



COVID-19 Frequently Asked Questions - Selling

Updated: Sept. 01, 2021

In response to the COVID-19 pandemic, Fannie Mae and Freddie Mac have provided temporary guidance to lenders on several policy areas to support mortgage originations. These FAQs provide additional information on the temporary policies. We will be updating these FAQs, therefore we encourage you to check in frequently for updates – refer to the “**NEW**” (Q. 33) or “**UPDATED**” (Q. 3 and Q. 9) notations after the question. **These FAQs pertain to COVID-19 Flexibilities until their expiration dates per Lender Letters LL-2021-03.**

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We have published selling, appraisal, and [servicing](#) Lender Letters and helpful information regarding policies related to the pandemic. All of these and other resources can be found on our [single-family site](#). Other resources are available on our [corporate site](#).

FAQs

General

Q1. Do Fannie Mae’s existing disaster policies in the *Selling Guide* apply to the pandemic?

No, Fannie Mae’s existing policies related to disasters do not apply to loans impacted by the pandemic. Instead, lenders can follow the guidance in Lender Letter [LL-2021-03](#), *Impact of COVID-19 on Originations*. All guidance specific to COVID-19 will be communicated through Lender Letters and FAQ documents such as this.

Also, note that loans in forbearance due to COVID-19 are not subject to the disaster-related forbearance policies in [A2-3.2-02](#), Enforcement Relief for Breaches of Certain Representations and Warranties Related to Underwriting and Eligibility.

Q2. Will a loan entering early payment default status result in an automatic repurchase request?



No, we will follow existing QC practices to review any sampled loan against the requirements of the *Selling Guide* and any other agreements in place at the time of delivery to us. Remedies for any identified defects will be issued in accordance with the Guide.

Underwriting

Income and Debt – General

- Q3. **Given the unprecedented and rapid instances of voluntary and mandated business closures, and the concerns over whether employees will continue to be paid, is updated income documentation required prior to closing?**

UPDATED

Yes, in some cases income documentation may need to be updated for self-employed borrowers. Refer to [LL-2021-03](#) for details.

- Q4. **Can I use the requirements for income while on temporary leave?**

Certain types of temporary leave may be eligible for qualifying. See [B3-3.1-09](#), Other Sources of Income; Temporary Leave Income. However, please note that furloughed borrowers are currently ineligible under the temporary leave policy. See [LL-2021-03](#).

- Q5. **If the borrower is furloughed but continues receiving income for a specified period of time, such as four weeks, can the income be used for qualifying?**

No. This income is not stable, predictable, or likely to continue and therefore does not meet the requirements in [B3-3.1-01](#), General Income Information; Continuity of Income.

- Q6. **How should I treat non-mortgage debt (for example, student loans, auto loans, etc.) currently in forbearance or deferment?**

Regardless of whether the forbearance or deferment is related to COVID-19, lenders must consider the monthly debt payment in the borrower's DTI. For mortgage loans underwritten using DU, DU will provide guidance on the treatment of the debt, and lenders do not need to conduct additional analysis. For mortgage loans that are manually underwritten, lenders must follow [B3-5.3-02](#), Payment History. However, lenders are not required to, and should not, consider payments missed during the time of a COVID-19-related forbearance to be historical delinquencies or derogatory credit.

For student loans, if the monthly payment is provided on the credit report, the lender may use that amount for qualifying purposes. If the credit report does not provide a monthly payment for the student loan, or if the credit report shows \$0 as the monthly payment, the lender must either calculate a qualifying payment per [B3-6-05](#), Monthly Debt Obligations, or use the most recent income-driven repayment plan payment (with supporting documentation).

- Q7. **What should the lender do when informed of a change in the borrower's pay structure?**

If the lender is notified that the borrower is transitioning to a lower pay structure, it must apply due diligence in determining the qualifying income amount. For example, if an employer lowers a borrower's base salary, the lender must use the lower amount for qualifying. Or if an employer reduces a borrower's potential for *variable* income, for example with a decreased bonus payment plan, additional analysis must be conducted to determine whether the new income amount can be used for qualifying. See [B3-3.1-01](#), General Income Information.



Q8. Can unemployment income be used to qualify a borrower?

In accordance with [B3-3.1-09](#), Other Sources of Income, unemployment benefits cannot be used to qualify a borrower unless they are clearly associated with seasonal employment that is reported on the borrower's signed federal income tax returns. (Note: This reminder was previously posted in the Lender Letter but moved here as an FAQ.)

Q9. Can lenders continue to use capital gains and interest and dividend income for qualifying a borrower? UPDATED

Yes, however, lenders should apply additional due diligence to capital gains and interest and dividend income since it is calculated using a historical view. While two years of tax returns are still required to demonstrate a stable history of capital gains and interest and dividends income, lenders must consider the current value of the underlying asset when evaluating income for qualifying purposes.

- If the current value of the asset indicates a reduced amount when compared to historical levels, the lender must use the lower amount provided it is deemed stable at the current level.
- If, due to continued market volatility, the lender cannot determine the income is stable at its current level, the income should not be used for qualifying purposes.
- In the event the current value of the underlying asset indicates an increased amount of capital gains or interest or dividends, the lender should continue to use a two-year average calculated using the borrower's tax returns.

Q10. If the borrower has a federal student loan that is in a COVID-related automatic forbearance, can the monthly payment be excluded from the borrower's DTI ratio if it has been paid by another party?

In accordance with [B3-6-05](#), Monthly Debt Obligations, non-mortgage debts paid by others can be excluded from the borrower's DTI ratio with documented evidence that the other party has been making the payments for at least 12 months and the payment history indicates there are no delinquencies.

Given that many student loans were placed into an automatic forbearance status and the other party may have missed payments due to the forbearance, we will allow exclusion of the monthly student loan payment if:

- the missed payments are resolved by the responsible party (not the borrower) prior to closing of the new mortgage loan;
- the responsible party had been making payments on the student loan for at least nine months prior to the automatic forbearance;
- the lender provides borrower documentation evidencing the student loan is in a COVID-related automatic forbearance, and any missed payments have been paid; and
- all other *Selling Guide* requirements have been met (for example, evidence of 12 total payments, either monthly or in aggregate, on the omitted debt).

Income – Self-Employed

Q11. The borrower is self-employed and owns a business that is closed due to the pandemic. Can the income be used to qualify?

No, if the business is not operating, the income may not be used to qualify.



Q12. Does the lender need to consider a Paycheck Protection Program (PPP) loan when analyzing a self-employed borrower?

The PPP is a loan issued by Small Business Administration lenders under the CARES Act. These loans are designed to provide a direct incentive for small businesses to keep their workers on the payroll. The existence of a PPP loan could be helpful information in analyzing the borrower's business. Lenders should apply due diligence and review the actions of the business and any impact the current situation has taken on the flow of income.

Q13. Does the lender need to consider a PPP loan in the borrower's DTI?

Under the CARES Act, PPP loan terms allow deferred payments for a specified period, no personal loan guarantee, and the potential for all or some portion of the loan to be forgiven. Therefore, no payments would be expected to be included in the borrower's liabilities at this time. Once it has been determined that any portion of the PPP loan must be repaid, follow the *Selling Guide* requirements for loans paid by a business.

Q14. Is it acceptable to follow DU messaging that permits only the most recent year individual and business tax returns?

Yes. In addition to the year-to-date (YTD) profit and loss statement (P&L) and three months business depository account statements, as applicable, the lender can continue to follow the DU message for the required level of self-employment income documentation. The lender may find it necessary to obtain additional year(s) of individual and/or business tax returns to support the underwriting decision.

Q15. Can business tax returns continue to be waived in accordance with [B3-3.2-01](#), Underwriting Factors and Documentation for a Self-Employed Borrower?

Yes. Lenders can continue to waive business income tax returns when the requirements of the *Selling Guide* are met.

Q16. What if the borrower does not have a business depository account but instead uses a personal checking, money market or savings account to manage business finances?

When we refer to business depository accounts, we are referring to asset accounts the business uses to deposit business revenue and pay business expenses. In some cases, this may be the borrower's personal depository accounts used for business purposes.

Q17. Is there a minimum time period that must be reported on a profit and loss statement for loan applications taken in 2021?

For loan applications dated Feb. 1 through Mar. 31, the profit and loss statement (audited or unaudited) must include a minimum three-month look back period to ensure there is sufficient information to determine the extent to which a business has been impacted by COVID-19. This may require reporting of prior and current year details.

Examples

Application Date	The profit and loss statement ¹ must report...	When unaudited, depository account statements include...
Jan. 2021	Jan. through Dec. 2020	Oct., Nov., Dec. 2020



Feb. 2021	Nov. and Dec. 2020 and Jan. 2021	Nov. and Dec. 2020 and Jan. 2021
Jun. 2021	Jan. through May 2021	Mar., Apr., May 2021

¹Once the lender obtains the 2020 federal tax returns it is not necessary to report any portion of 2020 on the YTD P&L.

Q18. What are some examples of additional documentation that could be used to assess the impact of the pandemic on business operations and/or support the information reported on the YTD P&L?

Additional documentation may include, but is not limited to, a year-to-date balance sheet, month-to-month or quarterly trending analysis, and/or additional depository account statements.

Q19. Can the lender use the YTD P&L to calculate qualifying income?

No. The lender must continue to use the required level of tax return documentation to calculate self-employment income. The lender must use the P&L (and other supplemental documentation) to determine the extent to which a business has been impacted by COVID-19. When the current level is less than the calculated amount, the lender must adjust the income downward to reflect the current level of stable income. This may be less than the year-to-date average represented on the YTD P&L based on the timeframe the business was impacted.

Q20. What options are available if the business depository account statements for the most recent three months do not support the details in the YTD P&L due to the cyclical nature of the business income?

In this case, the lender must confirm the cyclical nature of the business income and assess the impact of the pandemic on business operations. The loan file must include other supplemental documentation, such as business contracts or additional depository account statements, to support the continuing nature of the amount of self-employment income used to qualify the borrower.

Q21. What are general standards for an audited P&L?

Audited P&Ls should be prepared in accordance with generally accepted accounting principles in the United States of America (U.S. GAAP) and audited by an independent certified public accountant who provides an opinion on whether the profit and loss statements are presented fairly, in all material respects, in accordance with U.S. GAAP.

Q22. If loan proceeds from a PPP are reflected in the business depository accounts, can these funds be used to support the business revenue reported on the YTD P&L?

No. An SBA PPP or any other similar COVID-19 related loan or grant is not considered a source of business revenue.

Q23. Is it acceptable to exclude the payroll and other expenses (for example, utilities, business rent) covered by PPP loan proceeds when assessing current business cash flow?

No. An SBA PPP or any other similar COVID-19 related loans are designed to provide short-term relief whereas the payroll, rent/mortgage payments and utilities are ongoing business expenses; therefore, those expenses must be considered in the analysis.

Q24. Can proceeds from an SBA PPP or any other similar COVID-19 related loans be considered business assets for the purpose of funding the transaction?



No, loan proceeds are not considered business assets for the purpose of qualifying the borrower and cannot be used to fund the down payment, closing costs or satisfy reserve requirements.

Q25. How do the temporary self-employment income policies in [LL-2021-03](#) impact the enforcement relief of representations and warranties when self-employment income is calculated using an approved vendor tool as outlined in [A2-2-04](#), Limited Waiver and Enforcement Relief of Representations and Warranties for Mortgages Submitted to DU?

The temporary self-employment income policy requirements apply to all borrowers using self-employment income to qualify. Lenders must obtain the additional documentation, such as an audited P&L, or an unaudited P&L and three months' business depository account statements and assess the impact to the business and adjust income accordingly.

- If the lender determines that the business has not been adversely impacted and the amount of income calculated following standard Form 1084 methodology is accurate and meets the requirements outlined in [A2-2-04](#), Limited Waiver and Enforcement Relief of Representations and Warranties for Mortgages Submitted to DU then rep and warrant relief will continue to be provided on the accuracy of the calculation of the amount of self-employment income by the tool.
- If the lender determines that the business has been adversely impacted and the amount of income calculated following standard Form 1084 methodology must be adjusted, rep and warrant relief does not apply since the lender must make manual adjustments to the output of the tool.

There are no changes for loans that receive self-employment income validation through the DU validation service.

Q26. What are the changes to reviewing a self-employed borrower's unaudited P&L and business depository account statements for loans with application dates on or after Dec. 14, 2020?

In addition to requiring three business depository account statements, we updated the language to provide additional clarity by requiring the review of the depository account statements to support the level of business revenue reported in the current YTD P&L. This replaces the prior language (applicable to loans with application dates beginning on Jun. 11, 2020) that required the review to "support and/or not conflict" with the information presented in the current YTD P&L. Lenders must continue to analyze the impact of the pandemic on the business income used in qualifying as outlined in the Lender Letter.

Q27. If the lender confirms the business depository account statements support the level of revenue reported in the unaudited P&L, what is required related to the review of business expenses?

The lender must continue to consider expenses reported on the P&L when assessing the impact of COVID-19 on the business. For example, if the YTD P&L identifies a significant imbalance between expenses and revenue that could impact the financial stability of the business, additional documentation such as an updated business plan may be required.

Income – Variable

Q28. When variable income is used to qualify the borrower(s), can a gap of employment (due to COVID-19) be excluded from the method of calculation?

A gap in employment or a reduction in income due to COVID-19 cannot be excluded from the calculation, and the year-to-date income must continue to be calculated over the entire time period. Refer to [B3-3.1-01](#), General Income Information.



Q29. How do lenders determine stability of variable income when a borrower has been impacted by COVID-19?

Income types such as hourly, commission and overtime, are variable by nature. Current *Selling Guide* policy requires these income types to be calculated considering the borrower's history of receipt, the frequency of payment, and the trending of the amount of income being received. Lenders should also include any information or knowledge of any current issues in their analysis of the borrower's continuance of income source. If the trending analysis indicates that the current year to date income has declined, but the borrower is actively employed and the lender has no reason to believe that the borrower will not continue to be employed at the current level, the income can be considered stable. Refer to [B3-3.1-01](#), General Income Information.

Q30. Is it acceptable to only use year-to-date income to calculate qualifying variable income?

When variable income is the source of income used in qualifying the borrower(s), lenders must follow the requirements as outlined in [B3-3.1-01](#), General Income Information and perform a trending analysis. This includes determining the monthly year-to-date income amount and comparing that to prior years' earnings to determine the appropriate amount of qualifying income for the loan transaction.

- If the trend in the amount of income is stable or increasing, the income amount should be averaged.
- If the trend was declining but has since stabilized **and** there is no reason to believe that the borrower will not continue to be employed at the current level, the current, lower amount of variable income must be used (i.e., the monthly year to date income amount).
- If the trend is declining, the income may not be stable. Additional analysis must be conducted to determine if any variable income should be used.

Q31. When the borrower experiences a gap of employment due to COVID-19 and their source of income is variable, is there a minimum amount of documented time the borrower is required to be back at work after the gap period?

Unless the lender has knowledge to the contrary, if the borrower is actively employed, the income does not have a defined expiration date and the applicable history of receipt of the income is documented (per the specific income type), the lender may conclude that the income is stable, predictable, and likely to continue. The lender is not expected to request additional documentation from the borrower. Refer to [B3-3.1-01](#), General Income Information for additional details.

Q32. What if an hourly worker with fluctuating hours is working less hours now than they worked prior to the COVID-19 impact?

Hourly workers with fluctuating hours are covered under our variable income policy. The year-to-date income amount being used will account for a decline in income when determining the amount of income to be used for the trending analysis and when determining the amount to be used for qualifying purposes.

Desktop Underwriter® (DU®) Validation Service

Q33. When can I apply the changes from LL-2021-03 published on Aug. 11, 2021 to loan casefiles using the DU validation service, including age of documentation requirements? NEW

The following updates will be made to the DU validation service for loan casefiles submitted or resubmitted on or after the weekend of Sept. 18, 2021:

- Employment validation is being reinstated.



- Vendor reports used to validate income (base, bonus, overtime, commission) and assets will follow standard age of documentation requirements, i.e., may not be more than 4 months old on the closing date. The DU messages will be updated to provide the “Close by Date” in alignment with these changes.
- The value of market-based assets (specifically investment accounts such as stocks, mutual funds, and retirement funds) will now be considered when validating assets.

In order to retain the relief from enforcement of representations and warranties for loans that receive validation through the DU validation service, the lender must comply with all DU messages, including the “Close by Date” provided in those messages. A lender may opt to immediately apply the updated age of documentation requirements per LL-2021-03 before DU is updated, however, if the “Close by Date” is not met, validation (and the associated relief from enforcement of representation and warranties) does not apply.

Temporary Purchase and Refinance Eligibility

Q34. For purposes of determining eligibility, is a borrower considered current if they have been making partial payments during forbearance?

No. To be considered current for purposes of the requirements in [LL-2021-03](#), the borrower must have made all mortgage payments due in the month prior to the note date of the new transaction by no later than the last business day of that month. See [B3-5.3-03](#), Previous Mortgage Payment History and the Lender Letter for additional details on payment histories.

Q35. Can missed payments during forbearance on an existing mortgage loan be refinanced into the new loan amount?

No. Missed payments during a forbearance may not be refinanced into the new loan amount in a limited cash-out or cash-out refinance transaction. However, if a borrower has initiated a repayment plan or accepted a loss mitigation solution (for example, payment deferral, modification, etc.) and has made three timely payments, the entire existing loan amount, including any remaining outstanding payments under a repayment plan, deferred amounts under a payment deferral, and any principal forbearance under a modification, may be refinanced into the new loan. Refer to [LL-2021-03](#), for details.

Q36. If the borrower has entered into a repayment plan to resolve missing payments during a forbearance, must it be completed before they are eligible for a new purchase or refinance transaction?

No. If the borrower has entered into a repayment plan to resolve missed payments, the borrower is eligible for a new purchase or refinance transaction after making three timely payments. Alternatively, if the repayment plan is completed in fewer than three payments, then the borrower is eligible upon completion.

Q37. What funds may be used to reinstate a mortgage loan with missed payments?

When a lump sum payment was made to reinstate a mortgage loan on or after the loan application date for the new transaction, the lender must document the source of funds in accordance with eligible sources of funds in the *Selling Guide* Chapter B3-4, Asset Assessment. Any source of funds eligible for down payment and closing costs may be used for reinstatement, provided the lender documents it in accordance with existing *Selling Guide* requirements.

Note that if the lump sum payment was made prior to the loan application date for the new transaction, no sourcing of funds is required.



Q38. For loss mitigation solutions other than repayment, deferral or modification, what is meant by “full payments” in accordance with the program?

If another type of loss mitigation solution has been agreed to by the servicer and the borrower to resolve the missed payments, three “full payments” must be made in an amount no less than the required payment due under the terms of the note, or any other agreement that permanently alters the payment amount, such as a Loan Modification agreement.

Q39. What if a borrower completes a non-retention loss mitigation solution such as a Mortgage Release (deed-in-lieu of foreclosure) or short sale?

In these cases, the borrower must continue to meet the requirements in [B3-5.3-07](#), Significant Derogatory Credit Events – Waiting Periods and Re-establishing Credit.

Q40. Does the additional due diligence required to confirm a borrower’s mortgage is current apply to all mortgage loans or only mortgage loans in forbearance?

The requirement to confirm that mortgage loans are current and do not have unresolved missed payments applies to every loan on which the borrower is obligated.

Q41. If a borrower’s existing mortgage loan is in forbearance, but is current, does the borrower need to exit forbearance to be eligible for a new purchase or refinance transaction?

No. If the borrower is current on all mortgage loans, there is no requirement to exit forbearance prior to obtaining a new loan.

Q42. What responsibility does the lender have if the borrower entered forbearance on an existing mortgage loan after applying for a new loan?

The lender must follow the guidance in [LL-2021-03](#), to determine whether the existing mortgage loan is current or if the borrower has entered into and made three full timely payments under a loss mitigation solution as of the note date of the new mortgage loan.

Q43. When a borrower refinances after a payment deferral, is the new loan considered a cash-out refinance loan or a limited cash-out refinance loan (LCOR)?

When a borrower refinances a loan that has a payment deferral and the amount of the deferred payments is included in the new loan, the new loan is eligible to be sold as an LCOR if it otherwise meets all of the requirements for an LCOR in the *Selling Guide*. Funds applied to pay off the prior loan, including the deferred portion, are not considered cash out.

Q44. If the borrower has entered a loss mitigation solution described in [LL-2021-03](#) and is required to make at least three timely payments as of the note date of the new transaction, must those payments be consecutive monthly payments?

Yes. If the borrower has entered a loss mitigation solution described in [LL-2021-03](#) and is required to make at least three timely payments as of the note date of the new transaction, those payments must be consecutive monthly payments. A lump sum payment containing all three payments does not satisfy the three timely payment requirements in [LL-2021-03](#). The borrower’s eligibility to close on a new transaction is not solely based on how many payments have been remitted, but whether at least three consecutive monthly payment due dates have passed in accordance with the loss mitigation option. For example:



On Jun. 15 the borrower	The borrower makes three payments as follows	New loan may close no sooner than	Additional conditions
Enters into a repayment plan, a loan modification trial period plan, a payment deferral agreement, or other loss mitigation solution requiring at least three monthly payments	Jul. 1 payment Aug. 1 payment Sep. 1 payment	Sep. 1 Note: Once the borrower makes the third payment for the month it is due (Sep.), the new loan may close.	All payments made must have been timely and borrower must be otherwise in compliance with applicable loss mitigation solution requirements.
	Jul. 1 – payments made in one lump sum	Sep.1 Note: Three monthly payment due dates must pass before the borrower can close on the new loan.	

Q45. What is a reinstatement of a mortgage loan?

A mortgage loan is considered reinstated if the borrower has paid all missed payments and any associated fees or other expenses in a lump sum payment in order to return the mortgage loan to a current status under the terms of the original note. A borrower who is unable to reinstate may pursue a loss mitigation solution.

Q46. Can I still rely on an Approve/Eligible recommendation in DU?

Yes. However, the lender must comply with the additional due diligence requirements outlined in [LL-2021-03](#) to determine if all mortgage loans are current and that any missed payments have been resolved. These additional eligibility requirements are currently not automated in DU and must be manually applied.

Q47. If the borrower is on a repayment plan on another mortgage loan, does the higher payment amount need to be used in qualifying?

Yes. If the borrower is on a repayment plan temporarily requiring higher payments to repay missed amounts, the PITIA under the terms of the repayment plan must be used in qualifying. The lender must ensure that the requirements in [LL-2021-03](#) are met and that the borrower has made three payments under the repayment plan agreement to be eligible for a new purchase or refinance transaction.

Q48. Do the temporary eligibility requirements for purchase and refinance transactions in [LL-2021-03](#) apply to mortgage loans secured by a property that will be sold prior to the note date of the new transaction?

No, as long as the lender provides evidence that the property was sold and the mortgage loan was paid off prior to the note date of the new transaction, the additional eligibility requirements in [LL-2021-03](#) are not applicable.



Q49. Is forbearance considered an “other loss mitigation solution” not specifically listed in the table in [LL-2021-03](#)?

No. If a borrower is obligated on a mortgage loan that is in forbearance but is current and does not have missed payments, the new mortgage loan is eligible for sale to Fannie Mae. If the borrower is obligated on a mortgage loan that is in forbearance and the mortgage loan is not current, the new mortgage loan is not eligible unless the missed payments on the existing mortgage loan are resolved by meeting the applicable additional eligibility requirements in [LL-2021-03](#).

Q50. Regarding the interim financing for single-close construction-to-permanent mortgage loans, do I still need to follow the temporary eligibility requirements for purchase and refinance transactions from [LL-2021-03](#)?

Yes. For loans with application dates on or after Jun.2, 2020, lenders must comply with the requirements in the Lender Letter.

Q51. According to [LL-2021-03](#), lenders must conduct additional due diligence to confirm the borrower’s existing mortgage loans are current. Does the same apply to non-mortgage debt, such as student loans or auto loans?

No. Lenders only need to conduct the additional due diligence on the borrower’s mortgage debt.

Q52. Is a credit supplement an acceptable form of additional due diligence to determine whether the borrower’s existing mortgage payments are current?

A credit report supplement may be acceptable to meet the requirements in [LL-2021-03](#), depending on the information provided in the document, if it demonstrates that the borrower has made all mortgage payments due in the month prior to the note date of the new loan transaction no later than the last business day of the month. For example, a supplement that provides confirmation of the date of the last payment made by the borrower and the due date of the next payment would be acceptable. Credit report supplements that only provide the current status of the mortgage, such as “current” or “paid as agreed,” or are only reflective of the information that otherwise appears on the credit report, would not be sufficient to verify that the borrower meets the terms of the Lender Letter.

Closing and Title

Q53. Can a borrower waive the right to rescind on a refinance transaction?

Fannie Mae does not set requirements around rescission periods. If a lender chooses to allow a borrower to waive the rescission period, they must follow and comply with applicable regulatory requirements.

Q54. Do lenders still need to have each borrower whose income (regardless of income source) is used to qualify for the loan to complete and sign a separate IRS Form 4506-C at or before closing?

Yes, lenders are still required to have each borrower whose income (regardless of income source) is used to qualify for the loan to complete and sign a separate IRS Form 4506-C at or before closing. Refer to [B3-3.1-06](#), Requirements and Uses of IRS Request for Transcript of Tax Return Form 4506-C.

Q55. Are there any changes to the signature requirements for the promissory note?



No. In accordance with [A2-4.1-03](#) Electronic Records, Signatures, and Transactions, unless the lender is approved to deliver eNotes, we require that the original wet-ink signed promissory note be in the possession of the document custodian when the loan is certified for our purchase.

Q56. Does Fannie Mae permit an electronic signature by a borrower on a promissory note that is not an eMortgage?

No, a wet-ink signature is required for all promissory notes, unless the promissory note is an electronic note sold in accordance with [A2-4.1-03](#), Electronic Records, Signatures, and Transactions. Lenders that are approved to deliver eMortgages may refer to the [Guide to Delivering eMortgages to Fannie Mae](#) for additional information.

Q57. What are Fannie Mae's requirements concerning "gap coverage" in lenders' title insurance policies?

The *Selling Guide* [Chapter B7-2](#) requires a loan title insurance policy that satisfies Fannie Mae's requirements, written on the 2006 ALTA loan title insurance form or local equivalent, be obtained by a lender before a mortgage loan is sold to Fannie Mae.

The 2006 ALTA form includes "gap coverage" in Covered Risk 14 for matters arising between the date a mortgage loan is closed and when the mortgage is recorded. Similarly, if title insurance is obtained on an alternate form, the *Selling Guide* requires coverage be provided for the period between the closing date of the loan and the date when the mortgage is recorded.

Lenders must continue to ensure that no unacceptable title impediments or policy exceptions exist in accordance with [B7-2-05](#), Title Exceptions and Impediments.