Becoming an Approved Lender

Single Family Housing Guaranteed Loan Program
Training Objectives

• Where is the topic located?
  * 7 CFR Part 3555 and HB-1-3555

• Learning Checks

• Resources
Things change!

- Every effort has been made to ensure training references are accurate at the time of publication.

- Always reference the most recent USDA publications available online.
Guaranteed Loan Program Regulation

7 CFR Part 3555

• The regulation is the rule!
• 8 Subparts: A – H
• Appendix 1
7 CFR Part 3555


Regulations & Guidelines

All Federal regulations can be found at Regulations.gov and customers can search, review and submit comments on Federal documents that are open for comment and published in the Federal Register.

As a service to our customers, we post Rural Development’s Instructions, Administrative Notices, and Forms. The instructions are available in three file formats: Adobe Acrobat (PDF), Microsoft Word 6.0 (doc) and Text (txt). To the extent possible, all documents have been made available in either Adobe Acrobat Ver 5.0 and higher, or Text and are 508 compliant. If you should have accessibility issues and need a hard copy, please send an e-mail to comments@wdc.usda.gov.

If you are having problems with this page, need a hard copy of any of the documents due to accessibility issues or would like to be added to the Regulations Update distribution list (available for Rural Development employees only with a valid Rural Development e-mail address), please e-mail comments@wdc.usda.gov.

Rural Development

• Administrative Notices
• Instructions
• Forms
• Spanish Forms, Form Letters and Guide Letters
• Handbooks
• Procedures Notices
• Significant Guidance Documents
• Unnumbered Letters
• Federal Register Publications
HB-1-3555 SFH Guaranteed Loan Program Technical Handbook

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Chapter 5 - Origination and Underwriting Overview
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Chapter 9 - Income Analysis
Chapter 10 - Credit Analysis
Chapter 11 - Ratio Analysis
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Chapter 13 - Special Property Types
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Chapter 15 - Submitting the Application Package
Chapter 16 - Closing the Loan and Requesting the Guarantee

Chapter 17 - Regular Servicing-Performing Loans
Chapter 18 - Servicing Non-Performing Loans - Accounts with Repayment Problems
Chapter 19 - Custodial and Real Estate Owned Property
Chapter 20 - Loss Claims - Collecting on the Guarantee

Acronyms

Glossary

Appendix 1 - 7 CFR part 3555
Appendix 2 - Forms and Instructions
Appendix 3 - Review and Appeals
Appendix 4 - Agency and Employee Addresses
Appendix 5 - Income Limits
Appendix 6 - Interest Assistance
Appendix 7 - Caivr Access Instructions
Appendix 8 - EDI Documentation
Appendix 9 - Penalties
Appendix 10 - Unnumbered Letter and State Supplements
7 CFR Part 3555

Subpart B: Lender Participation

• .51: Lender eligibility
• .52: Lender approval
• .53: Contracting for loan origination
• .54: Sale of loans to approved lenders
Guaranteed Loan Program Technical Handbook

**HB-1-3555**

- Provides guidance to support the regulation
- HB is not the rule
- 20 Chapters
HB-1-3555 SFH Guaranteed Loan Program Technical Handbook

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CHAPTER 3:  LENDER APPROVAL

3.1 INTRODUCTION
3.2 LENDER APPROVAL CRITERIA
   A. Approval from Another Recognized Source
   B. Approval by Demonstrated Ability
   C. Participation as an Agent of an Approved Lender
3.3 APPLICATION
3.4 AGENCY REVIEW
   A. Approval of Application
   B. Denial of Application
   C. Record Retention
3.5 LENDER SALE OF GUARANTEED LOANS
3.6 LENDER RESPONSIBILITY
3.7 OUTREACH AND EDUCATION
   A. Lenders
   B. Agency
3.8 MONITORING A LENDER’S ORIGINATION AND SERVICING OF LOANS
A. Compliance Reviews
B. Review Circumstances and Factors
C. Conducting Compliance Reviews

3.9 REVOKING LENDER ELIGIBILITY

3.10 VOLUNTARY WITHDRAWAL

ATTACHMENT 3-A: LENDER APPROVAL CHECKLIST
ATTACHMENT 3-B: LENDER ELIGIBILITY GUIDE – New Lender/Renewing Lender
ATTACHMENT 3-C: QUALITY CONTROL OVERVIEW – A Reference for Reviewing Quality Control Plans
ATTACHMENT 3-D: NEW LENDER TRAINING
ATTACHMENT 3-E: SFHGLP LENDER APPROVAL – Rural Development Review
TIPS

• Underwriter = USDA Approved Lender
• USDA = not an underwriter
• Research Rule & HB questions: Table of Contents
• Research Rule & HB questions: Control + F

7 CFR Part 3555

supplemental social security income and Social Security benefits received in a lump sum;

(vii) Any earned income tax credit;

(viii) Adoption assistance in excess of any amount determined pursuant to HUD’s definition of annual income at 24 CFR 5.609(c).
ATTACHMENT 3-A

LENDER APPROVAL CHECKLIST

Regulation 7 CFR 3555.51 and Chapter 3 of this Handbook describe the qualifications required to become an Agency approved lender. Other entities may participate as an approved lender’s agent or correspondent, but only approved lenders are responsible for underwriting and servicing and may hold the Loan Note Guarantee on a Rural Development guaranteed loan. For nationwide or multi-state approval, a lender must submit a request to the Rural Development National Office. For single state approval, a lender must submit a request to the Rural Development State Office. Lenders may utilize the following checklist to assure a complete application is submitted. Requests must contain all of the following information in the order listed:
## Lender Approval Application Checklist

**USDA Rural Development**

### Lender Information

<table>
<thead>
<tr>
<th>Name:</th>
<th>TAX ID:</th>
</tr>
</thead>
<tbody>
<tr>
<td>DBA Name(s), if applicable. Use separate sheet for any additional DBAs:</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Geographic Address:</th>
<th>Mailing Address (if different)</th>
<th>Phone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<table>
<thead>
<tr>
<th>Chartered State Headquarters:</th>
<th></th>
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<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Website:</th>
<th>Company E-Mail:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Contact Person:</th>
<th>Name:</th>
<th>Phone:</th>
<th>Fax:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Minority/Women-Owned Business (Optional)

- [ ] Minority-Owned
- [ ] Women-Owned
- [ ] Minority-Owned/Women-Owned

Provide the following information for all principal officers, directors, and senior managers. Additional sheets may be attached, if necessary.

<table>
<thead>
<tr>
<th>Name of Person</th>
<th>Title (if applicable)</th>
<th>Responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Lender Functions

<table>
<thead>
<tr>
<th>Lender Type (Select Applicable):</th>
</tr>
</thead>
<tbody>
<tr>
<td>[ ] Originate</td>
</tr>
<tr>
<td>[ ] Underwrite</td>
</tr>
<tr>
<td>[ ] Service</td>
</tr>
<tr>
<td>[ ] Own</td>
</tr>
<tr>
<td>[ ] Commercial Bank</td>
</tr>
<tr>
<td>[ ] Mortgage Loan Co</td>
</tr>
<tr>
<td>[ ] Insurance Co</td>
</tr>
<tr>
<td>[ ] Production Credit Association</td>
</tr>
<tr>
<td>[ ] Federal Land Bank</td>
</tr>
<tr>
<td>[ ] Credit Union</td>
</tr>
<tr>
<td>[ ] Savings Bank</td>
</tr>
<tr>
<td>[ ] Non-Traditional</td>
</tr>
<tr>
<td>[ ] Small Business</td>
</tr>
<tr>
<td>[ ] Bank for Co-ops</td>
</tr>
<tr>
<td>[ ] Broker</td>
</tr>
<tr>
<td>[ ] Other</td>
</tr>
<tr>
<td>[ ] Non-Traditional</td>
</tr>
<tr>
<td>[ ] Small Business</td>
</tr>
<tr>
<td>[ ] Investment Co</td>
</tr>
<tr>
<td>[ ] Service Bureau</td>
</tr>
<tr>
<td>[ ] SFH Agency</td>
</tr>
<tr>
<td>[ ] Specialty Servicer</td>
</tr>
<tr>
<td>[ ] State Housing</td>
</tr>
<tr>
<td>[ ] Finance Agency</td>
</tr>
</tbody>
</table>
### Current eligibility designations (Section 3.2 of HB-3555 Chapter 3):  (Certification must be within the past 12 months)

<table>
<thead>
<tr>
<th>Agency Certifications (Select applicable)</th>
<th>Preferred Method of Evidence/Certification (Submit as supplemental information)</th>
<th>Applicable Agency Assigned Identification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fannie Mae</td>
<td>Fannie Mae Form 382, “Annual Eligibility Certification Report”</td>
<td></td>
</tr>
<tr>
<td>Freddie Mac</td>
<td>Freddie Mac Form 16SF, “Annual Eligibility Certification Report”</td>
<td></td>
</tr>
<tr>
<td>U.S. Department of Housing and Urban Development – Federal Housing Administration (HUD-FHA)</td>
<td>Leader must be approved by HUD as a Title II supervised or non-supervised mortgagee for submission of one to four family housing applications for Federal Housing Mortgage Insurance or as an issuer of Ginnie Mae mortgage backed securities “supervised” or “non-supervised.” Lender cannot be a correspondent only.</td>
<td></td>
</tr>
<tr>
<td>U.S. Department of Veterans Affairs (VA)</td>
<td>Any Leader approved as a supervised or non-supervised “automatic” mortgagee with direct lending authority for VA</td>
<td></td>
</tr>
<tr>
<td>State Housing Finance Agencies (SFHA)</td>
<td>Evidence that a private sector lender is approved by a SHFA to participate in SHFA programs does not represent an automatic approval to participate in the guaranteed program.</td>
<td></td>
</tr>
<tr>
<td>Farm Credit Service (FCS)</td>
<td>Leader must have direct lending authority. Provide Membership letter</td>
<td></td>
</tr>
<tr>
<td>Lenders participating in USDA guaranteed loan programs.</td>
<td>Loan programs can be Rural Housing Service, Rural Business and Cooperative Service, Rural Utilities Programs and/or the Farm Service Agency.</td>
<td></td>
</tr>
<tr>
<td>Evidence of Federal oversight (if applicable)</td>
<td>Evidence, and supporting documentation per Section 3.2 of Chapter 3 of Federal oversight by any of the following: The Federal Reserve System; The Comptroller of the Currency; The Federal Deposit Insurance Corporation (FDIC); The National Credit Union Administration (NCUA); or The Federal Housing Finance Board regulating lenders within the Federal Home Loan Bank (FHLB) system.</td>
<td></td>
</tr>
<tr>
<td>Evidence of demonstrated ability in underwriting and/or servicing (if applicable):</td>
<td>A summary of residential mortgage lending activity. Written criteria that outline the policies and procedures the lender typically follows when originating, underwriting, and closing residential mortgage loans. Evidence that the lender has an experienced loan underwriter on staff</td>
<td></td>
</tr>
<tr>
<td>List of Supplemental Information to be Submitted with Lender Approval Checklist</td>
<td>[Check the box to indicate that each required document has been included with the lender approval request package.]</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td><strong>2.</strong> Resume</td>
<td>Evidence of Underwriter’s qualifications and experience in the industry</td>
<td></td>
</tr>
<tr>
<td><strong>3.</strong> Retail Lender – Spreadsheet</td>
<td>If your firm is a retail lender, provide complete contact information (addresses, telephone numbers, fax numbers and e-mail addresses) for your branch locations, loan processing/underwriting departments, loan servicing and a contact person for loan production. Information assists in populating Rural Development's lender record database.</td>
<td></td>
</tr>
<tr>
<td><strong>4.</strong> Wholesale Lender or Servicing Lender – Spreadsheet</td>
<td>If your firm is a wholesale lender or a servicing lender, provide a general description of your services (loan processing, underwriting, table funding, loan servicing, real estate owned (REO) disposition, etc.) and provide complete contact information (address, telephone number, fax number, e-mail addresses) for your various departments, including regional account executives.</td>
<td></td>
</tr>
<tr>
<td><strong>5.</strong> Outline</td>
<td>A brief outline of underwriting criteria from the lender’s internal loan policy manual.</td>
<td></td>
</tr>
<tr>
<td><strong>6.</strong> Statement</td>
<td>A statement agreeing to use forms approved by the Federal Housing Administration (FHA), Fannie Mae, or Freddie Mac, with a list of the forms to be used. (Do not submit the forms.) This statement can be included in the loan underwriting criteria.</td>
<td></td>
</tr>
<tr>
<td><strong>7.</strong> Quality Control Plan</td>
<td>General requirements for quality control plans:</td>
<td></td>
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<tr>
<td></td>
<td>Must be in writing outlining policies and procedures along with any forms and checklists used in the process.</td>
<td></td>
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<tr>
<td></td>
<td>Employees must operate independently of loan origination and servicing departments or the lender/servicer may contract out this function. If this function is contracted out, the lender must adequately monitor the performance of the contractor.</td>
<td></td>
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<tr>
<td></td>
<td>Have procedures to report non-compliance to the highest levels of management. May be monthly or at the most a quarterly basis.</td>
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</tr>
<tr>
<td></td>
<td>Have procedures to report non-compliance or suspected misrepresentation to the appropriate regulatory authorities.</td>
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<tr>
<td></td>
<td>Identify training opportunities for lender/servicer staff.</td>
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<td></td>
<td>Set timeframes for review and follow-up procedures.</td>
<td></td>
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<tr>
<td></td>
<td>Have procedures in place to monitor any third party originators (TPOs)</td>
<td></td>
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<tr>
<td></td>
<td>Include a consistent process to sample select and review SFHGLP loans.</td>
<td></td>
</tr>
<tr>
<td><strong>8.</strong> Training Certification</td>
<td>Evidence of “New Lender Training” – see <a href="https://usdalinc.sc.egov.usda.gov/RHHome.do">https://usdalinc.sc.egov.usda.gov/RHHome.do</a> for one option available for mandatory new lender training. Review Section 3.2 of Chapter 3 for additional options available.</td>
<td></td>
</tr>
</tbody>
</table>
## Certifications/Acknowledgments

I certify I am a corporate officer and/or principal/owner of the above-named entity with the authority to legally bind the organization and to execute certifications and acknowledgements on behalf of the entity/organization named. I certify information provided and any accompanying documentation is true and accurate to the best of my knowledge and belief.

<table>
<thead>
<tr>
<th>Name:</th>
<th>Title:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature:</td>
<td>Date:</td>
</tr>
</tbody>
</table>

## Send the executed Lender Agreement, Checklist and Supplemental Information to one of the following addresses:

### Single State Approval
- Send to the Rural Development State Office Headquarters in the State lender approval is sought.
- To find the address and contacts, go to: [http://www.rurdev.usda.gov/recd_map.html](http://www.rurdev.usda.gov/recd_map.html)

### Multi-State or National Approval (by US Mail or Overnight Delivery)

<table>
<thead>
<tr>
<th>USDA – Rural Development</th>
<th>Questions: 202.720.1452</th>
</tr>
</thead>
<tbody>
<tr>
<td>SFH/Guaranteed Loan Division</td>
<td>Fax Number: 202.205.2476</td>
</tr>
<tr>
<td>STOP 0784, Room 2250-S</td>
<td>1400 Independence Avenue, SW</td>
</tr>
<tr>
<td>Washington, D.C. 20250-0784</td>
<td>202.720.8795</td>
</tr>
</tbody>
</table>
7 CFR PART 3555 / HB-1-3555
LEARNING CHECKS
Question Slide

“Topic”

• Question will be bulleted with scenario, or
• Include a statement/question

TRUE/FALSE or other answer options will be displayed
“Topic”

**ANSWER:** 7 CFR Part 3555 and HB-1-3555 references provided

X. Correct Response

- Additional guidance for clarification may be provided
LET'S GET STARTED.
Becoming an approved lender

- Bixby Bank
- NCUA member
- This membership is recognized for lender approval

A. TRUE  B. FALSE
Becoming an approved lender

**ANSWER:** 3555.51(a)(7)(iii) and HB 3.2 B 4

A. TRUE

- NCUA is a federally regulated depository institution
- Additional approval criteria in Attachment 3-A applies
Becoming an approved lender

- Doodle Bank
- Submitted lender approval package to USDA March 3rd
- Doodle Bank can begin originating loans on March 4th, but cannot close loans until they are officially approved by USDA

A. TRUE  B. FALSE
Becoming an approved lender

ANSWER: 3555.52(a), HB 3.1, 3.2 C, and 3.4 A

B. FALSE

• USDA must issue lender approval prior to origination activities
• Lender may participate in USDA program as a third party originator with an approved lender
Becoming an approved lender

• Bixby Bank (approved lender) is purchased by Lincoln Lending (a non-approved lender)
• Bixby Bank may continue to originate USDA loans

A. TRUE  B. FALSE
Becoming an approved lender

**ANSWER:** 3555.52(a), 3555.52(b)(14), and HB 3.9

B. FALSE

- Lincoln Lending purchased Bixby, therefore Lincoln Lending must become an approved lender
- Bixby must ensure all loans in their current pipeline are closed properly
- Bixby must sell all USDA loans they hold to an approved USDA lender
Becoming an approved lender

USDA may terminate an approved lender if they fail to meet any eligibility requirement at any time.

A. TRUE  B. FALSE
Becoming an approved lender

ANSWER: 3555.52(c)(1) and HB 3.9

A. TRUE

• Lenders that have a change in circumstance, lose approval with necessary entities, etc. may not meet eligibility requirements
• Lenders may also voluntarily withdraw their approval
Becoming an approved lender

A complete lender application includes evidence of underwriter experience.

A. TRUE        B. FALSE
Becoming an approved lender

ANSWER: 3555.51(a)(9)(iii), HB 3.3, and Attachment 3-A

A. TRUE

- The lender must notify Rural Development if they fail to meet any requirements.
- Rural Development may terminate lender’s approval upon written request.
Becoming an approved lender

Quality control plans are not required to be submitted if the lender is already approved through HUD or VA.

A. TRUE  B. FALSE
Becoming an approved lender

**ANSWER:** 3555.51(b)(20), HB 3.3, and Attachment 3-A

B. FALSE

- Quality control (QC) plans are required for all lenders
- QC plan must be in writing
- Outline procedures, forms, and checklists
Becoming an approved lender

Quality Control Plan guidance is available in:

A. Attachment 3-B  B. Attachment 3-C
Becoming an approved lender

ANSWER: 3555.52, HB 3.4, and Attachment 3-A and 3-C

B. Attachment 3-C

- Attachment 3-A includes information to address in the QC plan
- Attachment 3-C assists USDA and is helpful for lenders for plan review
- Separate origination from servicing procedures
- Underwriter plan should include basic skills/knowledge
- Escrow requirements for taxes and insurance must be addressed
Becoming an approved lender

• Jackson Lending is located in Utah
• They are licensed in UT, MT, WY, CA, and CO
• Jackson must request USDA approval from UT due to their headquarters
• This approval will also be effective for MT, WY, CA, and CO

A. TRUE  B. FALSE
Becoming an approved lender

ANSWER: 3555.52, HB 3.3, and Attachment 3-A

B. FALSE

• Jackson may apply for National Approval
• This will enable them to participate in all licensed states
• Only one lender approval application package will be submitted
Becoming an approved lender

- Orion Bank submits approval package
- FHA approval provided is dated March 2013
- This approval document is acceptable

A. TRUE B. FALSE
Becoming an approved lender

**ANSWER: 3555.51(a), HB 3.2 A, and Attachment 3-A**

**B. FALSE**

- Approval documentation must be dated with 12 months of application
Becoming an approved lender

• Orange Loans is eligible to originate and underwrite USDA loans
• They must contract servicing or sell loans to an approved USDA lender for servicing

A. TRUE   B. FALSE
Becoming an approved lender

ANSWER: 3555.51(a)(9)(iii), HB 3.2 B 2

A. TRUE

• Guaranteed loans must be serviced by USDA approved lenders
• Servicing eligibility must be approved
WAY TO GO!
Regulations


Regulations & Guidelines

All Federal regulations can be found at Regulations.gov and customers can search, review and submit comments on Federal documents that are open for comment and published in the Federal Register.

As a service to our customers, we post Rural Development’s Instructions, Administrative Notices, and forms. The Instructions are available in three file formats: Adobe Acrobat (PDF), Microsoft Word 6.0 (doc) and Text (txt). To the extent possible, all documents have been made available in either Adobe Acrobat Ver 5.0 and higher, or Text and are 508 compliant. If you should have accessibility issues and need a hard copy, please send an e-mail to comments@wdc.usda.gov.

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Rural Development

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- Federal Register Publications
GovDelivery Sign up


Email Updates
To sign up for updates or to access your subscriber preferences, please enter your contact information below.

*Email Address

[Submit] [Cancel]
Thank you for supporting the USDA Single Family Housing Guaranteed Loan Program!
In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.