

**Mark-to-Market
F47 Reconciliation Form**

Form 4.12

**FORM 4.11 OR 4.12 MANDATORY AT PLAN AND PARTIAL PAYMENT OF
CLAIM (PPC) SUBMISSIONS**

INTRODUCTION. PAE identifies the F47 discrepancy(ies), researches the cause and compiles documentation to explain it, prepares an amortization schedule if there was a discrepancy in the principal balance, completes and signs the Form 4.12, and submits the entire package (the Form 4.12 Reconciliation Package) to the Preservation Office Closing Coordinator (POCC) **during due diligence.**

SECTION I. The POCC reviews the Form 4.12 Reconciliation Package. If the POCC agrees with the PAE's findings, the POCC signs in concurrence in Section I. POCC forwards a copy of the signed Form 4.12 (without attachments) to the PAE **for the PAE to submit with the Restructuring Plan.** The POCC forwards a copy of the Form 4.12 Reconciliation Package to the Closing Specialist (CS) for Recap Headquarters review.

SECTION II. The CS reviews the Form 4.12 Reconciliation Package, and if it is acceptable, signs off on the entire package and submits the package to MFIO for review and reconciliation. The CS returns a copy of the Form 4.12, signed by the CS and POCC for the PAE's files. **This is required for approval of the Restructuring Plan.**

SECTION III.

PART A. This section is to be completed by the CS once the discrepancy is cleared by MFIO and is changed within the MFIO database. The Form 4.12 is returned to the POCC with a current F47 E-08 printout and HUD Amortization Schedule reflecting the changes made to HUD's system. The CS retains a copy of entire package for HQ Closing files.

PART B. This section is to be completed by the HUD Claims Department and the CS once the Claims Department has determined that the restructuring may close despite an outstanding discrepancy that exceeds the Allowable Threshold. MFIO returns the HUD Amortization Schedule to the CS, reflecting the changes made via the reconciliation.

If there was a F47 discrepancy, a fully executed Form 4.12 is required to be attached to the PPC package in order to get on the Closing Calendar.

FORM 4.12 INTRODUCTION: PAE completes and attaches appropriate documentation to this document and sends it to the POCC with a copy to the Debt Restructuring Specialist. (Completion of all fields is required)

Project Name: _____ **FHA#:**

Date: _____

Memo To: (enter name) _____ Production Office Closing Coordinator

From: (enter name) _____ PAE Contact

(enter PAE) _____ PAE

Issues to be resolved for F47 Clearance:

(PAE check appropriate box)

UPB Balances ONLY

(Complete Existing Data for UPB Discrepancy below)

92080 Mortgagee Change of Record Form Required ONLY

(Attach 92080, E-08 & H-01 screens to this package – this completes the 4.12 Form requirements for 92080 changes)

UPB Balances AND 92080 Mortgagee Change of Record Form Required

(Attach 92080, E-08 & H-01 screens to this package and complete Existing Data for UPB Discrepancy below)

Existing Data required for UPB Discrepancy

From F47:

From Lender:

Original Mortgage Amt: _____

Original Mortgage Amt: _____

Current Interest Rate: _____

Current Interest Rate: _____

Loan Term (months): _____

Loan Term (months): _____

F47 UPB as of (enter date): _____

Lender UPB as of (enter date): _____

_____ \$ _____

_____ \$ _____

We have researched the history on this loan and have identified the following changes to the original loan terms, conditions, and/or payment schedule that we believe account for the F47 UPB discrepancy. (If more space is required to provide an explanation of the issues, please attach a separate narrative.)

We have attached all the following required documentation for 92080 clearance:

- Completed and Signed Form 92080
- F47 E-08 Screen printout
- F47 H-01 Screen printouts for all entities (mortgagees and servicers that were showing in the F47 system before and after the reconciliation)

We have also attached the supplemental documents (as marked below) which are applicable to this review:

- Mortgage Note
- All Supplemental Notes
- All Modifications
- Lender UPB document used in UPB comparison
- Lender Loan History (if relevant to discrepancy, i.e.-prepayments)
- F47 E-08 Screen printout
- PAE's amortization schedule incorporating the changes detailed above, which support our conclusion that the F47 discrepancy should be resolved once the changes are reflected in the F47 system.

Please forward the attached documents to MFIO and request that they update HUD's F47 system. Please notify us as to how the adjusted F47 balance and lender UPB compare and advise what further steps, if any, will be required.

Signed and Certified by:

(PAE Official)

(Title)

cc: Debt Restructuring Specialist

FORM 4.12, SECTION I: The POCC completes Section I. The POCC checks one or more options below which describes his/her assessment of the reason for the discrepancy, signs below, and forwards the Form 4.12 with its attachments to the CS.

Project Name: _____ **FHA#:**

1. _____ The PAE has **identified modifications** (recorded or unrecorded) to the original loan terms and conditions that affect the outstanding UPB and amortization schedule in F47 and has **provided copies of all supporting documentation.**
2. _____ The PAE has **identified partial prepayments** over the life of the loan that affected the outstanding UPB and has **provided copies of all supporting documentation.**
3. _____ The PAE has **provided a properly executed Form 92080** with required attachments that will correct the F47 discrepancies in the Mortgagee and/or Servicer of Record.
4. _____ OTHER (also use for additional comments)

I have determined that the documentation provided by the PAE is adequate to cure the issues outlined in the Introduction and Section I above and that the proposed resolution the PAE offered in the Introduction appears to resolve the UPB discrepancy and/or discrepancies in the Mortgagee and/or Servicer of Record. Accordingly, the F47 reconciliation issues have been adequately addressed to warrant submission of the draft Restructuring Plan to Recap.

Signature of Production Office Closing Coordinator & Date:

_____ *signature & date*

FORM 4.12, SECTION II: The CS reviews the Introduction with supporting documentation and prepares the final amortization schedule incorporating the changes and submits it to MFIO.

Project Name: _____ **FHA#:**

I have reviewed the Introduction, with attachments, and Section I to Form 4.12 and have determined that the information provided is adequate for submission to MFIO. The package is being referred to MFIO with our request to correct the system records.

signature & date Closing Specialist

FORM 4.12, SECTION III: Upon MFIO's completion of their review and database update, the CS completes the checklist below and signs Section III demonstrating resolution or approval of the Form 4.12 Reconciliation Package.

The modifications to the original loan terms and conditions that affect the outstanding UPB and amortization schedule in F47 have been addressed and corrected in the MFIO database. They fully reconcile the discrepancy in the following manner:

- a) _____ **92080 changes have been made** to the MFIO system, as required.
(see attached E-08 reflecting updated information)
- b) _____ Lender's UPB and the updated UPB in the F47 amortization schedule **match.**
- c) _____ **Lender's UPB is higher** than the updated UPB in the F47 amortization schedule by \$_____. **The Owner must pay this amount at closing.**
- d) _____ **HUD's updated UPB in the F47 amortization schedule is higher** than the Lender's UPB by \$_____ .

Part 1 below requires the signature of the CS only. Part 2 below requires signatures from both the HUD Claims Department and the CS.

_____ **Part 1. This is within the Allowed Threshold** set by MF Claims of 2 months of the portion of the owner's P&I payment amount payable to principal as of the Comparison Date (CD).

- (1) CD P&I=_____ (from HUD Amortization schedule, as of the UPB dates being compared).
- (2) Principal only portion of CD P&I above is \$_____.
- (3) 2 X Principal amount above = \$_____.

MFIO system input has been completed. Updated F47 system balance as of (enter date) is (enter UPB \$ amount).

signature & date Closing Specialist

OR

_____ **Part 2. This exceeds the Allowed Threshold** set by MF Claims of 2 months of the portion of the owner's P&I payment amount payable to principal as of the CD.

- (4) CD P&I=_____ (from HUD Amortization schedule, as of the UPB dates being compared).
- (5) Principal only portion of CD P&I above is \$_____.
- (6) 2 X Principal amount above = \$_____.

MF Claims has reviewed the documentation regarding the above discrepancy that exceeds their allowable threshold and has determined that this project may close with this outstanding discrepancy.

_____ *signature & date* **HUD Claims Department**

_____ *signature & date* **Closing Specialist**

Public reporting burden for this collection of information is estimated to average 4.5 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This information is required to obtain benefits. The Office of Multifamily Housing, Office of Recapitalization, 451 7th Street SW, Room 6230 Washington, DC 20410. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. Title V of the Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1988 (P.L.105-65, 111 Stat. 1384) authorizes the FHA Multifamily Housing Mortgage and Housing Assistance Restructuring Program. HUD implemented a statutory permanent program directed at FHA-insured multifamily projects that have project- based Section 8 contracts with above- market rents. The information collection is used to determine criteria eligibility of FHA-insured multifamily properties for participation in the Mark to Market program and the terms on which participation should occur. The purpose of the program is to preserve low-income rental housing affordability while reducing the long-term costs of Federal rental assistance. While no assurances of confidentiality are pledged to respondents, HUD generally discloses this data only in response to a Freedom of Information request.