8, HUD will establish its records and will take steps to collect amounts shown as due from tenants. It is, therefore, of *particular importance* that the amounts be correctly shown.

b. After accounting for all units during the mortgagee's period of control, show under heading *Former Tenants* all tenants owing rent who vacated prior to the mortgagee's control of the property. If available, show tenant's full name, the unit number, any collections made and

the balance still due. If the tenant has given any evidence of the indebtedness such as a note, this fact must be noted in column 8 and that evidence must be delivered to HUD.

8. **Note:** Do not report security deposit transactions on this schedule. Security deposits collected and forfeited by the tenants during the period of the mortgagee's operation of the project (but not applied to rent) must be reported as other income and shown in column 7 of [form HUD-2744-A](#). See the last paragraph of instruction number 6 above. Security deposits that are applied to rent must be included in the total collections report in column 7. Any security deposits on hand at date of conveyance must be accounted for separately and remitted to [HUD, Multifamily Properties](#).

J. Preparation of form HUD-2744-C, Mortgagee's Report of Project Disbursements, Schedule C

Use this form to report, in chronological order, disbursements for necessary project operating expenses incurred by the mortgagee or its servicer during its control or ownership. Do not include disbursements for which the former mortgagor is liable unless it was necessary for the claimant to pay them. In this event, provide full, detailed explanation as to the necessity for payment.

1. Column 1 is provided for convenience in either listing receipted invoices numbered consecutively or inserting the number of the check in payment. The purpose of the disbursement must be fully explained in column 3. The dates and amounts of all payments must be shown. Please take care to pay all amounts chargeable to the period of the claimant's operation of the project, even though the actual payment is made after the end of the period.
2. As the footnote on the schedule indicates, copies of paid invoices must be submitted in support of *all* disbursements. Where receipts for wages are not available, submit payroll records that detail the rate of pay, number of hours worked, amount withheld for taxes, etc.

K. Preparation of form HUD-2744-D, Other Disbursements by the Mortgagee, Schedule D

List on this schedule all other disbursements relating to the conveyance of the property, or approved preservation expenses, if any. Do not include advances of mortgage proceeds or advances to escrow accounts. Show dates of all payments in column 1 and all payees in column 2. Do not include disbursements made in connection with an assignment of a mortgage.

1. Reasonable expenses approved by the local HUD office for the completion and

preservation of the property are allowable in computing the amount of settlement.

2. Enter such amounts in column 3 and explain the purpose in column 4. In columns 5, 6 and 7, list all other disbursements made in connection with the conveyance of the property which are to be included in the Certificate of Claim. These will include attorney's fees, foreclosure costs, title policy, surveys, taxes on deeds, recording fees, special Commissioner's fees and costs etc. Use column 4 to explain the purpose of disbursements shown in columns 5 and 7.
3. Costs incurred in connection with an assignment of a mortgage cannot be included in the Certificate of Claim.
4. Submit paid invoices or copies to support all disbursements shown on this schedule.

L. Preparation of form HUD-2744-E, Mortgagee's Report of Special Escrow, Schedule E

Use [Schedule E](#) to report any special escrows. The form must be submitted with the other fiscal data forms.

1. Where the mortgage is assigned and the settlement is made by the issuance of debentures any balances shown must be remitted to HUD.
2. Where the mortgage is assigned and the settlement is made in cash, any balances shown are retained by the mortgagee and reported under Section 1(e)5 on form HUD-2742.
5. Include receipts and authorizations for all disbursements shown on Schedule E.

M. Preparation of form HUD-434, Statement of Taxes

1. Taxes that will become due within the forty-five (45) day period from the filing for record of the assignment or deed must be paid by the mortgagee and included in the claim for insurance benefits.
2. The amount of penalties paid on delinquent taxes will be disallowed. The amount of penalties may be included in the Certificate of Claim if it was necessary for the mortgagee to advance the funds to pay the taxes.
3. Copies of tax bills, plus evidence of payment, as described previously in **Preparation of form HUD-2744-A**, item 13, for the taxes last paid must be submitted irrespective of whether the tax was paid before or after default.

N. Form HUD-2742, Fiscal Data in Support of Claim for Multifamily Mortgage Insurance Benefits

After completion of the schedules, the data must be transferred to form HUD-2742. The amounts to be transferred are as follows:

Section Receiving Transferred Information on form HUD-2742	Data to be Transferred from forms HUD-2744, Schedules A through E
Section I(a)	Total from Schedule A, column 9
Section I(b)(1)	Total, if any, <i>in parentheses</i> , from Schedule A, column 4
Section I(b)(2)	Total, if any, <i>in parentheses</i> , from Schedule A, column 5
Section I(b)(3)	Total, if any, <i>in parentheses</i> , from Schedule A, column 6
Section I(c)	Total from Schedule D, column 3
Section I(d)	Balance of undisbursed mortgage proceeds, if any
Section I(e)(1)	Total, if any, of positive sums from Schedule A, column 4
Section I(e)(2)	Total, if any, of positive sums from Schedule A, column 5
Section I(e)(3)	Total, if any, of positive sums from Schedule A, column 6
Section I(e)(4)	Total, if any, of positive sums from Schedule A, column 10
Section I(e)(5)	Total, if any, of positive sums from Schedule A, column 7, plus any balances developed on Schedule E. Identify the items in this space.
Section I(f)(1)	Total from Schedule B, column 7
Section I(f)(2)	Total from Schedule C, column 5
Section I(g)	Total from Schedule A, column 12
Section I(h) (Not applicable to conveyance claims. See the discussion below.)*	One (1%) percent of the amount shown in Section I(a) of form HUD-2742
Section II(a)	Total from Schedule D, column 5
Section II(b)	Total from Schedule D, column 6
Section II(c)	The same amount shown in Section I(h) on form HUD-2742
Section II(d)	Total from Schedule D, column 7

* Section 1(h) does not apply to conveyances. It applies to all assignments except assignments of Sections 221(d)(3) and 221(h) below market interest rate mortgages and assignments of Section 803 mortgages which were accepted for insurance subsequent to August 15, 1955. Nor does Section 1(h) apply to automatic assignments under Section 221(g)(4) and mortgages financed with 11(b) bonds. When the assignment is made pursuant to 236.260, the one percent (1%) prescribed under HUD Regulations at 24 CFR 207.259(b)(2)(iv) is not applicable. In addition, under such terms and conditions as the Secretary may approve, all or part of the 1% deduction may be waived for assignments under other Sections of the Act.

VIII. Legal Clearance

HUD makes final settlement only after [legal clearance](#) has been received and fiscal requirements have been met. The instructions for obtaining legal clearance are available electronically through the MDDR system. **Note:** The legal instructions contain additional deadlines and requirements for submission of documents.

IX. Final Claim Settlement

After the assignment of the mortgage, the mortgagee must submit the fiscal package within forty-five (45) days after the filing for record of the assignment to MFCB.

A. After the receipt of the fiscal package (form HUD-2742, the claim for multifamily insurance benefits and the supporting schedules A thru E), MFCB

submits the fiscal package and other supporting documents to HUD's contractor. The claim is examined based on HUD Regulations at 24 CFR 207.259 and/or any other applicable regulations. HUD performs a reconciliation of reserve for replacement accounts based on the audited financial statement issued three (3) years prior to the date of assignment. Once HUD receives legal clearance, the MFCB prepares the settlement sheet based on the Unpaid Principal Balance (UPB) determined from the Note as may be modified by a HUD-approved Modification Agreement, plus the advances made by the mortgagee, less the escrow balances retained. The final claim amount is based on the principal balance after deducting the principal amount of the partial settlement.

B. Interest at the debenture rate is computed from the date of default to the date of settlement, unless there

are any curtailments. The claim settlement is prepared in the Multifamily Claims System. HUD then prepares and certifies the Same Day Payment voucher for the final settlement amount. Finally, the Chief, MFCB sends a letter to the mortgagee that explains how the claim was settled.

X. Supplemental Claims

The mortgagee may file for a supplemental claim within six months after the date of final claim settlement if it believes that amounts are owed due to an error in computation of the claim, or if there were any surcharges, advances and expenses that were not included in the final claim settlement. Documentation in support of the supplemental claim must be filed with the request. Submit the request and supporting documentation for the supplemental claim in a letter, addressed to the Chief, MFCB at [HUD, Multifamily Claims Branch](#).

XI. Insurance Benefits under Section 236 with Interest Reduction Payments (IRP)

The filing requirements to receive insurance benefits for mortgages insured under Section 236 with interest reduction payments are the same as the requirements cited in these instructions for other claims (reference HUD Regulations at 24 CFR 207.255), whether assigned as a result of a [fiscal default](#) or covenant default, with the following exceptions:

- A. [IRP](#) received after the default date and before election can be lumped together to make a full payment and move the default date forward.
- B. Any IRP received after assignment must be sent to [HUD, CFO Accounting, Monitoring & Analysis Division](#).
- C. Assignment of mortgage pursuant to 24 CFR 236.260 is requested by the Commissioner.
- D. This regulation states that the mortgagee shall, when requested by the Commissioner, assign to the Commissioner a mortgage on which interest reduction payments are being made pursuant to the provisions of HUD Regulations at 24 CFR 236.501. If the mortgage is not in default (not a fiscal default or covenant default) when the Commissioner requests its assignment, the first day of the month following HUD's request shall be considered the date of default.

Pursuant to HUD Regulations at 24 CFR 236.265(c), where the assignment of the mortgage is made pursuant to 236.260 and the mortgage is not in fiscal or covenant default at the time of such assignment, the one percent deduction prescribed in

24 CFR Section 207.259(b)(2)(iv) shall not be applicable.

XII. Insurance Benefits under Section 221(g)(4)

A mortgagee of a mortgage insured under Section 221 of the National Housing Act has the option under Section 221(g)(4) to assign to the Secretary of HUD the original credit instrument and the mortgage provided it is not in default at the expiration of the twenty (20) year period from the date of final endorsement. The requirements for filing insurance benefits under 221(g)(4) are the same as for regular claims prescribed under Section 207.255 and requirements cited in these instructions, with the following exceptions:

- A. The mortgagee must elect to assign the property within one year after the completion of the twentieth (20th) anniversary of the final endorsement date.
- B. The debenture will have a ten (10) year term for automatic assignments.
- C. One percent of UPB is not deducted from the claim.
- D. Accrued interest at the mortgage rate is calculated from the last payment to the date of assignment and added to the claim.
- E. Any hazard insurance premium which becomes due forty-five (45) days from the date of assignment must be paid by the claimant. A receipted invoice, or front and back copies of the cancelled check, must be submitted to [HUD, Multifamily Claims Branch](#) so that the payment may be reflected in the insurance settlement. Because HUD will escrow for hazard insurance premiums for 221(g)(4) cases, the following information is required:
 - 1. Copy of hazard insurance policy;
 - 2. Name of hazard insurance carrier and a contact person with a phone number;
 - 3. Copy of last paid hazard insurance invoice;
 - 4. Due date of next hazard insurance premium payment;
 - 5. Amount of hazard insurance escrow to be transferred to HUD, and
 - 6. Date and amount of last payment to the hazard insurance escrow account.
 - 7. Immediately, following the date of assignment, the hazard insurance information listed above must be mailed to HUD, Multifamily Notes Servicing.

XIII. GLOSSARY OF TERMS AND ACRONYMS

Assignment	When a mortgagee assigns to HUD, the rights to the mortgage loan along with the property that is the collateral to the loan (24 CFR 207.258(b)).
CFR	Code of Federal Regulations
Commissioner	Federal Housing Administration Commissioner
Conveyance	The transfer of the property/project's title and possession of the property to HUD by the mortgagee .
Covenant default	The failure of the owner to perform any other covenant under the provisions of the mortgage or of the regulatory agreement , which is incorporated into the mortgage.
Date of default	The date of the first uncorrected failure to perform a covenant or an obligation, or the date of the first failure to make a monthly payment which subsequent payments by the mortgagor are insufficient to cover when applied to the overdue monthly payments in the order in which they become due (24 CFR 207.255(d)).
Debenture Lock Agreement	An Agreement by HUD that, in the event of an insurance claim, insurance benefits will be paid in debentures and HUD will defer redemption of such debentures until insurance benefits are sufficient to retire the remaining unpaid mortgage debt.
Debentures	Debentures are registered, transferable securities which are valid and binding obligations, issued in the name of the insurance fund under which the mortgage was insured.
Default	If a second consecutive payment on a loan is missed, then the loan moves into a default status (see date of default). There are two types of defaults; fiscal default and covenant default .
Election to Assign Approval Letter	The electronic submission the Office of Housing sends to the mortgagee , copy to MFCB , which approves the Notice of Election to Assign filed by the mortgagee
Election to convey	The mortgagee 's indication of its intention to obtain and transfer the property/project's title and possession of the property to the Commissioner . See Notice of Election to Convey .
Fiscal Data	Documentation that the mortgagee must file to complete its application for insurance benefits.
Fiscal Default	A monetary, or fiscal, default exists when the owner fails to make any payment due under the mortgage.
Form HUD-1044-D	Form HUD-1044-D, Multifamily Insurance Benefit Claim, Payment Information in Support of Claim
Form HUD-2537	Form HUD-2537, Mortgagee's Application for Partial Settlement.
Form HUD-2742	Form HUD-2742, Fiscal Data in Support of Claim for Insurance Benefits.
Form HUD-2744-A	Form HUD-2744-A, Allocation of Mortgagee's Receipts and Disbursements, Schedule A.
Form HUD-2747	Form HUD-2747, Mortgagee's Application for Insurance Benefits.
Form HUD-9250	Form HUD-9250, Funds Authorizations.
Holding mortgagee	Holder or owner of the mortgage note - Claims benefits are paid to the holding mortgagee .
Initial endorsement	The first advance of mortgage proceeds.
IRP	Interest Reduction Payments.
Legal clearance	The process by which HUD's Office of General Counsel, Multifamily Mortgage Division ("OGC") receives, reviews, and approves the documents required by the Legal Instructions Concerning Applications for Full Insurance Benefits – Assignment of Multifamily Mortgages to the Secretary ("Legal Instructions"). Once the mortgagee has satisfied the requirements of the Legal Instructions, OGC notifies the mortgagee (or its servicer) that HUD has completed its review of legal documents, that the legal requirements for issuance of insurance benefits were deemed complete on [date], and whether the legal requirements were met within the legal submission deadline.
MDDR	Multifamily Delinquency and Default Reporting.
MFCB	Multifamily Claims Branch.
Mortgagee	The lender in a mortgage agreement. In this document, the term "mortgagee" refers to the holding mortgagee .
Mortgagee's Certificate	The lender executes the Mortgagee's Certificate at the loan closing. In executing the Certificate, the lender identifies all fees and escrow deposits collected in conjunction with the mortgage transaction and agrees to collect, hold and administer the reserve for replacements and any required mortgage escrows in accordance with HUD's requirements.
Mortgagor	An individual, corporation, or partnership that borrows money from the lending institution (the mortgagee) in exchange for a mortgage on his/her property).
Notice of Default	The electronic submission that the mortgagee must submit to HUD within 60 days from the date of default .
Notice of Election	The electronic submission the mortgagee must submit to HUD, to provide the Commissioner notice of its intention to file an insurance claim.

Notice of Election to Assign	The electronic submission the mortgagee must submit to HUD, to provide the Commissioner notice of its intention to assign the mortgage and file an insurance claim.
Notice of Election to Convey	The electronic submission the mortgagee must submit to HUD, to provide the Commissioner notice of its intention to acquire and convey title and file an insurance claim.
OAM	HUD Headquarters' Office of Asset Management.
OGC	Office of the General Counsel.
Prorate	To divide or apportion an amount according to the number of days or months during the period . Can relate to the amount of rent owed by a resident for occupying a unit for only a part of a month
Regulatory agreement	The regulatory agreement lists the management and reporting requirements that HUD and the lender impose upon the owner in return for their insuring the mortgage. The regulatory agreement also specifies what actions the lender and/or HUD may take if the owner does not carry out its obligations under the regulatory agreement so long as the mortgage insurance is in effect.
Reinstatement	The action of reverting a defaulted mortgage to a non-default status pursuant to 24 CFR §207.256a.
Reserve for replacements	The regulatory agreement requires an owner to establish and maintain a reserve for replacements. The reserve provides cash for the replacement of capital items (e.g. appliances). The reserve is funded from two sources (1) a lump sum deposit made at the time of loan closing and (2) monthly deposits made as part of the monthly mortgage payments.
Rolling default	A rolling default occurs when a loan is in fiscal default and has been reported in MDDR and the owner then makes a subsequent payment, prior to the lender submitting an election to assign that is less than the amount necessary to bring the loan current. The payment should be applied to the overdue monthly payments in the order in which they became due and the date of default will roll forward to the date of the first overdue payment that the subsequent payment is insufficient to cover. The change in the date of default will advance the corresponding deadline for filing the election to assign.
Schedule A	See form HUD-2744-A .
Schedule B	Form HUD-2744-B, Mortgagee's Report of Project Collections, Schedule B.
Schedule C	Form HUD-2744-C, Mortgagee's Report of Project Disbursements, Schedule C.
Schedule D	Form HUD-2744-D, Mortgagee's Report of Other Disbursements, Schedule D.
Schedule E	Form HUD-2744-E, Mortgagee's Report of Special Escrows, Schedule E.
Section 236	FHA multifamily mortgage insurance with subsidies on interest for low/moderate income projects.
Section of the Act	Act is a law passed by Congress that authorizes programs to be administered by HUD. The Section of the Act refers to that part of the law that authorizes a particular program or sets out particular rules or requirements.
Servicer	The company that collects monthly mortgage payments and disperses property taxes and insurance payments. Loan servicers may be the lender or a company that just handles loan servicing under contract with the lender or the investor who owns the loan.
UPB	Unpaid principal balance of the mortgage.

XIV. Contact Points, Addresses, Phone and Fax Numbers:

Chief, MFCB: (Fax): (202) 619-8259

HUD, Director, CFO Accounting, Monitoring & Analysis Branch ([IRP](#)):

U.S. Department of Housing and Urban Development
Director, CFO Accounting, Monitoring & Analysis
Branch
451 Seventh Street S.W.
Washington, D.C. 20410
(202) 402-3695 (call for instructions to pay by wire)

HUD, Multifamily Claims Branch:

HUD, Multifamily Claims Branch, HWAFCR
451 Seventh Street, S.W.
Washington, D.C. 20410-8000

MultifamilyClaimsBranch@hud.gov

Fax: (202) 619-8259

HUD, Multifamily Mortgage Notes (escrow balances and other payments on behalf of mortgagee):

HUD, Multifamily Mortgage Notes
PO Box 530256
Atlanta, GA 30353-0256

HUD, Multifamily Notes Servicing (tax and hazard insurance information address):

DYNAXYS
Attn: Accounting Department
PO Box 4308
Silver Spring, MD 20904-3038

HUD, Multifamily Properties (security deposits):

HUD Multifamily Properties
P.O. Box 403467
Atlanta, GA 30384-3467

XV. Check List for Filing Claims for Insurance Benefits

Follow the detailed instructions to prepare your claim.

This check list is to serve only as a guide for mortgagees to properly submit the supporting data for a claim for insurance benefits. HUD is anxious to settle all claims as soon as possible, and every effort is made to do so. You can help in the prompt settlement of your claim by being certain that all forms are properly completed, and that the ledger records and all supporting receipts are furnished, in triplicate, in legible condition. If the submission is incomplete, it will require correspondence, which will result in a delay in the settlement.

- A. For the purpose of receiving fiscal clearance, the following items, as applicable, must be forwarded:
- Completed form HUD-2742, Fiscal Data in Support of Claim for Insurance Benefits
 - Form HUD-2744-A, Allocation of Mortgagee's Receipts and Disbursements, Schedule A
 - Form HUD-2744-B, Mortgagee's Report of Project Collections, Schedule B (if applicable)
 - Form HUD-2744-C, Mortgagee's Report of Project Disbursements, Schedule C (if applicable)
 - Form HUD-2744-D, Mortgagee's Report of Other Disbursements, Schedule D, (if applicable)
 - Form HUD-2744-E, Mortgagee's Report of Special Escrows, Schedule E (if applicable)
 - Form HUD-434, Statement of Taxes, including copies of tax bills for the taxes last paid
 - Two (2) copies of original loan ledger records

- Receipts or other evidence of payment covering all disbursements on and after the [date of default](#), as shown on [Schedule A](#), for taxes, hazard insurance premiums, water rates, etc.
 - Copies of authorizations covering the release of all monies disbursed from the [reserve for replacements](#) fund
 - Documentation of proceeds from the liquidation of any investments (for [debentures](#) only) held as part of the reserve for replacements fund.
 - Receipts and authorizations for all disbursements shown on [Schedule E](#) (if applicable)
 - Copy of bond trust indenture and informational letter (if applicable)
 - Copy of the [Debenture Lock Agreement](#) (if applicable)
- B. The mortgagee, at its option, may deliver, or HUD may, at its option, request the following additional photocopies from the Mortgagee, to the extent that the mortgagee has in its possession such documentation:
- Note(s) with any allonge or modification changing payment terms
 - [Regulatory Agreement](#) with any amendments
 - FHA Firm Commitment with any amendments
 - [Mortgagee's Certificate](#)
- C. As may be approved by MFCB, delivery of one or more specified documents may be completed through PDF or CD delivery.

Review your submission to verify that you, as the mortgagee, have provided full and complete disclosure of all monies held or receivable on behalf of the mortgagor, including but not limited to insurance proceeds and any legal claims.

Have the forms properly certified.

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)