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# Refinances

## Single Family Housing Guaranteed Loan Program

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### Training Objectives

- Where is the topic located?
  - \* 7 CFR Part 3555 and HB-1-3555
- Learning Checks
- Resources

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## 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.

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## Guaranteed Loan Program Regulation

### 7 CFR Part 3555

- The regulation is the rule!
- 8 Subparts: A – H
- Appendix 1

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## 7 CFR Part 3555

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## 7 CFR Part 3555

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### Handbooks

- HB-1-3550 Direct Single Family Housing Loans and Grants - Field Office Handbook
- HB-2-3550 Direct Single Family Housing Loans and Grants - Centralized Servicing Center Handbook
- HB-4-3555 SFH Guaranteed Loan Program Technical Handbook**
- HB-1-3560 MFH Loan Origination Handbook
- HB-2-3560 MFH Asset Management Handbook
- HB-3-3560 MFH Project Servicing Handbook
- HB-1-3565 Guaranteed Rural Rental Housing Program Origination and Servicing Handbook
- Application Information Systems Support Handbook
- HB-1-3550 Direct Single Family Housing Loans and Grants - Field Office Handbook

#### HB-4-3555 SFH Guaranteed Loan Program Technical Handbook

Table of Contents


- Chapter 1 - Overview
- Chapter 2 - Record Retention
- Chapter 3 - Lender Approval
- Chapter 4 - Lender Responsibilities
- Chapter 5 - Origination and Underwriting Overview
- Chapter 6 - Loan Purposes
- Chapter 7 - Loan Terms and Conditions
- Chapter 8 - Applicant Characteristics
- Chapter 9 - Income Analysis
- Chapter 10 - Credit Analysis
- Chapter 11 - Ratio Analysis
- Chapter 12 - Property and Appraisal Requirements
- Chapter 13 - Special Property Types
- Chapter 14 - Funding Priorities
- 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 - Calvis Access Instructions
- Appendix 8 - EDI Documentation
- Appendix 9 - Penalties
- Appendix 10 - Unnumbered Letter and State Supplements

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## 7 CFR Part 3555

### Subpart C: Loan Requirements

- **.101: Loan Purposes**
- .102: Loan restrictions
- .103: Maximum loan amount
- .104: Loan terms
- .105: Combination construction and permanent loans
- .107: Application for and issuance of loan guarantee
- .108: Full faith and credit

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## 7 CFR Part 3555

3555.101      Loan purposes.

- (a) Eligible purposes.
- (b) Eligible costs.
- (c) Combination construction and permanent loan.
- (d) Refinancing.

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## 7 CFR Part 3555: 3555.101(d)

### Eligible Refinance Loan Purposes

- Permanent financing for an interim new construction loan
- The full amount or pay off of a lot or site with a new construction dwelling
- Section 502 Direct and Guaranteed loans

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## 7 CFR Part 3555: 3555.101(d)

### Refinance Types

- Streamlined: Guaranteed loans and Direct loans that have never received subsidy
- Non-Streamlined: Direct and Guaranteed loans
- Streamlined-assist: Direct and Guaranteed loans

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## 7 CFR Part 3555: 3555.101(d)

### Streamlined

- Direct loans (no subsidy received) and Guaranteed loans
- No new appraisal is required
- Loan amount is limited to balance of current loan (including interest) and upfront guarantee fee

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## 7 CFR Part 3555: 3555.101(d)

### Non-Streamlined

- Direct and Guaranteed loans
- New appraisal is required
- Loan amount is limited to new appraised value
- Loan may include current balance, eligible closing costs, upfront guarantee fee, etc.
- Subsidy recapture (direct loans) may be financed or subordinated

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**7 CFR Part 3555: 3555.101(d)**  
**Streamlined and Non-Streamlined**

- New interest rate must be at or below the current rate
- Mortgage must have closed 12 months prior to loan application
- Mortgage must be paid as agreed for 180 days prior to loan application
- Borrowers may be added or deleted from the loan
- Full income and credit documentation required
- Debt to income ratios are calculated, waivers may be requested

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**7 CFR Part 3555: 3555.101(d)**  
**Streamlined-Assist**

- Direct and Guaranteed loans
- No appraisal is required (unless for subsidy calculation)
- Loan amount may include current balance (including interest), closing costs, upfront guarantee fee, etc.
- Subsidy recapture due for direct borrowers may not be included in new loan

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## 7 CFR Part 3555: 3555.101(d)

### Streamlined-Assist

- Mortgage must have closed 12 months prior to loan application
- Mortgage must be paid as agreed for 12 months prior to loan application
- Interest rate must be at or below current rate
- \$50 net tangible benefit must be achieved
- Borrowers may be added, but not deleted

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## Guaranteed Loan Program Technical Handbook

### HB-1-3555

- Provides guidance to support the regulation
- HB is not the rule
- 20 Chapters

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**HB-1-3555**

**HB-1-3555 SFH Guaranteed Loan Program Technical Handbook**

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**HB-1-3555**

**CHAPTER 6: LOAN PURPOSES**

- 6.1 INTRODUCTION
- 6.2 ELIGIBLE LOAN PURPOSES
  - A. Acquiring a Site and Dwelling
  - B. Repairs and Rehabilitation
  - C. Reasonable and Customary Expenses Associated with Purchasing a Dwelling
  - D. Refinance
  - E. Supplemental Loans
- 6.3 PROHIBITED LOAN PURPOSES
- 6.4 AGENCY REVIEW OF LOAN PURPOSES

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**HB-1-3555: 6.2 D**

1. Construction Financing
2. Site without a Dwelling
3. Existing Section 502 Direct & Guaranteed Loans
  - Non-streamlined
  - Streamlined refinance
  - Streamlined assist

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**HB-1-3555: 6.2 D 3**

**Existing Section 502 Direct & Guaranteed Loans**

- a. Loan terms and conditions
- b. Loan application documents
- c. Submission process
- d. Closing costs and lender fees
- e. Upfront guarantee fee
- f. Annual fee
- g. Loan note guarantee issuance requirements
- h. GLS reporting
- i. Funding limitations


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**HB-1-3555: 6.2 D**

4. Existing Section 502 Direct Loans
  - a. Section 502 Leveraged Loans
  - b. Recapture

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**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);


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## 7 CFR PART 3555 / HB-1-3555 LEARNING CHECKS

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### Question Slide


**“Topic”**

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

TRUE/FALSE or other answer options will be displayed

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## ANSWER SLIDE

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

X. Correct Response


- Additional guidance for clarification may be provided

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**Refinance opportunities**

- Rich has an interim construction loan with ABC Bank
- Rich owes \$12,500 on his lot loan
- Rich can include his lot loan balance into the final permanent loan

A. TRUE    B. FALSE

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**Refinance opportunities**

**ANSWER: 3555.101(d)(1) and (2), HB 6.2 D 1 and D 2**

A. TRUE

- The loan must include the site and home for collateral
- Remaining site debt is an eligible loan purpose under 3555.101(b)


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**Refinance opportunities**  
Which refinance(s) requires an appraisal for an existing guaranteed loan borrower?

- A. Streamlined
- B. Non-Streamlined
- C. Streamlined-assist

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**Refinance opportunities**  
**ANSWER: 3555.101(d)(i)(A), HB 6.2 D 3**

- B. Non-Streamlined

- Guaranteed borrowers require a new appraisal to determine the maximum loan amount

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**Refinance opportunities**

Which refinance(s) does not allow a current borrower(s) to be removed?

- A. Streamlined
- B. Non-Streamlined
- C. Streamlined-assist

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**Refinance opportunities**


**ANSWER: 3555.101(d)(i)(A), HB 6.2 D 3**

- C. Streamlined-assist

- New borrowers may be added, but original borrowers may not be deleted

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## Refinance opportunities

Which refinance option allows the upfront guarantee fee to be financed regardless of LTV?

- A. Streamlined
- B. Non-Streamlined
- C. Streamlined-assist
- D. All of the above

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## Refinance opportunities

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

- D. All of the above

- The upfront guarantee fee may always be included in the new loan amount

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## Refinance opportunities

Which refinance option allows subsidy recapture to be financed into the new loan amount when eligible?

- Streamlined
- Non-Streamlined
- Streamlined-assist
- None of the above

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## Refinance opportunities

**ANSWER: 3555.101(d)(i)(B), HB 6.2 D 3**

B. Non-streamlined

- The new appraised value will determine if subsidy is due and if it may be included
- Payoff of subsidy qualifies for a discount on amount due
- Additional refinance options allow subsidy to be subordinated

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**Refinance opportunities**

- Non-streamlined refinance
- Appraised value: \$100,000
- Principal, interest, and subsidy payoff: \$100,000
- What is the maximum loan amount for this refinance?

A. \$100,000 plus upfront guarantee fee

B. \$100,000 plus eligible closing costs and upfront guarantee fee

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**Refinance opportunities**

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

A. \$100,000 plus upfront guarantee fee

- Non-streamlined refinance option
- Maximum loan cannot exceed appraised value plus upfront guarantee fee
- Subsidy recapture due is eligible to be financed when there is sufficient equity in the property

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## Refinance opportunities

Which refinance option(s) cannot be processed in GUS?

- A. Streamlined
- B. Non-Streamlined
- C. Streamlined-assist

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## Refinance opportunities

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

- C. Streamlined-assist

- Loans must be manually underwritten
- Submit loan documentation electronically to USDA for review

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**Refinance opportunities**

- Ed's current guaranteed loan interest rate is 5.5%
- To qualify for a USDA refinance, his new interest rate must be at 4.5% or below

A. TRUE    B. FALSE

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**Refinance opportunities**

**ANSWER: 3555.101(d)(ii), HB 6.2 D 3**

B. FALSE

- The new interest rate must be at or below 5.5%
- The 100 basis point reduction has been removed from the regulation and HB

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**Refinance opportunities**

- Cindy has a direct loan in California
- She now lives in Tennessee and wishes to refinance the California home
- Which refinance option(s) is Cindy eligible?

A. Streamlined  
 B. Non-streamlined  
 C. Streamlined-assist  
 D. None of the above

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**Refinance opportunities**

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

D. None of the above

- Applicants must be the owner occupant/primary resident to qualify for any refinance option

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**Refinance opportunities**

- Marty wishes to apply for a refinance
- His current loan closed 8 months ago
- Marty is eligible to apply for a guarantee refinance loan

A. TRUE    B. FALSE

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**Refinance opportunities**

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

B. FALSE

- All loans must have closed a minimum of 12 months prior to the date of loan application

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**Refinance opportunities**

- Kim applies for a streamlined-assist refinance
- Her debt ratio will exceed 41%
- A debt ratio waiver request must be submitted to USDA

A. TRUE    B. FALSE

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**Refinance opportunities**


**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

B. FALSE

- Streamlined-assist loans do not require ratio calculations
- No debt ratio waivers are required

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**Refinance opportunities**

- Streamlined-assist refinance loan
- Current PITI: \$755
- New PITI: \$659
- This refinance achieves the required net tangible benefit

A. TRUE    B. FALSE

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**Refinance opportunities**

**ANSWER: 3555.101(d)(i), HB 6.2 D 3**

A. TRUE

- Current PITI: \$755 – New PITI \$659 = \$96
- New PITI must be a minimum of \$50 less than the current PITI
- The applicable annual fee must be included in the PITI calculation


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## Refinance Option Overview


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Requirement	Non-streamlined	Streamlined	Streamlined-assist
<b>Maximum Loan Amount</b>	Cannot exceed new appraised value plus upfront guarantee fee. <ul style="list-style-type: none"> <li>Principal &amp; Interest</li> <li>Closing costs</li> <li>Funds to establish tax and insurance escrow</li> <li>Subsidy recapture due</li> </ul>	Cannot exceed original loan amount. <ul style="list-style-type: none"> <li>Principal &amp; Interest</li> <li>Re-conveyance fee</li> <li>Upfront guarantee fee</li> </ul>	<ul style="list-style-type: none"> <li>Principal &amp; Interest</li> <li>Closing costs</li> <li>Funds to establish tax and insurance escrow</li> <li>Upfront guarantee fee</li> </ul>
<b>Appraisal</b>	Yes	Only direct borrowers that received subsidy	Only direct borrowers that received subsidy
<b>30 year loan term</b>	Yes	Yes	Yes
<b>Fixed interest rate at or below interest rate of current loan</b>	Yes	Yes	Yes
<b>Add/Remove Borrowers (one original borrower must remain)</b>	Yes	Yes	Add borrowers only
<b>Seasoning: Loan must have closed 12 months prior to loan request to USDA</b>	Yes	Yes	Yes
<b>Credit</b>	<ul style="list-style-type: none"> <li>Loan paid as agreed 180 days prior to loan request to USDA</li> <li>Requirements of Chapter 10</li> </ul>	<ul style="list-style-type: none"> <li>Loan paid as agreed 180 days prior to loan request to USDA</li> <li>Requirements of Chapter 10</li> </ul>	<ul style="list-style-type: none"> <li>Loan paid as agreed 12 months prior to loan request to USDA</li> </ul>
<b>Ratios</b>	<ul style="list-style-type: none"> <li>GLS Accept</li> <li>GLS Refer with debt ratio waiver to meet HB Chapter 11</li> </ul>	<ul style="list-style-type: none"> <li>GLS Accept</li> <li>GLS Refer with debt ratio waiver to meet HB Chapter 11</li> </ul>	<ul style="list-style-type: none"> <li>No ratio calculation required</li> </ul>

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Requirement	Non-streamlined	Streamlined	Streamlined-assist
Can GUS be utilized?	Yes	Yes	No
Include subsidy recapture?	Yes, if appraised value supports	No	No
Net tangible benefit required?	No	No	Yes \$50 or greater reduction in new PITI (including annual fee) as compared to current PITI payment
Owner occupied status required	Yes	Yes	Yes
Meet adjusted annual income limitation	Yes	Yes	Yes
Subordinate "silent" seconds or subsidy recapture due?	Yes	Yes	Yes
Late mortgage fees eligible to be refinanced	No	No	No
Properties now in ineligible rural areas continue to be eligible?	Yes	Yes	Yes
Eligible to refinance a Direct Leveraged loan?	No	No	No

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**Section 502 Direct and Guaranteed Loan Refinance  
Complete Loan Application Submission**

**Attachment 15-A must be utilized to submit complete loan applications to USDA for review.  
The following is provided as a guide to assist lenders in assembling refinance applications.**

<b>GUS ACCEPT UW RECOMMENDATION</b>			
Loan Documentation	Non-streamlined	Streamlined	Streamlined-assist
Form RD 3555-21	X	X	Ineligible to be processed in GUS.
Final GUS UW Findings Report	X	X	
Evidence of qualified alien, if applicable	X	X	
Appraisal	X	Only for direct loans that have received subsidy	
Credit report	X	X	
Credit report for Non-purchasing spouse, if applicable	X	X	


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**GUS REFER, REFER WITH CAUTION UW RECOMMENDATION AND MANUALLY UW LOAN**

Loan Documentation	Non-streamlined	Streamlined	Streamlined-assist
Form RD 3555-21	X	X	X
Final GUS UW Findings Report	X	X	N/A
Underwriting analysis	X	X	\$50 net tangible benefit may documented on this form (optional).
Evidence of qualified alien, if applicable	X	X	X
Appraisal	X	Only for a direct loan that have received subsidy.	Only for a direct loan that have received subsidy.
Credit report	X Review credit and verify mortgage payment history.	X Review credit and verify mortgage payment history.	Not required, but credit report may be used to document previous 12 month payment history of mortgage. No additional credit review is required.
Credit report for Non-purchasing spouse, if applicable	X	X	N/A

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Credit waiver	X If applicable	X If applicable	N/A
Debt ratio waiver	X	X	N/A No debt ratio calculations
Uniform Residential Loan Application	X	X	X
Full Income Documentation for all adult household members (includes 4506-T)	X	X	X
Asset documentation	X If applicable	X If applicable	X If applicable

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# WAY TO GO!

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