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SAMPLE

CHAPTER 1. INTRODUCTION – SERVICING BASICS

This guide has been prepared by [Company Name] (hereafter, [Company Name]) to provide information and servicing procedures for loans originated or purchased under [Company Name] programs. The criteria include those programs governed by Fannie Mae, Freddie Mac, FHA, VA, Ginnie Mae, federal laws, and regulations related to mortgage servicing. This applies to any sub-servicing relationships that may be established from time to time by [Company Name] and to any vendor that performs or supports servicing activities of [Company Name].

Users are cautioned to thoroughly review the contents of this guide prior to establishing relationships with any [Company Name] customers or other interested parties.

If any loan originated or purchased by [Company Name] is NOT serviced in compliance with [Company Name] program requirements and/or underlying agency requirements or regulations, [Company Name] may be required to repurchase the mortgage loan.

1.1 Amendments and Supplements to the Guide

All servicing program bulletins, amendments, and supplements to this guide will be provided immediately in written form with the effective date of each clearly printed thereon.

1.2 Change, Control and Approval

Policies for Mortgage Servicing are approved as part of the Overarching Loan Policy for [Company Name] at the annual Organizational Meeting of the Board of Directors. The Board has delegated to management the authority to enforce Board-approved policies.

Changes or revisions will be indicated by the revision date included within the section or topic heading. Version tracking will be managed and maintained by [XXXXXXX]. Policies are reviewed no less than annually for accuracy. It is possible that the revision date will be advanced without changes, indicating the information was reviewed and remains accurate as of the revision date.

1.3 Contact Points

The [Company Name] Servicing Department may be reached by calling as follows:

- Customer Service
- Default/Collections
- Loss Mitigation
- Bankruptcy
- Foreclosure

CHAPTER 2. GENERAL SERVICING FUNCTIONS

**REGULATION X – REAL ESTATE SETTLEMENT PROCEDURES
ACT (12 CFR 1024), PART 1024: REAL ESTATE SETTLEMENT
PROCEDURES ACT (01/10/14), Part 1024, Subpart C:
Mortgage Servicing (01/10/14), §1024.38: General
Servicing Policies, Procedures, and Requirements
(01/10/14)**

In addition to those servicing functions addressed within this chapter and elsewhere within this guide, unique requirements specific to other agencies or investors may be found within the following chapters:

- [FHA Servicing](#)
- [VA Servicing](#)
- [USDA RD Servicing](#)

2.1 Transfers of Servicing

Because there are some risks associated with the transfer of servicing (errors, omissions, disputes, etc.) each agency may evaluate the transferor and transferee servicer performance on the following:

- Overall servicing performance, including accounting, remitting, etc.
- Capacity to service the volume/types of mortgage loans included in the proposed transfer, including overall performance of contractual duties/obligations
- Delinquency ratios
- Loss mitigation programs
- Foreclosure/acquired property activity
 - Status of outstanding/unresolved issues
 - Repurchase requests
 - Claim denials/curtailments
- Other outstanding claims
- General financial condition

See [Transfer of Servicing](#) for detailed requirements.

CHAPTER 3. QUALITY ASSURANCE PROGRAM

The [Company Name] Quality Control and Assurance Plan should be consulted in its entirety for implementation and operational requirements. The following summary relates only to servicing and is provided here as a convenient reference.

3.1 Temporary Guidance – COVID-19 Impact

Due to the impact of COVID-19 (coronavirus), Fannie Mae and Freddie Mac have temporarily expanded quality control requirements.

Reverifications

Any income, employment, or asset reverifications that are typically mailed may be completed verbally or electronically. If verbal or electronic verification cannot be required, [Company Name] can temporarily waive the requirement. All loans for which reverification cannot be completed must be tracked and [Company Name] must conduct a special discretionary sample and perform reverifications upon expiration of this temporary guidance. Post-closing QC reverifications if the employment, income and/or assets have been fully validated using the DU validation service.

Appraisal Field Reviews

Typically, [Company Name] must obtain field reviews on 10% of its random sample; however, during the COVID-19 impact period, [Company Name] may use Collateral Underwriter or other third-party tools for this sample. If the reviewer reaches a different opinion regarding the property value, then if possible, [Company Name] must obtain a field review. A desk review by [Company Name]'s QC staff is still required on the remaining 90% sample.

Termination of Mortgage Insurance

If a borrower requests termination of conventional mortgage insurance based on either the original or current value of the property, [Company Name] must verify that the mortgage loan is current when termination is requested. If the borrower had a financial hardship related to COVID-19, [Company Name] must not consider any payment that is 30 or more days past due in the late 12 months, or 60 or more days past due in the last 24 months. COVID-19 financial hardship may be evidenced through acceptance of a COVID-19 related forbearance plan, repayment plan, or payment deferral.

3.2 Servicing System Quality Assurance (QA) Program

Servicing Department - Systems Administration is responsible for the following:

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[Company Name] and its licensor. ALL RIGHTS RESERVED. Without the prior written permission of [Company Name] and its licensor, no part of this work may be used, reproduced or transmitted in any form or by any means, by or to any party outside of [Company Name].

CHAPTER 4. REGULATORY COMPLIANCE

This chapter of the [Company Name] Servicing Guide provides a summary of relevant regulatory compliance policies. The full [Company Name] compliance management system and compliance policies are not reflected below.

Readers are cautioned to rely on the contents of this chapter as a reference or brief summary only.

Procedural implementation must be validated by referring to the full [Company Name] Regulatory Compliance Manual and compliance management system in its entirety.

4.1 Anti-Money Laundering

The Financial Crimes Enforcement Network (FinCEN) has issued final regulations requiring non-bank residential mortgage lenders and originators to establish anti-money laundering (AML) programs and file suspicious activity reports (SARs), just as FinCEN required of other types of financial institutions.

These AML programs must assist the mortgage lenders and originators in detecting suspicious activity and require the filing of Suspicious Activity Reports. Non-bank residential mortgage lenders or originators must have an AML program in place to comply. The AML program must, at a minimum, do the following:

- Incorporate policies, procedures and internal controls to prevent money laundering and terrorist financing
- Designate a compliance officer
- Provide for ongoing training of appropriate staff
- Require independent testing to monitor the program

The AML program and manual must be made available to FinCEN upon request. Any failure to comply with FinCEN's AML program requirement may result in civil and/or criminal penalties.

These requirements also apply to servicers.

4.2 E-SIGN

Electronic Signatures in Global and National Commerce Act - E-Sign (15 USC 7001), CHAPTER 96: ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE (01/03/07)
FHA ML 2014-03: Electronic Signatures (01/30/14)

CHAPTER 5. VENDOR MANAGEMENT

In addition to those related requirements established within the [Company Name] Vendor Management Policy, [Company Name] shall maintain adequate oversight of vendor activities and adequate quality control over those products and services provided through vendor arrangements to minimize exposure to potential significant financial loss, reputation damage, and supervisory action.

5.1 Documentation

[Company Name] will properly document its oversight program. Proper documentation will facilitate the monitoring and management of the risks associated with vendor relationships. Proper documentation typically includes the following:

- A list of significant vendors or other vendors, i.e., those for which management spends substantial amounts of money, or those deemed critical to the operation
- Valid, current, and complete contracts
- Business plans for new lines of business or products that identify management's planning process, decision making, and due diligence in selecting a vendor
- Regular risk management and performance reports received from the vendor (for example, audit reports, security reviews, reports indicating compliance with service-level agreements, periodic reports for consumer complaint tracking and resolution)
- Regular reports to the board, or delegated committee, of the results of the ongoing oversight activities

[Company Name] must maintain documents and records on all aspects of the vendor relationship.

5.2 Significant Relationships

The board of directors and senior management of [Company Name] will provide appropriate oversight and risk management of significant vendor relationships. A vendor relationship should be considered significant when [Company Name]'s relationship with the vendor is a new relationship or involves implementing new activities, or if the following is true:

- The vendor relationship has a material effect on the revenues or expenses of [Company Name]
- Vendor performs critical functions
- Vendor stores, accesses, transmits or performs transactions on sensitive customer information