U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

FEB 03 2017

The Honorable Dean Heller
United States Senator
400 South Virginia Street, Suite 738
Reno, NV 89501-2125

Dear Senator Heller:

Thank you for your inquiry on behalf of the Nevada Housing Division about the state of Nevada's interest in assuming responsibility for the Western Nevada HOME Consortium program. The following information is from the Department of Housing and Urban Development's Office of Community Planning and Development.

The Department is currently conducting a review of this matter. A response will be sent to you soon.

Thank you for your interest in the Department's programs.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
Office of Congressional and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Dean Heller
United States Senator
400 South Virginia Street, Suite 738
Reno, NV 89501-2125

Dear Senator Heller:

This is in further response to your letter on behalf of the Nevada Housing Division about the transfer of the Western Nevada HOME Consortium program to the state of Nevada. The following information is from the Department of Housing and Urban Development's (HUD) Office of Community Planning and Development.

In its January 2, 2017, email to your office, the state of Nevada requested assistance in obtaining HUD's feedback on a draft cooperative agreement, which would transfer the monitoring and oversight duties of the Western Nevada HOME Consortium to the state of Nevada. The state of Nevada was concerned that without HUD's feedback on the cooperative agreement, the transfer of the consortium's HOME program to the state of Nevada could not move forward, and the HOME program income generated by the consortium's HOME activities would continue to accrue without formal oversight.

The Department has completed its review of the draft cooperative agreement and provided feedback to the state of Nevada. The consortium signed the agreement on July 20, 2017, and forwarded it to the state of Nevada for signature. Once the cooperative agreement is fully executed, HUD will provide guidance on the transfer of the HOME program income from the consortium to the state of Nevada.

Thank you for your interest in the Department's programs. If I can be of further assistance, please let me know.

Sincerely,

Seth D. Appleton
Acting Assistant Secretary for Congressional
and Intergovernmental Relation

DEAN HELLER
NEVADA
(202) 224-6244

RECEIVED
By TGray Executive Secretariat at 3:44 pm 1.24.17

United States Senate

WASHINGTON, DC 20510

COMMITTEES:
FINANCE
BANKING, HOUSING, AND URBAN AFFAIRS
COMMERCE, SCIENCE, AND TRANSPORTATION
VETERANS' AFFAIRS
SPECIAL COMMITTEE ON AGING

January 12, 2017

The Honorable Julian Castro
Secretary
U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410

Dear Secretary Castro,

I write in support of grant applications submitted by the state of Nevada for the Youth Homelessness Demonstration Program Grant. The collaborative efforts demonstrated by the applicants are clear cases of our respective communities coming together to address, prevent and end youth homelessness. Awarding this grant to a Nevada applicant will prove how communities can successfully implement and achieve comprehensive systems of care for homeless youth.

In recent years, Nevada has experienced a growing challenge with homeless youth and a lack of resources to address the issue. Population growth in the state, especially growth related to new employers like Tesla and Resorts World, has placed a strain on housing resources throughout the Reno-Sparks and Las Vegas metropolitan areas. Over the years, our communities have developed a strong network of homeless services agencies for adults, but very few resources have been available for the homeless youth population.

I strongly support our Nevada applicants and I thank you for your consideration. Should you have any further questions regarding my support, please do not hesitate to contact me.

Sincerely,

DEAN HELLER
United States Senator

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

FEB 03 2017

The Honorable Dean Heller
United States Senate
Washington, DC 20510-2806

Dear Senator Heller:

Thank you for your letter in support of an application submitted by the state of Nevada for the Youth Homelessness Demonstration Project grant competition. The following information is from the Department of Housing and Urban Development's (HUD) Office of Community Planning and Development.

On August 22, 2016, the Department made approximately $33 million available, as described in the Fiscal Year 2016 Youth Homelessness Demonstration Program Notice of Funding Availability (NOFA). HUD's Office of Special Needs Assistance Programs reviewed all applications in accordance with the fair and uniform selection criteria and process described in the NOFA.

On January 13, 2017, HUD announced the ten communities selected under this NOFA. Unfortunately, this was a very competitive process and the application submitted by the state of Nevada did not score high enough to be selected for the award. Debriefing documents will be sent to the applicants to advise of the details regarding their score.

Thank you for your interest in the Department's programs. Please let me know if I can be of further assistance.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
Office of Congressional and Intergovernmental Relations

United States Senate

WASHINGTON DC 20510

October 12, 2017

The Honorable Ben Carson
Secretary
U S Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

To Leaders in the Mortgage Industry

As leaders in the mortgage industry, we ask that you do everything in your power to assist victims and survivors of the senseless mass shooting which occurred on October 1, 2017, in Las Vegas While victims and survivors face a long road to recovery in terms of healing their physical and psychological scars, they may also encounter substantial financial burdens that compound their tremendous stress

With that in mind, we write to you today to ask that your organizations do whatever they can to ease the burdens that may be faced by victims, survivors, and their families at this difficult time or in the future Importantly, should the issue arise, we would ask that you not initiate or finalize any legal foreclosure proceedings that would lead to a victim or their family's eviction during their recovery.

If victims and survivors have difficulty with future mortgage or other loan payments, we ask that you would work with those individuals to offer tailored solutions, which could include forbearance plans and loan modifications, to help ensure that their financial wellbeing is taken care of Finally, we ask that you streamline documentation requests and paperwork burdens for any impacted borrowers and dedicate additional staff to process any requests from victims and their families.

Individuals recovering from the events of October 1st should not have to worry about evictions, late fees, negative credit reports, or any other financial burdens that may exacerbate the tremendous stress caused by this senseless tragedy We appreciate your attention to these matters and your support for the wider Las Vegas community

Sincerely,

Catherine Cortez Masto
United States Senator

Dean Heller
United States Senator

RECEIVED
By Melody Brown at 11 36 am, 10/20/17

United States Senate

WASHINGTON, DC 20510

October 12, 2017

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

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Sincerely,

Catherine Cortez Masto
United States Senator

Dean Heller
United States Senator

DEAN HELLER
2ND DISTRICT, NEVADA

RA/VC 0252

125 CANNON HOUSE OFFICE BUILDING
202-225-6155

2010-ASF-CG-241

Congress of the United States
House of Representatives
Washington, DC 20515–2802

January 13, 2010

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional and Intergovernmental Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, D.C. 20410-0001

RECEIVED
EXECUTIVE SECRETARIAT
2010 FEB -2 P 4:01

RE: Nick Serrano, Sales Manager
Greater Nevada Mortgage Services
4070 Silver Sage Drive
Carson City, NV 89701
Phone: (775) 326-6720
Email: nserrano@gnms.com

Dear Mr. Fulton:

I have enclosed correspondence I received from my constituent, Mr. Nick Serrano, Sales Manager for The Greater Nevada Mortgage Services, requesting a status report on their application and approval process to become a Ginnie Mae provider.

I would appreciate any assistance you can provide so I may be able to respond to my constituent appropriately. If you have questions regarding this inquiry, please contact:

Katie Pace, Outreach Coordinator
Congressman Dean Heller
400 South Virginia Street, Suite 502, Reno, NV 89501
Phone: 775.686.5760; Fax: 775.686 5711; Email: katie.pace@mail.house.gov

Thank you for your prompt and courteous assistance.

Sincerely,

DEAN HELLER
Member of Congress

DH/kp
Enclosure

2010-ASF-CG-00190-Hsg

CHL

PRINTED ON RECYCLED PAPER

GREATER NEVADA
Mortgage Services

4070 Silver Sage Drive
Carson City, NV 89701
(775) 888-6999 • (800) 526-6999 • *gnms.com*

December 8, 2009

The Honorable Dean Heller
400 S. Virginia St., Suite 502
Reno, NV 89501

Dear Representative Heller:

I am writing to you on behalf of Greater Nevada Mortgage Services, a subsidiary of Greater Nevada Credit Union. Our company offers affordable home loans to our communities in Nevada and has recently become the third largest lender in terms of market share for northern Nevada. This is due to our ability to offer Nevadans affordable, local, and stable mortgage lending. In an effort to expand our product line due to the demand for our services, we submitted an application to Ginnie Mae in order to support the growing need for FHA, VA, and USDA government financing. Our approved application would allow us to deliver these products at affordable rates as well as service home loans locally for our clients.

Greater Nevada Mortgages Services is seeking your support in helping to expedite the approval process with Ginnie Mae. Our application was originally submitted on August 13th, 2009. Over the next several weeks, there was consistent communication regarding outstanding needs to complete our application. On October 1st, we received correspondence that no further documentation was needed and that our application would go in line for review by the necessary parties within Ginnie Mae. We were advised that the approval process would take an additional 6 weeks to complete.

On November 12th, our company requested an update on the status of our application with Ginnie Mae and we received the same blanket statement that we had been given six weeks prior. This was disconcerting, so we proceeded to place additional calls to Ginnie Mae on November 12th, November 20th, and December 1st. These calls all went to voicemail and none have been returned.

Greater Nevada Mortgage Services is eager to expand our lending in Nevada. Our growth has been rooted in our clients' desire to keep their money local with an institution they can trust. Gaining Ginnie Mae approval will allows us to help more Nevadans feel secure with their mortgage needs and increase our ability to help with the extended First Time Home Buyer Tax Credit. It would be greatly appreciated if you could help us gain concrete information regarding our application with Ginnie Mae as well as assist in expediting the anticipated approval. Should you have any questions, please do not hesitate to contact me.

Sincerely,

Nick Serrano
Sales Manager
Greater Nevada Mortgage Services
4070 Silver Sage Drive
Carson City, NV 89701
775-326-6720
nserrano@gnms.com

Member
Mortgage Bankers
MBA Association of America
EQUAL HOUSING LENDER

241

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

APR 02 2010

The Honorable Dean Heller
U.S. House of Representatives
Washington, DC 20515-2802

Dear Representative Heller:

Thank you for your letter of January 13, 2010, on behalf of your constituent, Nick Serrano, of Greater Nevada Mortgage Services, regarding the status of their Issuer application with Ginnie Mae.

Ginnie Mae plays a critical role in housing finance. The corporation guarantees mortgage-backed securities (MBS) that are backed by the Federal Housing Administration (FHA), Veterans Affairs (VA), USDA Rural Development (RD), and HUD's Office of Public and Indian Housing (PIH). These securities are only issued by approved institutions that meet Ginnie Mae's strict guidelines. In the event that a lender cannot make the monthly principal and interest pass-through payment to investors, Ginnie Mae makes that payment. This guaranty helps bring liquidity to the market to help more Americans fulfill their dreams of sustainable affordable housing.

Since Ginnie Mae's responsibilities are triggered when an Issuer cannot make timely investor payments, potential Issuers undergo a rigorous and lengthy application process before they are admitted into Ginnie Mae's program. It is Ginnie Mae's responsibility to manage an increasing population of Issuers in a prudent manner. Since the beginning of January 2009, Ginnie Mae has received more than 170 new Issuer applications; this is more than the current number of active Ginnie Mae Issuers. These applicants are required to submit an independent audit, meet Ginnie Mae's increased net worth requirements, and undergo a thorough analysis of their FHA performance data. Once this process is completed, the application is then reviewed by Ginnie Mae executives. The overall process is designed to ensure that the applicant possesses demonstrated experience, management capability, and sound financial, business and management practices. Ginnie Mae must conduct appropriate due diligence when reviewing applications to ensure that approved Issuers are good stewards of the taxpayers' interests and the U.S. Government's full faith and credit guaranty.

Ginnie Mae understands Greater Nevada Mortgage Services' concerns about the length of the review process, however, the Department wants to assure you and Greater Nevada Mortgage Services that the application is receiving the appropriate level of attention. Ginnie Mae recently contacted the applicant requesting additional information, and anticipates reaching a decision within the next month.

I hope this information is helpful in responding to your constituent. Please let me know if I can be of further assistance.

Sincerely,

Peter A. Kovar

Peter A. Kovar
Assistant Secretary for Congressional
and Intergovernmental Relations

Erica

DEAN HELLER
NEVADA
(202) 224-6244

United States Senate

WASHINGTON, DC 20510

COMMITTEES
ENERGY AND NATURAL RESOURCES
COMMERCE, SCIENCE, AND TRANSPORTATION
BANKING, HOUSING, AND URBAN AFFAIRS
SPECIAL COMMITTEE ON AGING
VETERANS' AFFAIRS

June 26, 2013

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Affairs
451 Seventh Street SW, Room 10148
Washington, DC 20410-0001

RE: (b)(6) (b)(6)

To Whom It May Concern,

I have received the enclosed correspondence from my constituent, (b)(6) concerning discriminatory practices by senior living communities.

Please review the enclosed concerns and provide a response to (b)(6)
Should you need any further information, please feel free to contact my staff.

Thank you for your prompt and courteous assistance.

Sincerely,

DEAN HELLER
U.S. Senator

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

AUG 1 2 2013

(b)(6)

Dear Mr (b)(6)

Senator Dean Heller has asked the Department of Housing and Urban Development to reply to your letter of June 24, 2013, concerning [illegible] senior living community.

The Department is currently reviewing [illegible] and will provide you with a final response upon completion of the review.

Thank you for your interest in the Department's programs.

Sincerely,

Elliott L. Mincberg
Acting Assistant Secretary for Congressional and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

AUG 12 2013

(b)(6)

Dear Mr. (b)(6)

Senator Dean Heller has asked the Department of Housing and Urban Development to reply to your letter of June 24, 2013, concerning alleged discriminatory practices by a 55+ senior living community.

The Department is currently conducting a review of this matter and will provide you with a final response upon completion of the review.

Thank you for your interest in the Department's programs.

Sincerely,

Elliot M. Mincberg
Acting Assistant Secretary for Congressional
and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

SEP 18 2013

The Honorable Dean Heller
United States Senator
324 Hart Senate Office Building
Washington, DC 20510

Dear Senator Heller:

Thank you for your letter dated June 26, 2013, on behalf of your constituent, Mr. (b)(6) Mr. (b)(6) indicated that he is having difficulty in securing an apartment in a 55 and older senior living community. He is seeking your assistance in determining if he and his wife may have been discriminated against because of her age. The Department's Office of Fair Housing and Equal Opportunity (FHEO) administratively enforces the Age Discrimination Act, which prohibits discrimination on the basis of age in federally funded programs.

Mr. (b)(6) letter contains some information that may indicate a possible violation of the Act. The Department's FHEO Regional Office in San Francisco, California handles claims of discrimination from the State of Nevada. That Office has responsibility for determining jurisdiction and, where appropriate, processing and investigating fair housing complaints. Mr. (b)(6) correspondence has been referred to that Office, they will contact him to obtain additional information, if necessary. If Mr. (b)(6) has any questions or needs to provide additional information, the Region IX FHEO Office contact information is as follows:

Ms. Anné Quesada
Director, Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
600 Harrison Street, 3rd Floor
San Francisco, CA 94107
Telephone: 415-489-6536; (Toll Free) 1-800-347-3739
Facsimile: 415-489-6560; TTY/TDD: 415-489-6564
Email: Complaints_Office_09@hud.gov

I hope the information provided is helpful in responding to your constituent. Please let me know if I can be of further assistance.

Sincerely,

Elliot M. Mincberg
Acting Assistant Secretary for Congressional
and Intergovernmental Relations

Enclosure

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-2000

OFFICE OF FAIR HOUSING
AND EQUAL OPPORTUNITY

(b)(6)

Dear Mr. (b)(6)

Senator Dean Heller referred your email dated June 24, 2013, to the U.S. Department of Housing and Urban Development concerning your request for assistance addressing your housing situation. In your letter, you request assistance in securing an apartment in a 55 and older senior living community. You are having difficulty because your wife is younger and you feel you may have been discriminated against because of her age. Your correspondence has been forwarded to HUD Region IX Office of Fair Housing and Equal Opportunity (FHEO), San Francisco, California That office has responsibility for determining jurisdiction over complaints in Las Vegas Please be assured that the issue you have raised is very important to us.

FHEO administratively enforces federal statutes, executive orders and regulations designed to afford all persons an equal opportunity to live in housing of their choice and to participate in HUD-assisted programs and activities without regard to race, color, national origin, sex, religion, familial status (families with children under 18), disability, or age.

The FHEO Region IX Office will review your correspondence and contact you directly in the next 15 days to notify you of the next steps You may contact the FHEO Region IX Office at any time at the following address and phone number:

Ms. Anne Quesada, FHEO Region IX Director
U.S. Department of Housing and Urban Development
600 Harrison Street 3nd Floor
San Francisco, CA 94107-1300
Telephone 415-4896536
1-800-347-3739
Facsimile 415-489-6560
TTY/TDD: 415-489-6564
Email: Complaints Office 09@hud gov

I hope the information provided is helpful.

Sincerely,

Nettie M. Putnam
Correspondence Specialist

DEAN HELLER
NEVADA
(202) 224-6244

Erica

COMMITTEES
ENERGY AND NATURAL RESOURCES
COMMERCE, SCIENCE, AND TRANSPORTATION
BANKING, HOUSING, AND URBAN AFFAIRS
SPECIAL COMMITTEE ON AGING
VETERANS AFFAIRS

United States Senate

WASHINGTON, DC 20510

June 5, 2014

U S Department of Housing and Urban Development
451 7th St S.W
Washington, DC 20410

RE (b)(6) (b)(
6437 Buttercup Creek Street
North Las Vegas, Nevada 89084

To Whom It May Concern,

I have received the enclosed correspondence from my (b)(6) (b) concerning his neighbors, who are renters through HUD.

Thank you for reviewing the enclosed concerns and providing a response to the constituent. Should you need any further information, please feel free to contact my staff.

Thank you for your prompt and courteous assistance

Sincerely,

DEAN HELLER
U S Senator

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

JUL 25 2014

(b)(6)

Dear Mr (b)(6)

Senator Dean Heller has asked the Department of Housing and Urban Development (HUD) to reply to your letter of June 5, 2014, concerning the problem with your neighbors. The following information is from HUD's Office of Public and Indian Housing (PIH).

PIH staff contacted the Southern Nevada Regional Housing Authority (SNRHA) and requested that it investigate the inquiry. The SNRHA states that they have conducted an extensive investigation into the matter and have responded to your complaints. However, the SNRHA and HUD cannot provide the results of the investigation to you due to privacy concerns.

Although the SNRHA receives funding from HUD, it is governed by the locally-appointed Board of Commissioners under state law and, as such, HUD is not involved in its daily operations or decisions. Your complaints fall under the purview of a public housing authority operational issue. Thus, if you disagree with an action taken or decision made by the SNRHA, you must make your complaint or grievance to them directly for resolution in accordance with their locally-set policies and procedures, including local and state laws.

If you need additional assistance, please contact Deloris Sawyer, Section 8 Director at SNRHA. Ms. Sawyer can be reached at 702-922-6964.

I hope this information is helpful.

Sincerely,

Lindsey S. Reames
Acting Deputy Assistant Secretary for
Field Operations

Congress of the United States

Washington, DC 20515

October 6, 2016

The Honorable Julian Castro
Secretary
U.S. Department of Housing and Urban Development
451 7th Street Southwest
Washington, DC 20410

Dear Secretary Castro:

On June 23, 2016, West Virginia was devastated by catastrophic flooding that claimed the lives of 23 people. Twelve West Virginia counties were declared federal disaster areas as a result of the flood. In some areas, as much as 10 inches of rain fell in a 24 hour period. Forecasters have described the event as a thousand year flood. More than three months later, five counties in our state remain under a state of emergency.

While a number of federal government agencies, including the Federal Emergency Management Agency (FEMA), have provided significant assistance to West Virginia communities impacted by the flood, it is clear that significant unmet needs remain. On September 13, 2016, West Virginia Governor Earl Ray Tomblin wrote to President Obama and identified $310 million in unmet needs resulting from the June flood that could be eligible for assistance from the Community Development Block Grant-Disaster Recovery program. Over 5,100 homes and businesses suffered a loss verified by FEMA and nearly 90 percent were not covered by flood insurance. Additionally, many of the areas impacted by this flood were already facing significant economic challenges making the cost of rebuilding homes and infrastructure all the more difficult to bear

On September 29, 2016, President Obama signed H R. 5325, the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act.[1] This legislation includes $500 million for the Community Development Block Grant–Disaster Recovery program. Bipartisan congressional leaders and appropriators expressed clear legislative intent that West Virginia receive a fair portion of disaster recovery funds included in that bill to aid our state in rebuilding from the catastrophic floods.[2] We strongly support West Virginia's request for CDBG-DR funds appropriated last month, and we believe that this is an important down payment for our recovery

[1] Pub. L. 114-223.

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We understand that additional appropriations will be necessary in order to meet the true disaster recovery needs in West Virginia and in other states. We request that you include West Virginia's additional unmet needs in any disaster supplemental appropriations proposal that the Administration submits to Congress. While the recent $500 million allocation of Community Development Block Grant–Disaster Recovery funding will help jumpstart the recovery for West Virginia families and small businesses impacted by the June flood, we look forward to working with you and the President to ensure that we have the resources we need to rebuild safe, strong, sustainable communities.

Thank you for your consideration.

Sincerely,

Shelley Moore Capito
United States Senator

Joe Manchin III
United States Senator

David B. McKinley, P.E.
Member of Congress

Evan H. Jenkins
Member of Congress

Alex X. Mooney
Member of Congress

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[2] 162 Cong. Rec. S5969 (daily ed. Sept. 22, 2016)(Remarks of Senate Majority Leader Mitch McConnell)("It contains a sufficient down payment on flood relief for many States, including . . West Virginia . . [.]"); 162 Cong. Rec. S6105 (daily ed Sept. 27, 2016)(Remarks of Senate Appropriations Committee Chairman Thad Cochran)("The bill also includes $500 million to help Louisiana, West Virginia, and other states recover from devastating floods."); Id. (Remarks of Senate Transportation, Housing and Urban Development Appropriations Subcommittee Member Shelley Moore Capito)("The legislation we will vote on today takes an important step to address flood recovery in disaster-stricken portions of West Virginia and certainly for our friends in Louisiana . . . [.]"; 162 Cong. Rec. S6166 (daily ed. Sept 28, 2016) (Remarks of Senate Democratic Leader Harry Reid)("I think West Virginia, which has an emergency declaration of $310 million – that should be taken care of."); 162 Cong. Rec S6182 (daily ed Sept. 28, 2016)(Remarks of Senate Appropriations Committee Vice-Chairman Barbara Mikulski ("I also want to say that it does contain disaster relief for flooded communities like Louisiana and West Virginia . . [.]")

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410 1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

NOV 2 3 2016

The Honorable Evan H. Jenkins
U.S. House of Representatives
Washington, DC 20515-0001

Dear Representative Jenkins:

On behalf of Secretary Julián Castro, thank you for your letter requesting assistance through Community Development Block Grant disaster recovery (CDBG-DR) funds as a result of the recent floods. As you are aware, President Obama signed the *Continuing Appropriations Act, 2017* into law under Public Law 114-223 on September 29, 2016. The following information is from the Department of Housing and Urban Development's Office of Community Planning and Development.

On October 13, 2016, Secretary Castro announced the allocation of $17,000,000 to the State of West Virginia. In order to assist individuals and communities in the most impacted and distressed areas of the State, the State of West Virginia must submit a disaster recovery Action Plan. On November 16, 2016, the Department published "*The Allocation, Common Application, Waivers, and Alternative Requirements for CDBG-DR Grantees – Continuing Appropriations Act, 2017*" Notice at: *https://www.hudexchange.info/news/hud-publishes-allocations-common-application-waives-and-alternative-requirements-for-cdbg-dr-grantees-continuing-appropriations-act-2017/.*

The State will have 90-days to submit its Action Plan. All activities in the Action Plan must meet one of three national objectives of the CDBG program. This means that the activity must principally benefit low- and moderate-income persons, aid in the elimination of slums or blight, or meet other community development needs having a particular urgency.

Thank you for your interest in the Department's programs. Please let me know if I can be of further assistance.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States

Washington, DC 20515

October 6, 2016

The Honorable Julian Castro
Secretary
U.S. Department of Housing and Urban Development
451 7th Street Southwest
Washington, DC 20410

Dear Secretary Castro:

On June 23, 2016, West Virginia was devastated by catastrophic flooding that claimed the lives of 23 people. Twelve West Virginia counties were declared federal disaster areas as a result of the flood. In some areas, as much as 10 inches of rain fell in a 24 hour period. Forecasters have described the event as a thousand year flood. More than three months later, five counties in our state remain under a state of emergency.

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[1] Pub. L. 114-223.

PRINTED ON RECYCLED PAPER

We understand that additional appropriations will be necessary in order to meet the true disaster recovery needs in West Virginia and in other states. We request that you include West Virginia's additional unmet needs in any disaster supplemental appropriations proposal that the Administration submits to Congress. While the recent $500 million allocation of Community Development Block Grant–Disaster Recovery funding will help jumpstart the recovery for West Virginia families and small businesses impacted by the June flood, we look forward to working with you and the President to ensure that we have the resources we need to rebuild safe, strong, sustainable communities.

Thank you for your consideration.

Sincerely,

Shelley Moore Capito
United States Senator

Joe Manchin III
United States Senator

David B. McKinley, P.E.
Member of Congress

Evan H. Jenkins
Member of Congress

Alex X. Mooney
Member of Congress

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[2] 162 Cong. Rec. S5969 (daily ed. Sept. 22, 2016)(Remarks of Senate Majority Leader Mitch McConnell)("It contains a sufficient down payment on flood relief for many States, including . . West Virginia . . . [.]"); 162 Cong. Rec. S6105 (daily ed Sept. 27, 2016)(Remarks of Senate Appropriations Committee Chairman Thad Cochran)("The bill also includes $500 million to help Louisiana, West Virginia, and other states recover from devastating floods."); Id. (Remarks of Senate Transportation, Housing and Urban Development Appropriations Subcommittee Member Shelley Moore Capito)("The *legislation we will vote on today takes an important step to address flood recovery in disaster-stricken* portions of West Virginia and certainly for our friends in Louisiana . . . [.]"; 162 Cong. Rec S6166 (daily ed. Sept. 28, 2016) (Remarks of Senate Democratic Leader Harry Reid)("I think West Virginia, which has an emergency declaration of $310 million – that should be taken care of."); 162 Cong. Rec. S6182 (daily ed Sept. 28, 2016)(Remarks of Senate Appropriations Committee Vice-Chairman Barbara Mikulski ("I also want to say that it does contain disaster relief for flooded communities like Louisiana and West Virginia . . [.]")

EVAN H. JENKINS
[illegible]

COMMITTEE ON ARMED SERVICES

[illegible]

Congress of the United States

House of Representatives

Washington, DC 20515-4803

[illegible]
[illegible]
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[illegible]
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[illegible]
[illegible]
[illegible]

March 17, 2017

U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, D.C. 20410

Dear Ms. Dunn:

Enclosed please find a letter from the Lincoln County Commission in West Virginia regarding an issue that falls under the jurisdiction of your agency.

The Commission is seeking a waiver from the U.S. Department of Housing and Urban Development for the Lower Mud River Phase 1 Water Extension Project, Small Cities Block Grant Program, Project Number 15SCBG0003.

It is my understanding that the Lincoln County Commission is seeking the waiver to avoid a one-year delay in the project, which would adversely affect area residents living without access to safe municipal drinking water.

I would appreciate your attention to the Lincoln County Commission's request and look forward to your response. Please do not hesitate to contact me should you have any questions.

Sincerely,

Evan H. Jenkins

Evan Jenkins
Member of Congress

February 21, 2017

US Congressman Evan Jenkins
1609 Longworth House Office Building
Washington, DC 20515

Re Small Cities Block Grant Program
Lincoln County Commission
Lower Mud River Phase 1 Water Extension Project
Project Number 15SCBG0003

Dear Congressman

I am writing this letter on behalf of the Lincoln County Commission to ask for your consideration and help in trying to obtain a waiver from HUD in regard to the construction of the above-referenced water project. I am enclosing a copy of the letter from Rick Roberts, Project Manager with E.L. Robinson Engineering, identifying certain issues and concerns related to the water project.

Specifically, HUD expresses concern over the numerous creek crossing which are necessary in order to complete the water project. However, our intent is to span these creeks through the use of direct drilling, which will result in zero impact to the stream bottom and banks. This is the method that we have used in multiple areas throughout the county over the past 16 years, when we have used Small Cities Block Grant monies to extend potable water to the citizens of Lincoln County. All of these projects resulted in zero impact.

The Commission respectfully asks that you consider approaching those involved with this project, including the HUD representatives, all in order to help us obtain a waiver, so that we may avoid an approximate one year delay. Any extended delay will cause undue hardship on the people of this area, who have dealt for years with poor quality and quantity of potable water, many of whom are elderly, disabled and suffering from multiple health problems.

Your consideration and help in resolving this matter is sincerely appreciated.

Sincerely,

Charles N. Vance, President
Lincoln County Commission

CNV/mrn
Enclosure

E.L. ROBINSON
ENGINEERING

T 304.776 7473
F. 304 776 6426

5088 Washington St. West
Charleston, WV 25313

February 17, 2017

Kelly A. Workman
Manager, Project Development
Community Development Division
West Virginia Development Office
1900 Kanawha Boulevard East
Charleston, WV 25305-0311

Re: Small Cities Block Grant Program
Lincoln County Commission
Lower Mud River Phase I Water Extension Project
Project Number: 15SCBG0003

Dear Ms. Workman:

As you know, the Lincoln County Commission has been awarded $1,500,000 from the Small Cities Block Grant Program for the Lower Mud Phase I Water Extension Project. The total cost of the project is $4,579,000 with the remainder of the funds being provided by the Lincoln County Commission, US Army Corps of Engineers and USDA-Rural Development.

The Lower Mud River Phase I Project will serve approximately 94 potential residential and small commercial customers. The residents in the area complain of water quality and quantity problems. Complaints include allegations that the well water contains iron, corrodes pipes and fixtures, stains cloths, has a strong sulfur odor and tastes bad. Many residents utilize home treatment units in an effort to improve the quality of water. The County Commission has received several reports that wells in the area get low or go dry during certain times of the year.

The base project consists of the construction of approximately 54,670 linear feet of 8-inch and smaller diameter water main, one 105,000 gallons storage tank, one pressure regulating station, 30 fire hydrants, valves, individual customer services and other related appurtenances. Due to budget concerns, four (4) additional areas are excluded from the base project but are included as additive alternates should construction bids be lower than expected. In all, approximately 18 potential customers in the Lower Mud River Road (County Route 1) and Big Buffalo Creek Road areas could potentially be added to the project. The extensions to serve this area total approximately 13,360 linear feet of 8-inch and smaller diameter water main, 8 fire hydrants, valves, individual customer services and other related appurtenances.

It has recently been brought to our attention that waterline construction activities within the floodway is now a concern of HUD and that construction within the floodway may be prohibited. We have reviewed the FEMA Floodway Mapping for the project area and determined that five (5) crossings

of Mud River will result in temporary construction disturbance within the floodway. Given that the waterlines must be continuous to transport water from the beginning of the project to the end, any "gap" left in the line as a result of the elimination of a stream crossing would have the effect of rendering the system non-operational. Given the need for the project, this is certainly not in the best interests of the residences in the project area.

Each of the stream crossings are of the Mud River. The flow way (top of bank to top of bank) is to be crossed using the directional drill method. This will allow the pipeline to be installed by "drilling" it under the stream and will result in zero impact to the stream bottom and banks. The remaining lines in the floodway will be installed by direct burial method (trenching). The lines installed by trenching will, immediately following installation, will be backfilled to the original ground contours, seeded and mulched. Silt fence will be installed as needed to prevent future scouring of the floodway or change in flow hydrodynamics. As all ground surfaces along the route of the pipeline will be either undisturbed (directional drilling) or returned to their original contours (trenching), the existing flow hydrodynamics will not be permanently affected or altered. Because the existing flow hydrodynamics will not be affected or altered, no additional hydrologic and hydraulic study was undertaken. No changes to the stream or ground in the floodway should adequately demonstrate that the addition of the pipe to the existing conditions will not create any negative effect in the floodway.

Since this project will not create any negative effects in the floodway, we respectfully request a waiver of the HUD requirement that no construction take place within the floodway so that this much needed project can proceed to construction. In support of our request, we have attached substantial additional documentation.

If you have any questions, do not hesitate to let us know.

Sincerely,

Rick Roberts, P.E
Project Manager
E. L. Robinson Engineering Co.

CC: w/attachments
Lincoln County Commission
Lincoln Public Service District

ual Opportunity Employer

West Virginia USA

WEST VIRGINIA DEVELOPMENT OFFICE

1900 Kanawha Boulevard East • Charleston, WV 25305 0311
(304) 558 2234 • (800) 982 3386 • WVDO org

February 15, 2017

The Honorable Charles Vance
President
Lincoln County Commission
P O Box 497
8000 Court Avenue
Hamlin, West Virginia 25523

Dear Commissioner Vance

RE: CDBG-Small Cities Block Grant Program
Lincoln County Commission
Lower Mud River Phase I Water Extension Project
Project Number: 15SCBG0003 ($1,500,000)

The purpose of this letter is to request additional information concerning the above-referenced project, and to request an analysis of anticipated construction within Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) floodway(s)

This project is funded by the U S Department of Housing and Urban Development's (HUD) Community Development Block Grant – Small Cities Block Grant program (CDBG-Small Cities) Most recently, the HUD Region III Office, located in Philadelphia, Pennsylvania, requested information to determine whether underground utility lines to be constructed within a FEMA designated FIS floodway, would impact base flood elevations

To review, the State of West Virginia awarded a $1,500,000 CDBG grant to the Lincoln County Commission for the Lower Mud River Phase I Water Extension project on March 8, 2016 The total cost of the $4 5 million project is fully funded by a $354,000 loan and a $1 98 million grant from the U S Department of Agriculture, Rural Development and a $495,000 grant from the U S Army Corp of Engineers In addition, the Lincoln County Commission has dedicated $175,000 to this project

As initially proposed, this project would provide potable water and fire protection service for 147 families, representing 370 individuals, in Lincoln County This project would serve the areas of Lower Mud River Laurel Creek, Straight Fork, Buffalo Creek, Little Buffalo Creek and surrounding areas

It is noted that residents currently rely on privately owned wells for their water supply Residents have complained the wells produce water that contains iron corrodes pipes and fixtures, smells of sulfur, and has an unpleasant taste The quantity of is poor and water levels get low at certain time of year The Lincoln County Health Department has certified health and

sanitation problems exist in the project area with bacterial contamination of wells These conditions hinder both residential and commercial growth in the area

In compliance with 24 CFR 570 483(b)(1)(I), the project area was determined by the Lincoln County Commission to provide area-wide benefit to low-and-moderate income persons Eligibility was determined by census data The number of low-to-moderate income persons in the area was determined to be 59 0 percent of the population It is noted within the application that the poverty rate in Lincoln County was 27 0 percent, compared to West Virginia's poverty rate of 18 percent and the national poverty rate of 15 percent

The WVDO accepted the Lincoln County Commission's environmental review and issued a Notice of Authority to Use Grant Funds on October 3, 2016 Our records indicate that funds in the amount of $21,374 have been expended to date The project is expected to proceed to bid stage in early Fall 2017

The HUD request for information related to stream crossings followed recent discussion of HUD's prohibition of development within a FEMA designated floodway To demonstrate the potential impact that this project, and the impact that similar projects involving underground utility lines would have on base flood elevations, the WVDO requested clarification from the project engineer, Mr Rick Roberts, of E L Robinson Engineering, Inc

A list of questions received by the WVDO from the HUD Region III office, was presented to Mr Roberts These questions are summarized as follows

- Narrative demonstrating that the location of pipe will not alter or affect existing flow hydrodynamics
- For pipes going underground, typical cross section and planned construction specs
- Any hydrologic and hydraulic study undertaken or reviewed to demonstrate that the addition of the pipe to the existing conditions will not create any negative effect in the floodway
- Narrative demonstrative measures that will be taken to avoid future scouring of river bed or change in flow hydrodynamics

Discussion with Mr Roberts indicates that all underground sewer line stream crossings will be directionally drilled and will not impact the original contours so as not to change the flow characteristics of the stream, including the water quality and the 100-year floodplain elevations or velocities Information contained in the plans and specifications for this project that require all existing ground conditions to be restored to preconstruction conditions, as well as all applicable permits are requested The precise cost and location of the utility line stream crossings in the floodway should be identified

The HUD Region III Office has advised that the State of West Virginia request a waiver on behalf of the Lincoln County Commission The Region III Office has further advised that this waiver request, and the desired approval is expected to require at least four months, and may delay the Lower Mud River Phase I Water Extension project

The WVDO requested all pertinent information needed to prepare a waiver request that would, upon HUD approval, allow the project to proceed as designed

If other options are available, such as the use of other funding for this work, the WVDO would request permission from HUD to seek other funding sources for this specific work It is

noted that the underground stream crossings may represent a small portion of the overall project, but they are nevertheless critical to its viability It is understood that the WVDO will be unable to issue an Authorization to Bid to the Lincoln County Commission until this matter is resolved

It is also understood that the only alternatives to construction within the floodway is to not allow such construction, or to allow these portions of the project to be funded by other sources. The project area is bisected by certain streams and construction must occur within the floodway to develop the system that will provide safe and reliable water

In consideration of these factors, the WVDO will obtain any information required by HUD to request a waiver on behalf of the Lincoln County Commission The WVDO is requesting that the Region II Planning and Development Council and E L Robinson Engineering assist in this effort Your assistance in this matter is greatly appreciated If you have questions or need additional information, please call me at 304-558-2234

Sincerely,

Kelly Workman
CDBG Program Manager

cc Todd Goddard, WVDO
Jim Marshall, WVDO
Rick Roberts, E L Robinson Engineering, Inc
Chris Chiles, Region II PDC

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Evan H. Jenkins
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20510-4803

Dear Representative Jenkins

Thank you for your letter regarding the Lincoln County Commission's request for a waiver from regulations at 24 CFR Part 55 for the Lower Mud River Phase I Water Extension Project, Small Cities Block Grant Program, Project Number 15SCBG0003. The following information is from the Department of Housing and Urban Development's (HUD) Office of Community Planning and Development.

The Department's Floodplain Management regulations state at 24 CFR 55.1(c)(1) that no HUD financial assistance or mortgage insurance may be used for "any action other than a functionally dependent use or floodplain function restoration activity, located in a floodway" unless the activity is otherwise covered by an exception in 24 CFR 55.12(c). A "Regulatory Floodway" as defined by Federal Emergency Management Agency, is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Floodways are areas where fill or other development is likely to divert flow and contribute to increased water depths during a flood and may also be subject to high velocities, which can cause severe damage to structures and high risks for occupants and emergency responders. HUD's regulations are particularly conservative regarding floodways, because they are targeted towards residential properties. As a result, Part 55 prohibits the Department from funding infrastructure projects that pass through floodways although these projects would be permitted by other agencies

For several months, HUD has been working with the state of West Virginia to identify legal methods to fund West Virginia's important infrastructure work. Although the Department has never waived Part 55, HUD's Office of Environment and Energy is prepared to design a waiver process that would allow communities in West Virginia to use Departmental funds on infrastructure projects. HUD has discussed this process and the requirements with the West Virginia Development Office to make the waiver process run as smoothly as possible

The Department received a partial waiver request from the West Virginia Development Office on behalf of the Lincoln County Commission on March 24, 2017. Once a complete waiver request is received, HUD will review. The Department may grant a waiver if there is good cause and no adverse effects on the floodplain.

Thank you for your interest in the Department's programs. Please let me know if I can be of further assistance.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
for Congressional and Intergovernmental Relations

EVAN H. JENKINS
THIRD DISTRICT, WEST VIRGINIA

COMMITTEE ON APPROPRIATIONS

evanjenkins house.gov

Congress of the United States
House of Representatives
Washington, DC 20515–4803

1609 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3452

845 FIFTH AVENUE
SUITE 314
HUNTINGTON, WV 25701
(304) 522-2201

307 PRINCE STREET
BECKLEY, WV 25801
(304) 250-6177

601 FEDERAL STREET, SUITE 1003
BLUEFIELD, WV 24701
(304) 325-6800

May 17, 2017

Secretary Ben Carson
U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410

RECEIVED
By Melody Brown at 2 53 pm, 5/23/17

Acting Administrator Robert J. Fenton, Jr.
Federal Emergency Management Agency
500 C Street S.W.
Washington, DC 20472

RE: June 2016 West Virginia Flooding (4273-DR-WV)

Dear Secretary Carson and Acting Administrator Fenton:

I appreciate the assistance and support that HUD and FEMA provided in the aftermath of the June 2016 floods in West Virginia. On June 23, 2016, a series of thunderstorms concentrated in West Virginia resulted in historic rainfall. Some counties experienced ten inches of rain within twenty-four hours. This event culminated in a thousand-year flood, causing widespread damage to homes, businesses, and infrastructure in the state. The flooding, which resulted in the loss of twenty-three lives, proved to be one of the deadliest natural disasters in the nation last year.

Former Governor Earl Ray Tomblin issued a letter detailing a state request for federal funding through the Community Development Block Grant Disaster Relief Program (CDBG-DR), recognizing the unique challenges that West Virginia faced in rebuilding. Mountainous topography, depressed income levels, and the lack of flood insurance for close to ninety percent of the affected residents and businesses are major obstacles to the recovery effort.

The House and Senate Appropriations Committees added significant funding for HUD's CDBG-DR program to assist with recovery efforts for West Virginia and other states that recently experienced major natural disasters. Throughout the fiscal year 2017 process, Congress has provided in aggregate over $2.7 billion for CDBG-DR.[1] These funds are to support recovery and rebuilding efforts for damages incurred by severe weather events in 2015, 2016, and 2017.

To date, West Virginia has received over $104 million in CDBG-DR funding for flood recovery efforts. This federal support has been absolutely critical to helping our residents repair

[1] H.R. 5325, *Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017* (P.L. 114-223); H.R. 2028, *Further Continuing and Security Assistance Appropriations Act* (P.L. 114-254); and H.R. 244, *Consolidated Appropriations Act of 2017* (P.L. 115-31)

their homes and communities. However, there are outstanding needs that remain. The storms and flooding devastated entire counties in my state. With the number of schools, homes, and businesses impacted, it was clear that action in Congress was necessary. That is why the most recent appropriations package passed by Congress included an additional $400 million for HUD to address unfulfilled disaster recovery needs.

I want to reiterate that we are grateful for the support we have received from HUD and FEMA to this point. I would also like to highlight the concerns we have about the remaining shortfall between the West Virginia state government's determination of unmet need and the amount of unmet need allocated by HUD. While I recognize that there will always be differences in the determinations made by the state agencies and the federal agencies of jurisdiction, I believe that we ought to pursue the most comprehensive review possible.

It has recently come to my attention that HUD may be considering West Virginia CDBG-DR allocations using data provided by FEMA in early December 2016. If this is the case, I would request FEMA send ~~an updated dataset to~~ HUD in order to guarantee that HUD has the latest data at its disposal when determining such an allocation. It may be possible that more recent data could justify an increase in CDBG-DR funds for West Virginia's housing or public assistance needs resulting from the June 2016 floods.

It has been my top priority to ensure that West Virginia has the resources it needs to rebuild. I commend you on your leadership and look forward to continuing to work together on our recovery efforts.

Thank you for your consideration and assistance. I am truly appreciative of you, your organizations, and your outstanding staff.

Sincerely,

Rep. Evan Jenkins

U.S. Department of Homeland Security
FEMA Region III
One Independence Mall Sixth Floor
615 Chestnut Street
Philadelphia, PA 19106-4404

FEMA

May 25, 2017

The Honorable Evan H. Jenkins
U.S. House of Representative
1609 Longworth House Office Building
Washington, DC 20515

Dear Representative Jenkins:

Thank you for your May 17, 2017, letter to the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA), regarding the June 2016 West Virginia Flood (DR-4273-WV). The letter describes the funding WV has received through the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Disaster Relief Program (CDBG-DR) and highlight your concern that the remaining shortfalls between the West Virginia State Government's determination of unmet needs and the amount of unmet need allocated by HUD. You requested all partners work to pursue the most comprehensive review process to ensure the most up-to-date datasets are being considered and asked that FEMA send an up-to-date dataset to HUD in order to guarantee that HUD has the latest data at its disposal when determining allocations.

FEMA, through its West Virginia Recovery Office, coordinates with West Virginia's Division of Homeland Security and Emergency Management (WVDHSEM) and the West Virginia Department of Commerce (WVDOC) on their data needs, including those related to the CDBG-DR request. In response to your letter, we contacted the WVDOC – the State entity which uses the FEMA dataset as part of the CDBG-DR justification to HUD – to ascertain their need for an updated dataset related to this request. We will continue to work closely with WVHSEM and WVDOC to ensure that they have updated FEMA program data.

At HUD's request, FEMA also provides HUD with this dataset to be used as part of their CDBG-DR determination. HUD then combines this dataset with their own data, data from the Small Business Administration, insurance and other sources to determine unmet housing needs. FEMA previously provided this dataset to HUD for DR-4273-WV on December 9, 2016. This past week, at the request of HUD, an updated version of the dataset was created and is in the process of being delivered.

I hope this information is helpful. If you have any questions, please have a member of your staff contact FEMA's Congressional Affairs Division at (202) 646-4500.

Sincerely,

Robert P. Welch
Acting Regional Administrator

May 17, 2017

Secretary Ben Carson
U.S. Department of Housing and Urban Development
451 7th Street S.W.
Washington, DC 20410

Acting Administrator Robert J. Fenton, Jr.
Federal Emergency Management Agency
500 C Street S.W.
Washington, DC 20472

RE: June 2016 West Virginia Flooding (4273-DR-WV)

Dear Secretary Carson and Acting Administrator Fenton:

I appreciate the assistance and support that HUD and FEMA provided in the aftermath of the June 2016 floods in West Virginia. On June 23, 2016, a series of thunderstorms concentrated in West Virginia resulted in historic rainfall. Some counties experienced ten inches of rain within twenty-four hours. This event culminated in a thousand-year flood, causing widespread damage to homes, businesses, and infrastructure in the state. The flooding, which resulted in the loss of twenty-three lives, proved to be one of the deadliest natural disasters in the nation last year.

Former Governor Earl Ray Tomblin issued a letter detailing a state request for federal funding through the Community Development Block Grant Disaster Relief Program (CDBG-DR), recognizing the unique challenges that West Virginia faced in rebuilding. Mountainous topography, depressed income levels, and the lack of flood insurance for close to ninety percent of the affected residents and businesses are major obstacles to the recovery effort.

The House and Senate Appropriations Committees added significant funding for HUD's CDBG-DR program to assist with recovery efforts for West Virginia and other states that recently experienced major natural disasters. Throughout the fiscal year 2017 process, Congress has provided in aggregate over $2.7 billion for CDBG-DR.[1] These funds are to support recovery and rebuilding efforts for damages incurred by severe weather events in 2015, 2016, and 2017.

To date, West Virginia has received over $104 million in CDBG-DR funding for flood recovery efforts. This federal support has been absolutely critical to helping our residents repair

[1] H.R. 5325, *Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017* (P.L. 114-223), H.R. 2028, *Further Continuing and Security Assistance Appropriations Act* (P.L. 114-254), and H.R. 244, *Consolidated Appropriations Act of 2017* (P.L. 115-31).

their homes and communities. However, there are outstanding needs that remain. The storms and flooding devastated entire counties in my state. With the number of schools, homes, and businesses impacted, it was clear that action in Congress was necessary. That is why the most recent appropriations package passed by Congress included an additional $400 million for HUD to address unfulfilled disaster recovery needs.

I want to reiterate that we are grateful for the support we have received from HUD and FEMA to this point. I would also like to highlight the concerns we have about the remaining shortfall between the West Virginia state government's determination of unmet need and the amount of unmet need allocated by HUD. While I recognize that there will always be differences in the determinations made by the state agencies and the federal agencies of jurisdiction, I believe that we ought to pursue the most comprehensive review possible.

It has recently come to my attention that HUD may be considering West Virginia CDBG-DR allocations using data provided by FEMA in early December 2016. If this is the case, I would request FEMA send an updated dataset to HUD in order to guarantee that HUD has the latest data at its disposal when determining such an allocation. It may be possible that more recent data could justify an increase in CDBG-DR funds for West Virginia's housing or public assistance needs resulting from the June 2016 floods.

It has been my top priority to ensure that West Virginia has the resources it needs to rebuild. I commend you on your leadership and look forward to continuing to work together on our recovery efforts.

Thank you for your consideration and assistance. I am truly appreciative of you, your organizations, and your outstanding staff.

Sincerely,

Rep. Evan Jenkins

EVAN H. JENKIN

COMMITTEE ON ENERGY AND COMMERCE

Congress of the United States
House of Representatives
Washington, DC 20515-4803

June 29, 2017

Tracey Dunn, Congressional Liaison
Office of Congressional and Intergovernmental Relations
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, D C 20410

Dear Ms. Dunn:

I write to inquire about the status of HOME funding for a project in the City of Huntington, West Virginia (City). It has recently come to my attention that the City has incurred unnecessary delays in accessing funds for eligible projects and activities, due to concerns over a previous agreement between the City and the U.S Department of Housing and Urban Development (HUD).

Attached, please find correspondence from Mayor Stephen Williams which further details the issues that the City has raised with obtaining HOME funds. It is my understanding that these funds are being unnecessarily blocked from use for other projects that fall under HUD's jurisdiction.

I would greatly appreciate a timely response to my inquiry. Please contact me or my office at (202) 225-3452 if there is any additional information you need

Sincerely,

Evan H. Jenkins
Member of Congress

OFFICE MISSION

To ensure the people of the United Congressional District of West Virginia have the greatest opportunity to live free and prosperous lives by serving constituents, protecting and expanding the resources found in the Mountain State

NARRATIVE SUMMARY ABOUT THE ISSUE OF FROZEN HOME FUNDS BASED ON IDIS ACTIVITY NO. 1250 – THE HUNTINGTON GARDENS PROJECT, CITY OF HUNTINGTON, WEST VIRGINIA

BACKGROUND INFORMATION –

The City of Huntington is the Participating Jurisdiction (PJ) and the Representative Member of the Cabell-Huntington-Wayne Housing Consortium. The City, in conjunction with residents, the Huntington Housing Authority and the Housing Development Corporation decided to revitalize the Fairfield West Neighborhood by developing new affordable housing stock in the community. This was also as a result of the need to replace the existing Northcott Court Public Housing Community with new scattered site affordable housing.

The City entered into a CHDO Agreement with the Housing Development Corp. (HDC) for a multi-phase housing development program. The project was initially set-up in IDIS as Activity No. 1250 on August 22, 2012 in the amount of $382,393.32. There was a four year time period to expend the funds, which expired on August 21, 2016. The scope of work for Phase One was stated as:

HDC will be using these funds to prepare a Redevelopment Plan to assist in the re-housing of residents from the Northcott Court Public Housing Community into the Fairfield West Neighborhood. In addition, HDC will use these funds to start implementing the Redevelopment Plan by acquiring properties identified in the plan.

The following properties will be acquired include but are not limited to: 1661 Doulton Avenue, 1837 11th Avenue, 1822 Charleston Avenue. Construction involves development of a 40-unit elderly facility and two (2) scattered site residential two-family units.

When the activity was in its "pre-development stage" after the Redevelopment Plan was completed and adopted, the City discussed with HUD-Headquarters how best to set up the following phases for the development of affordable housing. The City was advised by HUD-Headquarters to group together the future phases of Huntington Gardens into one activity (No. 1250) to avoid any potential IDIS activity flags. This allowed the CHDO some flexibility to implement the overall affordable housing development. The Redevelopment Plan and initial property acquisitions for the new affordable housing development sites were completed within the allowable time frame, and all the funds were drawn down in IDIS.

The HDC then prepared and submitted a LIHTC Application to the WV Housing Development Fund (WVHDF) for a 40 unit affordable housing project to be built in the

Fairfield West Neighborhood on the acquired housing site. Unfortunately, the application was not funded.

On October 1, 2013, the City and the HDC entered into the First Amendment to the original CHDO Agreement in the amount of $311,704.11 to develop a two story, two-family duplex located at 1837 Eleventh Avenue in the Fairfield West Neighborhood. This duplex was completed and all the funds were drawn down within the allowable time frame.

The City and HDC entered into a Second Amendment to the CHDO Agreement on June 1, 2014 in the amount of $347,171.56 to construct a second two story, two-family duplex in the Fairfield West Neighborhood. The duplex was built on 1822 Charleston Avenue and all the funds were drawn down within the allowable time frame.

On July 10, 2015 a new CHDO Agreement was entered into between the City and HDC in the amount of $843,265.00 for the development and construction of a 40 unit affordable rental apartment complex located at 1661 Dalton Avenue in the Fairfield West Neighborhood. These funds were to be used in conjunction with the LIHTC funds and private funds.

The City and HDC entered into the First Amendment to the CHDO Agreement for 1661 Dalton Avenue on March 29, 2016 in the amount of $654,959.00 to cover the increased construction costs for the development of the 40 unit affordable rental apartment complex. The building was built and the City issued a certificate of occupancy in December 2016.

THE ISSUE WITH HUD –

The City learned that its HOME funds were frozen in IDIS in September 2016. The City did not realize that continuing to use IDIS Activity No. 1250 would block (freeze) the system. The IDIS Activity was set-up on August 22, 2012 and all the funds had to be drawn down by August 21, 2016, four years after the initial set-up date. The IDIS access to the funds was blocked on August 23, 2016. After numerous discussions with the HUD-Pittsburgh Office, the City was advised to prepare a letter requesting a time extension for IDIS Activity No. 1250. The City sent a letter to the CPD Director of the HUD-Pittsburgh Office on October 24, 2016, which was then forwarded to HUD-Headquarters. The City has not received approval of that request from HUD-Headquarters, and instead it appears that HUD-Headquarters wants to disallow all the development costs for the Fairfield Gardens Project. The final draw down of funds was made on August 18, 2016 for a total drawn down amount of $2,185,397.72.

Through the efforts of the HUD-Pittsburgh Office, the HOME funds were unblocked by HUD-Headquarters on February 6, 2017, for one day to allow the City to draw down the

balance of the HOME funds in the IDIS Account for Activity 1250 in the amount of $910,793.69 which was reallocated to a new IDIS activity number. The City did draw down the balance of the funds in Activity 1250, but was instructed not to enter the accomplishments and close out the project in IDIS, which the City could have done at that time.

HUD-Headquarters has requested numerous back-up documentation on this project and the HDC. The City of Huntington has complied and addressed each request from HUD-Headquarters. All the City's HOME funds are blocked, and the City cannot draw down any HOME funds for its other approved activities. This has caused delays and hardships on the homebuyers who are eligible to receive HOME funds through the City's Homebuyer Assistance Program, but cannot close on their home because the City cannot access the funds for their loan closing. HUD-Headquarters is not cooperating, and has not responded in a reasonable amount of time to the City.

The City is requesting its Congressional Delegation to intervene on its behalf so the HOME funds can be unblocked, the Fairfield Gardens Activity can be closed out successfully in IDIS, and the City can continue to assist its other sub-recipients. It is not fair that the other sub-recipient projects and the homebuyers are on hold because the City cannot access HOME funds.

FRED UPTON
6TH DISTRICT, MICHIGAN

COMMITTEES:
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ENERGY AND AIR QUALITY

Congress of the United States
House of Representatives

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MICHIGAN HOME OFFICES:
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FAX: (269) 385-2888

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(269) 982-1986
FAX: (269) 982-0237

www.house.gov/upton
E MAIL: tellupton@mail.house.gov

November 28, 2007

Mr. Louis Berra
Field Office Director
U.S. Housing and Urban Development
50 Louis Street
Grand Rapids, MI. 49503

Dear Mr. Berra:

This letter is in reference to Harbor Light Metals, LLC in Benton Harbor, Michigan. This minority owned business is seeking to be included in a Federal HUB Zone.

In order for Harbor Light Metals to receive this designation, they must be located in a census tract that is eligible for the Low Income Housing Tax Credit Program, which is under the jurisdiction of your agency. I have included a letter from the U.S. Small Business Administration and Harbor Light Metals. The company is located in the City of Benton Harbor, one of the most economically distressed communities in the country.

It is my desire to be responsive to all inquiries from the people of the Sixth Congressional District. I would greatly appreciate your consideration, findings, and views concerning this issue. I look forward to hearing from you at your earliest convenience.

I have toured this facility personally, and believe the company is poised for significant growth in both sales and employment with the right incentives in place. Please contact my District Representative, Al Pscholka, at (269) 982-1986 if you have questions. Thank you for your assistance.

Very truly yours,

Fred Upton
Member of Congress

FSU:ap

U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

November 16, 2007

The Honorable Fred Upton
Member, US House of Representatives
800 Centre, Suite 106
St. Joseph, MI 49085

Dear Congressman Upton:

Thank you for your recent letter on behalf of Mr. Robert Taylor, Business Development Manager for Harbor Light Metals, LLC This facility is located at 900 Alreco Drive, Benton Harbor, MI, which is an address just outside the border of the U.S. Small Business Administration's (SBA) HUBZone parcel located in Niles-Benton Harbor. Mr. Taylor is requesting that Benton Harbor's location be classified as a HUBZone parcel so the firm might benefit from the HUBZone Program's goal of stimulating job creation and capital investment in economically distressed communities.

Public Law 105-135 (The HUBZone Act of 1997) directs the SBA to rely upon definitions provided by other Federal agencies to determine which areas qualify as HUBZones. In the case of Benton Harbor, it is located in the metropolitan county of [redacted] By statute, properties in metropolitan counties can only be designated for the HUBZone Program if the parcels (census tracts) are first determined by the U.S. Department of Housing and Urban Development (HUD) to be eligible for the Low Income Housing Tax Credit Program (LIHTCP). Berrien County contains eight such tracts, census tracts '26021000300', '26021000400', '26021000500', '26021000600', 26021002100', '26021002200', '26021002300' and '26021020500'.

The census tract in question, '26021002500,' covering the address 900 Alreco Drive, does not appear on HUD's list of qualified census tracts stemming from the decennial census of either 1990 or 2000. The SBA, therefore, does not have the authority to move beyond the provisions of PL 105-135 to extend or to create a HUBZone area in metropolitan counties unless that location is first found to be eligible for the LIHTCP.

Benton Harbor is located in a metropolitan county and therefore does not qualify under the set of criteria below:

The definition for a qualified county is any county that, based on the most recent data available from the U.S. Census Bureau, is not located in a metropolitan statistical area and in which the median household income is less than 80 percent of the median household income for the entire non-metropolitan area of a state and/or any non-metropolitan county that, based on the most recent data available from the Bureau of Labor Statistics (BLS), has an unemployment rate that is not less than 140 percent of the state average unemployment rate or the national average unemployment rate.

a. Information on decennial census data used to determine the household income is available on the web at http://www.census.gov/main/www/cen2000.html

b. Information in the local employment data used to determine the unemployment element is available on the web at http://www.bls.gov/lau/home.htm#data

If you have additional questions, please contact the Office of Congressional and Legislative Affairs at (202) 205-6700. Thank you for your support of the small business community.

Sincerely,

Michael McHale
Director
HUBZone Program



Harbor Light Metals, LLC

Aluminum Scrap Metal Processors
P.O. Box 703 Benton Harbor, Michigan 49023

October 15, 2007

Congressman Fred Upton
6th Congressional District
800 Ship Street, Suite 106
St. Joseph, MI, 49085

Re: HUB Zone Designation

Dear Congressman Upton:

Harbor Light Metals (HLM), is a company located in the City of Benton Harbor, formed June 8, 2005 by Dorie Reid Sr., and Dorie Reid II (African-Americans) as a Manufacturing source to support sales generated by their brokering activities and for the purpose of providing Aluminum Scrap Metal Recycling Melting services to the Metals Industry. The company was established after determining that there were excellent business opportunities for a Minority Owned Smelting Company to fill a void in the Recycling of Aluminum Scrap Metals.

We are seeking your assistance with resolving HUB Zone ineligibility with the SBA. HLM doesn't qualify for HUB Zone designation because we have been placed in a census tract that's ineligible for HUB Zone designation, despite being located in the City of Benton Harbor, a HUB Zone.

Harbor Light Metals LLC currently provides recycling services to the Automotive Industry and their Tier 1 Suppliers. Harbor Light Metals Plant Facilities is located at; 900 Alreco Rd, Benton Harbor Michigan. The facilities consist of (2) two buildings totaling 226,000 sq. ft. on 14.39 acres of land. The basic machinery includes (2) two Rotary Furnaces, (1) one Reverb Furnace, and (1) Pulverizing Shredder, Semi Tractors, Semi Trailers, and Several units of Rolling Stock Equipment.

The Company's recycling services are produced, marketed, and sold nationwide, servicing industries that are concerned with producing ecologically sustaining products for the future.

With HUB Zone designation, Harbor Light Metals LLC intends to expand its' business to include the Aerospace and US Defense (Suppliers) in the near future. Recycled Aluminum transcends the marketplace with over 90% recaptured and recycled into products within automotive, aerospace, consumer durables and architectural applications.

There are currently 23 employees (seventy percent (70%) reside in the City of Benton Harbor) with current projected growth, HLM will, at minimum, create an additional 20 jobs. The opportunities that the HUB Zone provides will allow HLM to create additional jobs opportunities with current growth.

Harbor Light Metals, LLC currently management team have over 75 combined years of experience in Secondary Smelting Processes, including; plant and production operations, raw material purchases, sales and executive management. This management team gives Harbor Light Metals comprehensive working knowledge of virtually every aspect of Secondary Aluminum Smelting.

Sales for the company was $1,988,000 for the fiscal year ended December 30, 2006 (six months of manufacturing), and sales are projected to over $9,000,000.00 for fiscal 2007, pending added production capacity and increased work force of an additional 20 employees.

If there are any further questions or concerns please feel free to contact me or Robert Taylor, Business Development Manager at 269.926.4567, Thank You.

Sincerely,

Robert Taylor
Harbor Light Metals, LLC
Business Development Manager

Cc: Al Pscholka
Dorie Reid, President
Dorie Reid II, Vice President

RESOLUTION: FINE

Attached file is scanned image in PDF format.
This file can be read by Adobe Acrobat Reader.
The reader can be downloaded from the following URL:

http://www.adobe.com/

Rose Meyer
MSHDA Executive Office
517-373-6022
Fax No: 517-373-7657

1544

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

JAN 14 2008

The Honorable Fred Upton
Member, United States
House of Representatives
800 Centre, Suite 106
800 Ship Street
Saint Joseph, MI 49085-2182

Dear Representative Upton:

Thank you for your letter of November 28, 2007, requesting that Census Tract 0025 in Berrien County be designated a Qualified Census Tract (QCT), allowing businesses in this tract to receive priorities for federal contracts under the HUBZone program.

Qualified Census Tracts (QCTs) are defined in Section 42 of the Internal Revenue Code for the purposes of the Low-Income Housing Tax Credit program (LIHTC). The purpose of QCTs is to provide additional tax credits to developers who locate low-income rental units in low-income or high poverty areas. To be eligible for designation as a QCT, a census tract must have at least 50 percent of its households with incomes below 60 percent of the Area Median Gross Income (AMGI) or have a poverty rate of at least 25 percent. QCTs are re-designated as new census data become available. Using the most recent tract-level data available, which is from the 2000 decennial census, Tract 0025 in Berrien County had 35 9 percent of its households below 60 percent of AMGI and a poverty rate of 19.9 percent. Thus, the tract does not qualify for QCT eligibility under either of the two criteria. Due to the limited authority granted to HUD under the LIHTC statute, the Department cannot take action to grant QCT status to this tract.

The Department would like to re-emphasize that in order to qualify for the HUBZone program, a tract must be a designated QCT, not simply eligible for the LIHTC program. Indeed, all tracts in the U S. are eligible for the tax credit program; however, only those designated by HUD as a QCT are eligible for additional subsidy under the LIHTC program, and for the HUBZone program.

I hope you find this information to be helpful. Please let me know if I can be of further assistance.

Sincerely,

Mark A. Studdert
General Deputy Assistant Secretary
for Congressional and
Intergovernmental Relations

FRED UPTON
6TH DISTRICT, MICHIGAN

COMMITTEE ON
ENERGY AND COMMERCE
CHAIRMAN

Congress of the United States
House of Representatives

October 28, 2013

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900 SHIP STREET
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(269) 982-1986
FAX: (269) 982-0237

http://upton.house.gov

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 Seventh Street, SW, Room 10120
Washington, DC 20410-1000

Dear Mr. Fulton,

This letter is in reference to concerns brought to my attention by Superior Property Management (SPM) of St. Joseph, Michigan. Superior Property Management received communication from representatives of ICF International (ICF), explaining that SPM had been selected for review as part of the U.S. Department of Housing and Urban Development, Quality Control for Rental Assistance Subsidy Determinations Study (HUDQC Study).

I have been advised that SPM has every intention to continue to be compliant with all federal rules and regulations to which property management organizations must adhere. However, SPM has raised concerns that adhering to the request for information from ICF would put SPM in direct violation of privacy standards upheld by HUD, and demanded by the tenants of their properties.

ICF provided SPM a letter from Dr. Kurt Usowski, Deputy Assistance Secretary, HUD Office of Policy Development and Research. The letter indicates that HUDQC field interviewers will need to review tenant files, photocopy documents, and conduct off-site interviews with households selected during the study. The letter goes on to explain that field interviewers may be granted full access the documents which constitute Enterprise Income Verification (EIV) data, and that field interviewers do not need to review and sign the Rules of Behavior for EIV. The letter explains that in their role as data collectors, field interviewers are performing their review as an extension of HUD headquarters and are granted the right to full access of EIV data.

Based on information received by my office, it is my understanding that all SPM employees must be certified to gather data for the EIV system. I have also been informed that in the past, on-site auditors from HUD have been required to adhere to all EIV guidelines.

For the HUDQC study, will ICF employees be adhering to all EIV guidelines regarding privacy of personal information? In particular, please explain how ICF employees will be adhering to the same directives required of SPM, as outlined in the attached documents from HUD, provided

to SPM. In addition, please explain how the EIV guidelines allow for ICF employees to photocopy and maintain sensitive documents from tenant files.

To ensure the proper handling of sensitive client information, how have ICF employees been trained to handle this information? What safeguards are in place to ensure the privacy of the information accessed and obtained by ICF employees as they conduct this survey on behalf of HUD? How have ICF employees been vetted for access to this private information?

Finally, what is the purpose of the HUDQC study? What benefit will this study provide to HUD, and HUD's delivery of services to constituents?

Please know that I ask these questions to ensure the privacy of my constituents, while also ensuring the integrity of the important programs and services administered by HUD.

Thank you in advance for your assistance in being responsive to the concerns of constituents and organizations from Michigan's 6th Congressional District. I look forward to hearing from you at your earliest convenience. If you desire additional information, please feel free to contact Mr. Clay McCausland via phone, (269) 982-1986, or email, clay.mccausland@mail.house.gov.

Sincerely,

Fred Upton
Member of Congress

FSU:cm

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
U S House of Representatives
Washington, DC 20515-0001

Dear Representative Upton:

Thank you for your letter, concerning the selection of Superior Property Management in the Department of Housing and Urban Development's (HUD) Fiscal Year (FY) 2013 Quality Control for Rental Assistance Subsidy Determination Study (HUDQC Study) being conducted by ICF International (ICF). The following information is from HUD's Office of Policy and Development Research.

The HUDQC Study provides national estimates of the extent, severity, costs and sources of rent errors in tenant subsidies for Public and Indian Housing (PIH) that administered Public Housing and Section 8 and Office of Housing Owner-administered programs, both separately and in combination. The study does not involve an audit of individual Public Housing Authorities (PHAs) or projects, nor does it monitor the implementation of housing programs. Its singular focus is to identify households for which an error was made in the calculation of the amount of the household's rent subsidy and to provide nationally representative findings related to these errors

During the conduct of the HUDQC study, ICF's staff adhere to a series of data collection handling procedures to maintain the security of the confidential tenant information that is collected. Enterprise Income Verification (EIV) is included in the information that is collected Prior to beginning their duties on the study, all ICF's staff are required to sign an official confidentiality and non-disclosure document certifying they will protect the confidentiality of these data (both on paper and electronically) at all times. Violations of this confidentiality and non-disclosure document are reported to HUD and would result in reprimand – although no case of privacy violation has ever been reported since the inception of the annual HUDQC Studies 20 years ago. In addition to these measures, the data collection processes used in the HUDQC Studies are approved by the ICF's Institutional Review Board (IRB) that reviews research projects to ensure the protection of human subjects.

For the study, ICF's staff collect data on a sample of 2,400 households, from 60 primary sampling units and 600 projects in the entire United States including documents which constitute EIV data. At the project site, ICF's field interviewers photocopy EIV forms for sampled households and use FedEx to send these materials securely to headquarters in Maryland. Each FedEx package is assigned a unique tracking number and the ICF's headquarters staff ensure its receipt While at study headquarters, all confidential material (including EIV) is located in a controlled-access survey room, which is located in a secure building. All EIV printouts are securely shredded once data collection has concluded.

At the project site ICF's field interviewers also enter data into an encrypted and password protected laptop computer. Data are transferred to study headquarters by individual field interviewers via an encrypted Secure File Transfer Protocol (SFTP) process. Electronic data are stored on secure servers that are consistent with National Institute of Standards and Technology (NIST) moderate guidelines. Access to the data is limited to staff working on the HUDQC Study.

In response to your question about the benefits of the HUDQC Study, please note that the study is required by law. To further institutionalize federal agency efforts to eliminate improper payments, President George W. Bush signed the Improper Payments Information Act (IPIA) of 2002 (Public Law 107-300) into law on November 26, 2002. The central purpose of the IPIA is to enhance the accuracy and integrity of federal payments. To achieve this objective, the IPIA provides an initial framework for federal agencies to identify the causes of, and solutions to improper payments. In turn, guidance issued by the Office of Management and Budget (OMB) in May of 2003 (Memorandum 03-13) requires agencies to: (i) review every federal program, activity, and dollar to assess risk of significant improper payments; (ii) develop a statistically valid estimate to measure the extent of improper payments in risk-susceptible federal programs; (iii) initiate process and internal control improvements to enhance the accuracy and integrity of payments; and (iv) report and assess progress on an annual basis.

A more recent OMB guidance, issued as Part III to OMB Circular A-123, Appendix C (M-10-13), reinforces the need for federal agencies to reduce improper payments and establish reporting requirements. Most recently, President Obama signed the Improper Payment Elimination and Recovery Act (IPERA) of 2010 (Public Law 111-204) into law on July 22, 2010, which further amended the IPIA by providing guidance to improve agency efforts to reduce and recover improper payments.

I hope you find this information helpful. Please let me know if I can be of further assistance.

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

CONGRESSMAN FRED UPTON
PRIVACY RELEASE FORM

The Privacy Act of 1974 prohibits the federal government from releasing any information from personal files of individuals without the express written permission of the person involved. Disclosure of personal records to a Congressman acting on behalf of a constituent is prohibited, unless the individual to whom the record pertains has consented.

Please print.

Name: (b)(6) (b)(6) Date of Birth: 02/03/1973.

Street Address: 414 River Street Apt. #: Click here to enter text.

City: Allegan State: Michigan Zip Code: 49010

Home phone: (b)(6) Cell phone (b)(6)

Email Address: (b)(6)

Social Security Number (b)(6)

Other numbers identifying your case: Fha case number - (b)(6) Caliber account number (b)(6)
Federal agency involved: HUD, prior ticket number 428727, haven't received a new ticket number yet.

Please provide a brief description of the problem and attach additional sheets, if necessary:

When Caliber took over the loan, I had difficulty getting them to respond, or know anything about my 203K Loan. I filed a complaint, and eventually was contacted (never by Caliber) but by Renovation Ready, who had been subcontracted to handle our loan. My contract was set to end 8/8/14. This was already an extension because of the weather, the change in mortgage holders, and miscommunication to our 203k Consultant. I talked with Michelle Rood at Hud, re: ticket number 428727 – ans she told me I would be contacted by Lucas Byers at Caliber by Wednesday. I was not, I called her back Thursday and left a message, I was contacted by Larry Manchester with Renovation ready. This was in June. We submitted a draw request, and a second one. I received them in August, but at this point the contract had expired. My contractor wasn't willing to continue without payment, but he had not provided us with Lein waivers and receipts as requested. We told him to bring those and I would sign and give him the check. While he was coming to my home to do this, he had a stroke. So now I have this check, I have subcontractors that need to be paid, threats of Leins on my home, my consultant is weekly calling and emailing Larry at Renovation Ready and getting no response. Finally he reaches someone and learns Larry is no longer there, and they couldn't find our contracts. After another week, he heard back, that they were no longer handling Caliber's accounts. So we went back to trying to contact Caliber. The Conultant left a message with Omar Elashi who is supposed to be our contact at Caliber – 469-242-1077, email omar.elashi@caliberhomeloans.com. I have sent an email a week, also forwarding the previous weeks emails. I have done this for three weeks now. I am sending them to Lucas Byers, Omar Elashi, Kristin Pickering, and Jennifer Roma who were all "contacts" given to me by Larry Manchester when he worked for renovation ready. In the mean time, our consultant has contacted Legal, he has contacted Flagstar because they originated my loan trying to get a contact at Caliber. We are asking for them (which I also emailed Jennifer Roma about on August 27, 2014) to reissue the last draw to just me, or me and a 3rd party so that I can get these subcontractors paid. We had a gentleman who was willing to step in for our

contractor and finish what he had left, but because the bank didn't answer, he is no longer interested because he doesn't think he will get paid. Our one year anniversary in our home is next Wednesday. Caliber has now wasted over 6 months of our time. We can't get anyone in to finish the work because the Bank won't answer us. I am paying interest on this money that is supposed to be set aside for renovations and can't get it, can't get a person to talk to me.

Please Help me get my home finished. I thought I bought my dream home, I couldn't wait to spend my first Christmas in a beautiful remodeled home. I am now approaching my second Christmas with no heat upstairs, a partially installed furnace, no updated electric, trash stacked all over my hard from a barn teardown, dead grass patches, old old windows that were supposed to be replaced, poor plumbing that was to be replaced, honestly – no one job has been completed. It has become a nightmare! I entered into this loan because I wanted an older home with class and charm, but it needed updates. Now I have a still beautiful home with charm, but I freeze at night, I can't make a cup of coffee and blow dry my hair at the same time, its just so depressing. Thank you for your time.

I, the undersigned, hereby authorize the release of all pertinent information to and by Congressman Upton or any authorized member of his staff to make an inquiry on my behalf.

Signature: (b)(6) Date: 11/18/14

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Member, United States
House of Representatives
720 Main Street
St Joseph, MI 49085-1317

DEC 09 2014

Dear Representative Upton

Thank you for your letter of November 19, 2014, on behalf of your constituent, Ms (b)(6) (b)(6) who is experiencing problems with her 203(k) loan. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

The Department is currently conducting a review of this matter. Upon completion of the review, a final response will be provided.

I hope this information is helpful. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Member, United States
House of Representatives
720 Main Street
Saint Joseph, MI 49085-1317

JAN 09 2015

Dear Representative Upton,

Thank you for your letter on behalf of your constituent, Ms. (b)(6) (b)(6) about problems she experienced in the process of rehabilitating a property that is insured by the Federal Housing Administration (FHA) under Section 203(k) of the National Housing Act. The property is located at 414 River Street in Allegan, Michigan. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

In order to perform a thorough review, HUD has recalled the original FHA case binder from the mortgage lender, Caliber Home Loans, Incorporated, and advised them of this complaint. HUD has also requested that the 203(k) consultant, Mr. Timothy M. Riley, to conduct a thorough review of this case, including a re-inspection of the property to provide the Department with a full report.

HUD's staff will contact Ms (b)(6) once they have received and reviewed the FHA case binder, and the responses from both the lender and the 203(k) consultant.

If Ms (b)(6) requires additional information or wishes to discuss this matter further, she may contact Mr. Charles Newman, Construction Analyst, in HUD's Philadelphia Homeownership Center at 1-215-861-7521.

I hope that this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States

Washington, DC 20510

March 14, 2016

The Honorable Julián Castro
Secretary
Department of Housing and Urban Development
451 7th Street, S.W.
Washington, D.C. 20447

Dear Secretary Castro:

We write in strong support of the Promise Zone application submitted for the City of Flint in partnership with the United Way of Genesee County.

As you know, the Promise Zone Initiative is designed to drive economic growth, create jobs, and increase safety and public health in disadvantaged communities. For decades, the City of Flint has faced significant challenges that have negatively impacted the quality of life for City residents. These challenges stem primarily from years of substantial job loss in the region. The recent public health crisis in Flint, caused by dangerous levels of lead in the City's drinking water, has undoubtedly compounded previous challenges and will have a far reaching effect for years. The full scope and damage of this public health crisis may not be known for some time to come.

Despite steep challenges, the City of Flint – in collaboration with local and Federal stakeholders – has demonstrated a resilient ability to create positive change in the region. In 2010, the City of Flint used a HUD Sustainable Communities Challenge Grant to begin work on its long-term Imagine Flint Master Plan. This Master Plan has received widespread support, including over $1 million dollars in private funds and the extraordinary community engagement of over 5,000 local residents.

The City of Flint's Promise Zone application builds on the successful Imagine Flint Master Plan, with goals of promoting health and access to health care, building community infrastructure, improving educational opportunities, reducing violent crime, increasing economic activity and creating jobs. Importantly, this application will continue and expand a robust, data-driven, and collaborative framework that includes a broad and diverse group of stakeholders. Initiatives currently underway include the Building Neighborhood Capacity Program to increase capacity for grassroots organizations, Strong Cities Strong Communities brownfield redevelopment at two former auto plants in the city, and the Byrne Criminal Justice Initiative where four partner institutions are actively using a data driver approach to enhance public safety.

We believe this application presents a unique opportunity to deliver critical support to a community with great need and a demonstrated willingness from private and public partners to implement our shared vision for a better Flint. A Promise Zone designation will allow the City of Flint to leverage Federal resources more effectively and provide stakeholders with additional support for coordination, accountability and oversight.

We urge you to give this application your utmost consideration.

Sincerely,

Gary C. Peters
U.S. Senator

Debbie Stabenow
U.S. Senator

Daniel Kildee
Member of Congress

John Conyers, Jr.
Member of Congress

Sander Levin
Member of Congress

Fred Upton
Member of Congress

Candice Miller
Member of Congress

Tim Walberg
Member of Congress

Dan Benishek
Member of Congress

Bill Huizenga
Member of Congress

Mike Bishop
Member of Congress

Debbie Dingell
Member of Congress

Brenda Lawrence
Member of Congress

John Moolenaar
Member of Congress

Dave Trott
Member of Congress

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410 1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

JUL 2 5 2016

The Honorable Fred Upton
U.S. House of Representatives
Washington, DC 20515

Dear Representative Upton:

On behalf of Secretary Julián Castro, thank you for your letter in support of the City of Flint in partnership with the United Way of Genesee County. The following information is from the Department of Housing and Urban Development's (HUD) Office of Field Policy Management.

On June 6, 2016, the Administration announced the third and final round of Promise Zone communities. For the Third Round Promise Zone competition, HUD received 64 urban applications from 29 states and the Commonwealth of Puerto Rico. Representatives from across the federal government spent countless hours reviewing and evaluating applications. It was a very difficult decision because we received so many strong applications with compelling strategies. Unfortunately, the City of Flint in partnership with the United Way of Genesee County was not designated a Promise Zone in the final round of the competition.

The Department looks forward to partnering in other ways and I am pleased to inform you that the City of Flint in partnership with the United Way of Genesee County was named a Finalist. The purpose of selecting Promise Zones Finalists is to recognize communities whose applications reflect high-quality strategies under the criteria set forth in the Application Guide, but are not selected as one of the five third round designees.

HUD Regional Offices will contact Finalists in the near future to discuss next steps in the process. HUD plans to work with Finalist communities to help advance priority projects identified in their Promise Zone applications. In addition, the participating federal agencies will communicate regularly with Finalists about programs and innovative solutions that match local needs and strategies. However, no preference points or other Promise Zone designation benefits will be given to Finalists.

The Department appreciates your support of the Promise Zone Initiative and commends the fine work and collaboration that has resulted in the City of Flint in partnership with the United Way of Genesee County being named a Finalist. Please let me know if I can be of further assistance.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States
Washington, DC 20515

November 15 2016

Dear Secretaries. Administrators. Directors and Commissioners

Farlier this year, President Obama's Chief of Staff stated that the Administration will "do audacious executive action throughout the course of the rest of the year "[1] As you are aware. such action often involves the exercise of substantial policymaking discretion and could have far-reaching impacts on the American people and economy. Considering these potential consequences. we write to caution you against finalizing pending rules or regulations in the Administration's last days. By refraining from acting with undue haste, you will ensure that agency staff may fully assess the costs and benefits of rules. making it less likely that unintended consequences will harm consumers and businesses.[2] Moreover, such forbearance is necessary to afford the recently elected Administration and Congress the opportunity to review and give direction concerning pending rulemakings.[3] Should you ignore this counsel. please be aware that we will work with our colleagues to ensure that Congress scrutinizes your actions – and, if appropriate, overturns them – pursuant to the Congressional Review Act[4]

Sincerely,

Kevin McCarthy
House Majority Leader

Jeb Hensarling
Chairman
House Committee on Financial Services

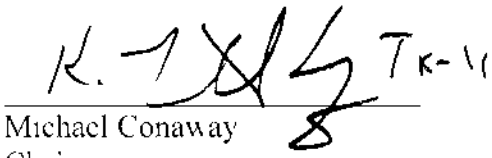
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[1] David Cook *White House chief of staff promises 'audacious executive action'*, CHRISTIAN SCIENCE MONITOR (Jan 13, 2016) http://www.csmonitor.com/USA/Politics/monitor_breakfast/2016/0113/White House chief of staff promises audacious-executive-action (emphasis added)

[2] Other aspects of the rulemaking process are diminished when administrations issue "midnight" rules, lowering the quality of the final product The Office of Information and Regulatory Affairs (OIRA) has limited opportunity to review 'midnight' rules, "and neither agency nor OIRA personnel have sufficiently strong incentives or latitude to conduct searching analyses of whether the rules should or should not be issued or modified H COMM ON THE JUDICIARY MIDNIGHT RULES RELIEF ACT OF 2016 H Rep No 114 782, pt 1 at 2 (2016)

[3] On January 20 2009, President Obama's Chief of Staff requested that the heads of executive departments and agencies refrain from finalizing new rules writing that "[i]t is important that [the President's] appointees and designees have the opportunity to review and approve any new or pending regulations " We respectfully submit that the sentiment animating President Obama's guidance is as applicable today as it was almost eight years ago, and that democratic accountability requires that all agencies – even so-called independent agencies – temporarily refrain from finalizing rules

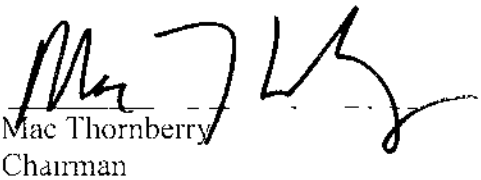
[4] 5 U S C §§ 601 *et seq*



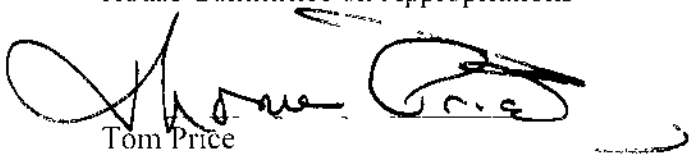
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Mac Thornberry
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House Committee on Armed Services



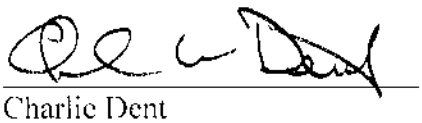
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John Kline
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House Committee on Education and
the Workforce



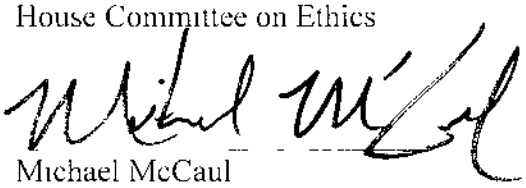
Fred Upton
Chairman
House Committee on Energy and Commerce



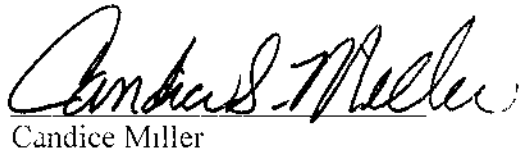
Charlie Dent
Chairman
House Committee on Ethics



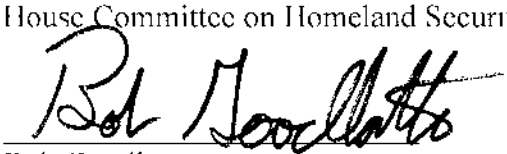
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Michael McCaul
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House Committee on Homeland Security



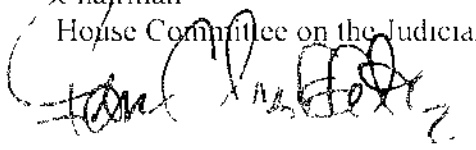
Candice Miller
Chairman
House Committee on House Administration



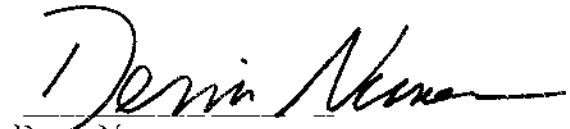
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Rob Bishop
Chairman
House Committee on Natural Resources



Jason Chaffetz
Chairman
House Committee on Oversight and
Government Reform



Devin Nunes
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House Permanent
Select Committee on Intelligence

Pete Sessions
Chairman
House Committee on Rules

Lamar Smith
Chairman
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Space and Technology

Steve Chabot
Chairman
House Committee on Small Business

Bill Shuster
Chairman
Committee on Transportation
and Infrastructure

Jeff Miller
Chairman
House Committee on Veterans' Affairs

Kevin Brady
Chairman
House Committee on Ways and Means

CC All Federal Executive and Independent Agencies

FRED UPTON
[illegible]

COMMITTEE ON
ENERGY AND COMMERCE
[illegible]

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FAX: 202-225-4986

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FAX: (269) 385-7886

[illegible]
SOUTH HAVEN, MI 49090
(269) 982-1986
FAX: (269) 982-0737

http://upton.house.gov

Congress of the United States
House of Representatives

April 5, 2017

Stanley Hardy IV
Congressional Liaison
U S Department of Housing and Urban Development
451 7th Street Southwest, Room 10120
Washington, DC 20410-0001

Dear Stanley,

This letter is in reference to Hope Network Mr. (b)(6) (b)(6) CFO, contacted my office regarding the U S. Department of Housing and Urban Developement

For your convenient reference, and in accordance with the Privacy Act of 1974, I have enclosed a copy of his privacy release form

Because of the desire of my office to be responsive to all inquiries, your consideration, findings and views concerning the enclosed will be greatly appreciated I look forward to hearing from you at your earliest convenience.

Thank you for your assistance.

Very truly yours,

Fred Upton
Member of Congress

FSU:mf

April 3, 2017

Dear Congressman Upton,

I give you permission to look into my difficulties with the U.S Department of Housing and Urban Development
I understand that this form is being used in compliance with the Privacy Act of 1974

Signature Richard R Fabbrini

NAME (b)(6) (b)(6)
Chief Financial Officer

ADDRESS Hope Network
3075 Orchard Vista Drive Southeast
Grand Rapids, MI 49546

PHONE. 616-248-5281 EIN# 38-6108186

EMAIL RFABBRINI@HOPENETWORK.ORG

BRIEF DESCRIPTION OF THE PROBLEM (please print)

PLEASE SEE ATTACHED

HOPE NETWORK
REQUESTED ASSISTANCE WITH AFFORDABLE HOUSING OPERATION

Lilac Lane, Inc., Non-Profit Housing Corporation, d/b/a Village of Kalamazoo Apartments (VOK), is a 165-unit affordable property at 4411 Lilac Lane, Kalamazoo, Michigan.[1] The 7-building complex was built in the early 1970s. Hope Network, a Michigan nonprofit, is the sole member of VOK, which it acquired in 1995 pursuant a LIHPRHA Capital Grant Agreement There is Project-based Section 8 subsidy for 33 units (20% of the units) and there was an interest reduction subsidy before the mortgage matured in 2014. Originally, when the current HUD agreements were executed in 1995 it was anticipated that the Section 8 units would be expanded to cover up to 60% of the units, but that never occurred. The result has been substantial financial challenges. Hope has long been subsidizing operations, and VOK owes Hope Network $608,181 as of October 31, 2016.

Without additional Section 8 assistance as originally requested, the property has struggled since 1996; it continues to struggle even without a mortgage. It lost money 12 of the last 14 years, and capital reserve deposits were initially too low to sustain long-term viability. Operating costs have increased 44% from 2002 to 2015, from $734,262 to $1,056,182, as the property has aged. Net cash flow, including releases from capital reserves, has deteriorated steadily. Recent fires in 2013 (tenant caused) and 2014 (contractor caused) resulted in further challenges Additional financial information is shown as an addendum to this summary

The property is now 44 years old and needs significant rehabilitation and repairs. Estimates range from $7,500,000 to $9,000,000 Furnaces and A/C units are 20+ years old, as are roofs, while other elements are original. A $7,500,000 loan would cost $26,101/month ($313,212/year), which works out to $158 per unit per month. A $9,000,000 loan would cost $39,151/month ($469,812/year), which is $200 per unit per month.[2] Without additional Section 8 or other assistance, increasing the debt will put the financial burden on the tenants. These tenants already struggle, and the cost of renovations will result in higher rents – and could eventually price the units out of the market. If a viable financial plan for the asset cannot be put in place soon, the asset will financially collapse, the residents will be displaced and the seven buildings will be abandoned.

Hope Network has been working with the Detroit office of HUD to find a resolution, but none has been identified. Hope Network is seeking special consideration from the National Office of HUD to find a solution to these financial issues. Such special consideration could include one or more of the following:

(1) additional project-based Section 8 subsidy would be ideal, or
(2) special support to enable significant debt to be placed on the property without putting excessive stress on the operating expenses or cash flow (e.g., a balloon note with no debt service costs), or
(3) relief from the current LIHPHRA affordability restrictions, like the ability to use the income limits controlled by any tax credit refinancing, i.e 60% of medium income, or removal of other restrictions
(4) We Request the use of Residual Receipts returned to HUD from other Hope Network developments be used for capital improvements or considered a form of rental assistance, or
(5) We request Flat Rents plus permission to market to a mixed income group , or
(6) a capital grant, or any other relief that may be available.

Hope Network appreciates efforts to help resolve this unfortunate situation.

---

[1] The former FHA # (HUD Project #) is 047-44046-LOC-SUP

[2] Both loans assume a 35-year term at 3 87% interest and nothing down

HOPE NETWORK
REQUESTED ASSISTANCE WITH AFFORDABLE HOUSING OPERATION

ADDITIONAL FINANCIAL INFORMATION

The original LIHPRHA Capital Grant Agreement provided Grant funds of $2,632,596 for repairs and rehabilitation. VOK agreed to comply with LIHPRHA, 24 CFR Parts 84 and 248, and a Use Agreement, *inter alia* The Use Agreement imposes affordability restrictions and runs for the remaining useful life of the property, which is at least until 2046 – 50 years after the LIHPRHA grant.[3] 134 units are for households making less than 50% of the area median income (AMI), 20 units are for low income households (less than 80% AMI), and 9 units are for moderate income households (80-95% AMI). Rents for tenants without Section 8 are on a scale: the target is 30% of adjusted annual income, but never less than base rent and never more than market VOK requested additional Section 8 as part of LIHPHRA deal but that request was denied - HUD only agreed to honor the existing Section 8 contract.

All affordability restrictions would have expired in 2014 when the mortgage matured, but for the LIHPHRA use agreement Now the property must remain affordable for its remaining useful life, but there is no subsidy to cover the difference between what tenants can afford and operational costs.

Net cash flow, including releases from capital reserves, has deteriorated rapidly and has been significantly short of the cash flow required to adequately maintain the property.

	Total Revenue	Cost of Operations	Op. Cash Flow w/o Releases[4]	RfR Releases	Operating Cash Flow
Avg 96 00	584,897	498,770	1,531	18,132	4,111
Avg 01-05	782,295	694,926	(30,069)	34,449	4,380
Avg 06-10	895,469	826,465	(125 415)	81,645	(43,769)
Avg. 10 15	1,026,231	957,274	(133,159)	54,097	(79,062)

For further information please contact:

(b)(6) (b)(6)

Hope Network Chief Financial Officer

rfabbrini@hopenetwork.org

616-248-5281

[3] Had the original mortgage there been no LIHPHRA grant agreement

[4] Op Cash Flow is the net between revenue and cost of operations, plus principal payments and deposits to reserve account:

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Member, United States
House of Representatives
350 E. Michigan Avenue, Suite 130
Kalamazoo, MI 49007-3800

Dear Representative Upton:

Thank you for your letter on behalf of your constituent, (b)(6) (b)(6) who expressed concerns about the financial situation at Village of Kalamazoo located in Kalamazoo, Michigan. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

HUD's staff in the Detroit Satellite Office was contacted about the property, and indicated that a conference call was held with Village of Kalamazoo on April 12, 2017.

During the conference call, it was agreed that Mr. (b)(6) and his group would submit an amendment request to the Low-Income Housing Preservation Home Recovery Act (LIHPHRA) Use Agreement that covers the property. Mr. Fabbrini's amendment requests will include a change in Income Limits and Rent Restrictions from Very Low Income Tenants (50 percent AMI) to Lower Income Tenants and to allow the new owner to receive annual distributions. To date, those requests have not been completed or received by the Detroit Satellite Office.

The only business agreements that the Department has with the property are a Section 8 Housing Assistance Payment Contract that subsidizes 33-units and an active Use Agreement that expires in December 2045.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
for Congressional and Intergovernmental Relations

FRED UPTON
6TH DISTRICT, MICHIGAN

COMMITTEE ON
ENERGY AND COMMERCE
CHAIRMAN



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720 MAIN STREET
ST JOSEPH, MI 49085
(269) 982–1986
FAX (269) 982–0237

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Congress of the United States
House of Representatives

April 19, 2017

Mr. Michael Polsinelli
Acting Field Office Director
U.S. Department Of Housing and Urban Development
McNamara Federal Building
477 Michigan Avenue
Detroit, MI 48226-2523

Dear Michael,

This letter is in reference to Susan Doroh on behalf of Superior Property Management. Ms. Doroh contacted my office regarding her difficulties with the Department of Housing and Urban Development.

For your convenient reference, and in accordance with the Privacy Act of 1974, I have enclosed a copy of her privacy release form.

Because of the desire of my office to be responsive to all inquiries, your consideration, findings and views concerning the enclosed will be greatly appreciated. I look forward to hearing from you at your earliest convenience.

Thank you for your assistance.

Very truly yours,

Fred Upton
Member of Congress

FSU:ch

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FRED UPTON
6TH DISTRICT, MICHIGAN

COMMITTEE ON ENERGY AND COMMERCE
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☐ 720 MAIN STREET
ST. JOSEPH, MI 49085
(269) 982-1986
FAX: (269) 982-0237

http://upton.house.gov

Dear Congressman Upton,

I give you permission to look into my difficulties with the DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DHUD) - WASHINGTON, D.C.

I understand that this form is being used in compliance with the Privacy Act of 1974.

Signature: [signature]

NAME: INDIAN HILLS TOWNHOUSES ; SUPERIOR PROPERTY MANAGGMENT; SUSAN DOBOH.

ADDRESS: PROPERTY: 400 CLEVELAND ST, DOWAGIAC, MI ; SUPERIOR 207 HAWTHORNE AVE ST. JOSEPH, MI 49085

E-MAIL: (b)(6)

PHONE: 269- 983-7330 SOCIAL SECURITY # (b)(6)

DATE OF BIRTH

BRIEF DESCRIPTION OF THE PROBLEM (please print):

THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT, WASHINGTON, D.C., AND THE APPRAISER (VALBRIDGE PROPERTY ADVISORS) ENGAGED BY THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT INTEND TO DRASTICALLY REDUCE THE SECTION 8 RENTS AT INDIAN HILLS TOWN HOUSES IN DOWAGIAC, MI TO LEVELS SLIGHTLY LOWER THAN APPROVED IN 2007. - 10 YEARS AGO. THE RENT COMPARABILITY STUDIES PREPARED BY DHUD AND VALBRIDGE CONTAIN SIGNIFICANT ERRORS. THEIR PROPOSED RENTS ARE NO SUFFICIENT TO PAY THE EXISTING MORTGAGE PAYMENT & OPERATING EXPENSES. HUD ADVISED THE OWNERS THAT THEY DO NOT INTEND TO CORRECT THEIR ERRORS.

(If more space is needed, please use back of page.)

207 Hawthorne Avenue • St Joseph, MI 49085
269 983-7330 f 269-983-5678

April 14, 2017

To: Congressman Fred Upton

Re: Indian Hills Townhouses
400 Cleveland Street
Dowagiac, MI 49047
40 Unit Townhouse property with Section 8 Rental Assistance
FHA Number: 047-11040
Property ID : 800010237
HAP Contract #: MI33L00019

In November of 2016, an Appraisal Report was received from Valbridge Properties, an appraisal firm engaged by the Department of Housing and Urban Development for Indian Hills Townhouses. This report, intended to determine appropriate rent levels for Indian Hills Townhouses contained numerous significant errors. The rents determined in this report will not support the operations for this property which provides decent, safe and sanitary housing for middle to low income families in Dowagiac, Michigan.

The Owners of Indian Hills Townhouses appealed this report highlighting inaccuracies.

The Owners received a response to the appeal from the Department of Housing and Urban Development in Washington D.C.

The response to this appeal did recognize some of the errors in the report and made a few adjustments. However, their response contained additional errors and opinions. No representative from a HUD office physically visited Indian Hills Townhouses or any of the area comparables used in this report. Many of the adjustments made on the Rent Comp Study (RCS) report that determined their rents were based on "personal" opinions and photos from the internet used for marketing purposes, rather than on facts. Our appeal included current photographs of the comparable properties which demonstrated the true condition of these properties which was not represented in the internet marketing photos.

We also submitted additional information drawing attention to the oversights in the HUD response. HUD responded denying us further appeal.

This is not acceptable. Errors must be corrected.

The federal employees of the Department of Housing and Urban Development should be working WITH the Owners of these federal housing properties for the common goal of providing affordable, safe housing.

Respectfully,

Robert Pozywilko, General Partner
Indian Hills Townhouses

APRIL 14, 2017

INDIAN HILLS TOWNHOUSES
DOWAGIAC, MI
HUD PROJECT 047-11040
HAP CONTRACT MI33L000019

BASIS OF APPEAL

Structures: - Line # 6 on Rent Comparability Grid

Indian Hills is a "townhouse" property which includes one, two and three bedroom townhomes.
Recap does not consider the one bedroom a townhome.....but it is a townhome.
An adjustment for a townhome style unit should not be based on the number of bedrooms.
A $30 adjustment is reasonable for each of the one, two and three bedroom units.

Condition: - Line # 8 on Rent Comparability Grid

Recap's response is not acceptable. The initial appraisal report by Valbridge clearly discloses that the PAE (Valbridge) did not physically see the comparable properties, but rather gathered information and photos from the website. It would have been impossible to rate the condition of the comparables as they reported in the Valbridge report if they had visited the sites. Photos taken and submitted with the appeal are a true representation.

The Engineering Report, dated November 2016, engaged by RECAP for this process had noted only two physical condition remarks:

Cracks in sidewalks $1,040

Cracks in asphalt $3,250

The HUD initial response to our Appeal did recognize some of the errors involving the condition of the comparable properties, however, their "opinions" on conditions based on internet photos is not accurate.

Square Footage: - Line #13 on Rent Comparability Grid

We believe that the square footage difference should be calculated consistently across the board to eliminate any discretion. The per square foot price that has been accepted in previous Rent Comp Reports is $.22 per square foot.

This would eliminate any need for personal opinions as to how many square feet is to be considered and when it should not be considered.

Extra Storage: - Line # 25 on Rent Comparability Grid

The HUD DC response to the initial repeal erroneously stated that the basement area was not heated.

There is a heat duct with registers in this basement area. We have experienced residents using this area for family rooms, hobby rooms, play area, etc. We disagree with Recap's "opinion" that there is only a "limited value that can be placed on this area". Based on the demand we are familiar with from applicants for these townhouse units versus our apartment units in this same neighborhood, this area is valuable to the residents.

Utilities: - Lines (b)(6) **Heat;** (b)(6) **Cooling** (b)(6) **Cooking;** (b)(6) **Hot Water**

The utility adjustments figures used in the HUD-DC Rent Comparability Grids are incorrect.

The purpose of this rent comp study is to determine the total cost of living at the subject property (Indian Hills Townhouses) versus one of the comparable apartment units.

You must use the costs for the utilities based on the type used at the comparable property.

For instance, at Hamilton Square Apartments, the rent is $425. However, in addition to rent, the resident has to also pay for their own electric for heating, cooking and hot water. The costs for this electric has to be added to their monthly rent to compare it to the Townhouses that have the heating costs included in the rent.

General

The HUD appeal response received March 2, 2017, contained Rent Comparability Grids prepared by Minnie Monroe-Baldwin at the Department of Housing and Urban Development office in Washington D.C.

These rent grids prepared by Minnie Monroe-Baldwin, HUD Office, D.C., contains two properties, **Hillcrest Apartments** and **Village West Apartments**, as comparables that were not included in the previous original rent comparability study prepared by the Valbridge Appraisers, the subject of this appeal.

The fact that these properties are included when they were not included on the original report is questionable as is the source of the information for these properties. It is highly unlikely that the HUD staff in D.C. was able to actually visit this site in order to properly evaluate the conditions/locations, etc. Where did the HUD DC staff obtain information on this property?

Additionally, on the Rent Comparabiltiy Grids for these two properties, there is a column titled "Owners Comments" with adjustment figures in these columns.

The Owners never saw these properties on any previous Rent Comparability Grid sheets provided for Indian Hills Townhouses.

We believe these rent comp studies prepared by Valbridge and the HUD staff in D.C. are an extreme example of sloppy, inaccurate work.

We feel this whole process, especially dealing with a HUD office staff extremely inaccessible in Washington DC, needs some attention in order to preserve this housing assistance program that is intended to provide decent safe and sanitary housing units to moderate and low income families.

The Ownership entity of this property is a "limited dividend" entity with a very small amount of income provided to the owners on an annual basis. The rents that HUD is proposing for this property, based on their "rent comp grids" would reduce the rents to a point that will not support its current mortgage. Subsequently, Ownership may have to take this property out of the HUD program, displacing those that need this decent safe and sanitary housing.

It is uncertain as to what will happen to this project as a result of us filing this report. We would hope that HUD would continue to provide the rental assistance for the 24 families currently receiving Section 8 assistance at Indian Hills until this contract issue is resolved.

CORRESPONDENCE

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

OFFICE OF HOUSING

MAR 2 2017

Susan Doroh, C.P.M
Indian Hills Townhouses
207 Hawthorne Avenue
St Joseph, MI 49085

Project Name:	Indian Hills Townhouses
FHA Number:	(b)(6)
Property ID:	800010237
HAP Contract #:	MI33L000019

Dear Ms. Doroh:

This letter is a response to your appeal of our decision dated February 8, 2017 concerning the subject property. After carefully reviewing the information submitted in support of your appeal, the Office of Recapitalization (Recap) has concluded the following:

APPEAL POINTS:

The owner is appealing the determination that the subject fails to qualify as a successful Lite. The appeal points specifically touch on numerous areas including both the market rent determination and underwritten operating expense projections.

The owner appeals the following Rent Grid Adjustments:

a. Line 6 Structure/Stories (building type townhouse vs. walk-up)
b. Line 8 Condition/Street Appeal
c. Line 9 Neighborhood
d. Line 13 Unit Interior Square Footage
e. Line 25 Extra Storage
f. Line 33 Heat
g. Line 35 Cooking
h. Line 36 Hot Water

RENT DETERMINATIONS:

The current HAP rents and various market rent opinions are presented in the chart below. Note that the owner's appeal is based on information contained in the independent third party appraisal. The Recap approved market rent determination already considered some of the points in the owner's appeal and concluded market rents that are higher than the appraiser.

BR Type Effective	#HAP Units	Current HAP 1/1/2014	Owner RCS Jul-14	PAE Appraisal Nov-16	PAE Dec-16	Recap Jan-17	Owner Appeal Feb-17
1 BR Flat	7	$682	$665	$495	$525	$535	$671
2 BR TH	11	$789	$795	$600	$640	$645	$773
3 BR TH	6	$889	$870	$715	$785	$790	$897
Total	24						
Per Month		$18,787	$18,620	$14,355	$15,425	$15,580	$18,582
Annual GPR		$225,444	$223,440	$172,260	$185,100	$186,960	$222,984
% of Current			99.11%	76 41%	82.10%	82.93%	98.91%

ANALYSIS:

a. **Structure/Stories**: The owner contends that the value of townhouse construction compared to walk-up is worth $60.

Response:

- Recap agrees that in this market there is additional value to a townhouse construction compared to a walk-up apartment.
- A $60 adjustment is too much for this property in this market. The 3 One-Bedroom comparables in the subject's town of Dowagiac have effective street rents of $425 to $450. The 3 Two-Bedroom rentals in Dowagiac have effective street rents ranging from $450 to $525. The suggestion of a $60 added value simply for building type in this market is not supported and has not been seen in similar markets throughout the M2M portfolio.
- The One-Bedroom type unit at the subject is not strictly a townhouse type construction though it is similar in that there are two entrances and no apartment above or below.
- Recap initially approved market rents that were adjusted at $15 for the One-Bedroom unit type and $25 for the Two and Three-Bedroom units. These

- amounts are in line with adjustments made at similar properties made in similar markets. Recap believes these adjustments are appropriate and should not be revised.

b. **Condition/Street Appeal**: The owner believes that the subject should be considered "above average" rather than average and disagreed with some of the other condition/appeal ratings made by the independent third party appraiser. Also, the patio/balcony feature and laundry hook-ups for Indian Hills Apartments are disputed.

Response:

- Indian Hills Apartments is owned and managed by the same principals as the subject. The information on the patio/balcony and laundry hook-ups is accepted and adjustments are made on the appeal rent grids for this comparable in the amounts of +$5 and $15, respectively.
- The PAE/Recap methodology for the Condition/Street appeal rating is to determine how the competition stacks up compared to the subject. Does the comparable show superior or inferior or about the same appeal? If superior or inferior, there may be extremes that warrant more adjustment than usual; however, if the chosen comps are reasonably good ones, the extremes should be rare. In this case, Recap applied a 5% of effective rent adjustment to the comparable as there were no extreme inferior or superior comps.
- The PAE/Recap opinions agree with the appeal that Comp #2 Hamilton Square is inferior to the subject.
- The PAE/Recap rated Comp #3 Berrien Woods and #4 West Wood as both Superior to the subject, but the appeal believes all three are equally above average.
- A difference of opinion between the PAE/Recap and the appeal exists for Comp #1 Indian Hills Apartments and #5 Parkside where the PAE/Recap rated these two as similar to the subject with adjustment necessary, but the appeal feels Comp #1 is slightly inferior and #5 is more inferior.
- The photos and comments submitted with the appeal were reviewed. The Capital Needs Assessment and appraisal photos were also reviewed.
- The Condition and street appeal evaluation is probably the most subjective category in the rent comparability grid. The appeal states that the appraiser did not inspect all of the comparables and used on-line marketing photos in their evaluation. Recap relies heavily on the opinion of the PAE who makes site visits to all comparables and often, as is the case here, has a difference of opinion from the appraiser. After taking all the available information noted above into consideration, the initial Recap determinations all appear appropriate with one exception. The submitted photographic evidence of Comp # 5 Parkside Terrace indicates that the condition and street appeal are most definitely inferior to the

subject. The appeal rent grid shows an adjustment of 5% of this comp's effective rent in the Condition/Street Appeal line.

c. **Neighborhood**: The owner submits that the no adjustment is needed for neighborhood.

Response:

- The PAE and Recap agreed with the appraiser that a ($5) adjustment was appropriate for comps located in Niles and ($5) for those located in Buchanan. The appraiser did not supply much back up for the adjustments referring simply to employment centers and commercial amenities.
- It is difficult to argue with locals that state that Dowagiac has a thriving downtown, a state college, a regional hospital and several thriving manufacturers.
- Buchanan has a slightly smaller population and Niles has twice the population. The Rent Comp Study submitted by the owner indicated no adjustment needed for neighborhood of the Niles and Buchanan comps.
- Neighborhood is a rather subjective category. An adjustment of $5 to $10 is minor. Recap recommends going with the owner for this category as they presented local knowledge in their documentation. The ($5) to ($10) adjustments are deleted in the appeal rent grids.

d. **Unit Interior Square Footage**: The owner submitted a chart of adjustments for variance in square footage that is similar. though not exactly the same as the Recap rent grids. The appeal does not explain the slight differences.

Response:

- The method employed by the PAE is widely accepted in the industry. The method used by the appraiser is widely accepted in the industry. Both results are very similar.
- Recap accepted the PAE's calculations and eliminated any adjustment for less than 25 SF difference as this is likely to be imperceptible to the renter. This is consistent with past M2M market rent determinations.
- All three calculations (Appeal, Appraiser and PAE) are very similar with only a couple of dollars variance. There is no valid reason to revise the calculations in the initially approved Recap rent grids.

e. **Extra Storage**: The owner proposes adjustments to comps that have no basement storage by $65 for the 1 Bedroom unit, $40 for the 2 Bedroom unit and $45 for the 3 Bedroom unit. (The 1 BR units have the largest SF.)

Response:

- The basements are unfinished with concrete perimeter walls, without heat, and contain the washer dryer hook-ups and mechanical equipment. Residents do use them for storage.
- The third party independent appraiser applied $10 to $20 adjustments for lack of an unfinished basement and $5-$10 for comps that offered extra storage but no basement.
- The PAE believed that the basements held slightly greater value in the market and adjusted from $15 to $30.
- Recap adjusted $20 for the 1 BR, $30 for the 2 BR and $35 for the 3BR unit.
- The owner's support for the higher adjustments is based on the Rent Comp Study which looked at the prices for off-site storage in the market area. The RCS used $0.20/SF for the value. Recap disagrees with this method, because the applicants for the subject's apartments are in the market for housing, not storage. The unfinished space is not valuable as an additional bedroom or family room.
- Upon review, the square footage of each basement space should be considered, not just the apartment bedroom count. The 1 Bedroom units have 633 SF of basement, the 2 BR units have 414 SF and the 3 BR units have 454 SF. However, there may be more demand by a larger family for storage space than a single or two person family. Keeping in mind that the effective street rents in Dowagiac and Buchanan were only $425 to $450 for a one bedroom apartment, it is reasonable to think that there is only a limited amount of value that can be placed on the unfinished basement, regardless of size. After considering these factors, Recap recommends keeping the adjustments at the level approved by Recap initially that is, $20 for the 1 BR, $30 for the 2 BR and $35 for the 3 BR unit.

f. **Heat**: The owner provided the Utility Allowance schedule (MSHDA – Region C) effective 1/1/2017. The appeal seems to indicate that if the comp has electric heat, the utility allowance for electric heat should be applied rather than the allowance for natural gas which is the energy source at the subject.

Response:

- The natural gas allowance has decreased from $22, $41, and $44 for the 1, 2, and 3 Bedroom units, respectively, to $20, $38 and $41.
- In the rent grids. the comp is adjusted to be comparable to the subject. If the resident pays their own electric heat at the comp, but we are adjusting as if the comp was similar to the subject that includes natural gas heat as part of the rent, then the adjustment must be for the lower natural gas value, not the higher electric energy cost. We are trying to determine the correct market rent for the subject, not a hypothetical rent for the comparable. The appraiser, PAE and Recap were consistent in maintaining the adjustment for natural gas for all comps.

- The rent grids are revised with the current (slightly lower) allowance for natural gas.

g. **Cooking**: The owner provided the Utility Allowance schedule (MSHDA – Region C) effective 1/1/2017. The appeal seems to indicate that the electric energy allowance should be used at some of the comps.

Response:

- The natural gas allowance for cooking has not changed.
- See the explanation above under heat for why the electric allowance is not applicable.

h. **Hot Water**: The owner provided the Utility Allowance schedule (MSHDA – Region C) effective 1/1/2017.

Response:

- The natural gas allowance for hot water has decreased from $6, $10, and $13 for the 1 BR, 2BR, and 3 BR units, respectively, to $5, $9, and $12.
- See the explanation above under heat for why the electric allowance is not applicable.

i. **Other**: The appeal states that Hamilton Square does not have 3 BR units and should not be used as a comp on the 3 BR rent grid. The appeal includes updated info on the 2 BR rent for West Winds.

Response:

- The PAE did not use Hamilton Square in the 3 BR rent grid but rather selected one of the 3 BR comparables (Village West) offered in the owner's Rent Comp Study.
- West Winds was not selected for use in the 2 BR rent grid. Village West from the owner's RCS was used instead.

RECOMMENDED FINAL MARKET RENT DETERMINATION:

After reviewing all the information in the appeal packages, verifying/analyzing the data, and taking into consideration applicable M2M program guidance, an increase of $10 to $15 per unit compared to the initial market rent determination is justified. The main reasons for the increase include corrected amenity data on Indian Hills Apartments, a revision of $5 - $10 in the Neighborhood category at some of the comps, and a revised Condition/Street Appeal assessment of Comp #5 Parkside from Similar to Inferior. A number of items in the appeal were already considered by Recap in the initial determination and that is why the Recap approved market rents were higher than those of the third party independent appraiser; however, the appeal was based solely on the appraiser's rent grids.

Revised rent grids were prepared for the appeal that indicate in yellow highlights the line items that were considered in the appeal and any recommended adjustments. By scrolling over the little red marks in the footnote columns, comments will appear supporting or revising the initial Recap determination.

The recommended final market rent determination is shown in the chart below:

BR Type Effective	#HAP Units	Current HAP 1/1/2014	Owner RCS Jul-14	PAE Appraisal Nov-16	PAE Dec-16	Recap Jan-17	Owner Appeal Feb-17	Final Determination Feb-17
1 BR Flat	7	$682	$665	$495	$525	$535	$671	$545
2 BR TH	11	$789	$795	$600	$640	$645	$773	$655
3 BR TH	6	$889	$870	$715	$785	$790	$897	$805
Total	24							
Per Month		$18,787	$18,620	$14,355	$15,425	$15,580	$18,582	$15,850
Annual GPR		$225,444	$223,440	$172,260	$185,100	$186,960	$222,984	$190,200
% of Current			99.11%	76.41%	82.10%	82.93%	98.91%	84.37%

LITE DETERMINATION:

After applying the proposed final market rent determination, the subject continues to fail as a successful Lite. The change in Debt Service Coverage is revised from 0.49 to 0.55.

Attached are a set of rent grids that incorporate revisions discussed above.

The appeal process is now complete. It is still Recap's recommendation that a full Mark-to-Market restructure should be completed. However, if you chose to not convert to a full Recap will issue the Watchlist Contract to be effective on May 1, 2017. Recap is in the process of requesting funding for a Section 8 Watchlist HAP Contract reflecting the above rents, which will be forwarded to you once funding is received. This contract will be effective May 01, 2015 and requires a three-year term, allowing OCAF adjustments after the 1st and 2nd year. Upon receipt of the HAP Contract, it should be executed and received by the HUD Project Manager within 10 business days. You also are required to submit to the HUD Project Manager a new rent schedule reflecting the approved rents and gross rent change certifications for tenants in the project. Gross rent change certifications do NOT require recertification of tenant income or expenses and do not affect annual recertification schedules. You may contact your HUD Project Manager for further information.

If you do not execute the Section 8 HAP Contract, HUD will be unable to honor your requisitions and will have no choice but to assume that you intend to opt out of the Program. In order to begin procedures to provide Section 8 tenant-based assistance to the tenants of this property, you will be given a short-term renewal at market rents in order to comply with the one-year Notice requirements to tenants or to provide sufficient time to process tenant-based vouchers.

If your decision is to opt out, we strongly urge you to contact Latrice Lyons, your HUD Account Executive, at the Detroit HUD Office immediately.

If you have any questions about this transaction, please contact Sula Miller. She may be reached at 202-402-8383.

Sincerely,

Minnie Monroe-Baldwin
M2M Branch Chief
Office of Recapitalization

cc: Sue Pogozelski, CreditVest
Kelly Flatley, CreditVest
Latrice Lyons, Account Executive, Detroit HUD Office
Susie Sapilewski, Project Supervisor, Detroit HUD Office

207 Hawthorne Avenue • St. Joseph, MI 49085
269-983-7330 f: 269-983-5678

March 17, 2017

Minnie Monroe-Baldwin
Office of Recapitalization
Department of Housing and Urban Development

After reviewing and researching the response to our appeal of the rents for the referenced property, we respectfully submit that we believe some of the categories need additional consideration.

The response from Ms. Monroe-Baldwin to our appeal states ***"Note that the owner's appeal is based on information contained in the independent third party appraisal"*** (Nicollet Partners (formerly KGS Consulting).

This is a correct statement by Ms. Baldwin, however this is due to the fact that HUD **required** that this property (as well as the other seven similar properties in our portfolio) engage an independent third party appraisal to conduct rent comp study every five years in order to renew their Section 8 contracts. The contracts were then renewed the next 4 years in between the rent comp studies using the HUD provided OCAF.

The properties were responsible for paying $2,300- $2,500 out of project funds for these rent comp studies.

Please provide an explanation as to why these reports from a third party appraiser were **required** by HUD, but are not acceptable as reference with this appeal.

The current level of rents at Indian Hills Townhouses were established and approved by HUD, via HUD required RCS engaged by the Owner, with HUD approved OCAF factors applied. (See RCS HISTORY attachment)

Comparable:

The Rent Comparable Grids for the one and two bedroom units included with HUD's response from Minnie Monroe-Baldwin to our appeal included ***Hillcrest Apartments (Comp #7)*** which was not included as a comparable in the Appraisal Report or Rent Comparable Grids prepared by Valbridge Property Advisors. The Valbridge Appraisal Report actually states on Page 36 ***"Please note, we are aware of Hillcrest Apartments located in Dowagiac. Containing one and two-bedroom apartment units, we attempted to survey this complex. Unfortunately, management was unwilling to divulge any information. As such, it is not used in the analysis below."***

Additionally, Village West (Comp #8) on the Rent Comp Grids for the three bedroom units prepared for HUD's response to our initial appeal, was not included in the Valbridge Property Advisors report as well.

Considering this statement in the Valbridge Appraisal Report, we are concerned as to where the information came from Hillcrest and and if the HUD appraiser actually visited these properties to obtain factual information for Hillcrest Apartments or Village West.

Also, on these Rent Comparable Grid for Hillcrest and Village West, there is a column that says "Owner Adjustment".

These properties were not on the original Rent Grid that we received from Valbridge, therefore the Owner had no opportunity to review or suggest adjustments in the initial appeal, so it is unclear as to the facts involving these comparables. It is concerning that the Owners were not provided any information on additional comps used in the HUD RCS that were not included in the Credit Vest RCS.

(See COMPARABLE – HUD RENT COMP GRID)

Structure:

Recap states that a $15 for one bedroom and a $25 for two and three bedroom adjustment for the Townhouse style is appropriate in this market. Why would the style of the buildings in a property be based on room size? Considering that in all previous rent comps required for contract renewal for the townhouse style properties in our portfolio accepted no less than $30 - $60, the minimum of this adjustment over the last several year at $30.00 should be accepted for this report.

Condition:

The REAC reports included with this submission are clear evidence that the condition of this property warrants being considered for additional adjustments by increasing the adjustments made on the properties rated as inferior, or adjusting Indian Hills Townhouses to equal the rating given to the Berrien Woods and West Woods property. Although these two properties may not be the same age as the subject, they are in equal or better condition as this REAC report indicates.

The most recent REAC conducted in 2016 has no deductions for the exterior of the building and only 5.98 point deductions due to a few cracks in the asphalt parking lot. Parking lots are typically scheduled every couple of years for crack filling, sealing and striping.

The Appeal response states that the 'photos from the Capital Needs Assessment were also reviewed'.

The photos and information in this CNA, performed by EMG on September 27, 2016, confirm the extremely good condition of this property. The only items noted was $1,040 for sidewalk work and $3,250 for asphalt crack fill/patch.

(See REAC INSPECTION INFORMATION)

Storage/Basement

The $20, $30, and $35 adjustment for the additional space provided in the basements does not adequately represent the value of this extra space.

In addition to having the laundry hookups for washers and driers and a laundry tub, we have had residents use this area for a child's play area and a family area. Residents have put down floor coverings, furnished a section with chairs/couches and used the area as an area to watch television or as a hobby/sewing area.

The appeal response state that there is no heat in this area. This is incorrect, there are heat vents in this area to provide heat making this area useable and functional.

The response to the appeal makes the assumption that "applicants for the subject's apartments are in the market for housing, not storage." The number of applicants that currently live in the comparable Indian Hills Apartments that are on the waiting list for a Townhouse units, indicates that the basement adds value to this property. Due to the fact that the supply of townhouse rental units is very low, the demand, and thus the rental value is higher.

Additionally, we don't contend that it can be ***assumed*** that the value of the space of this area is dependent on being a one bedroom, two bedroom or three bedroom unit, on the family size. We have many elderly persons in one bedrooms that utilize this space for storage and collections and hobby area.

Utilities:

It is correct that the Owner used the utility allowance based on the type of utility that the residents are responsible for paying at the comparable properties.

It is correct that the Owner does believe that the adjustments for the utility is dependent on what the residents at the comparable units are paying.

To be able to properly compare the value of the comparable properties, the cost of the type of utility that residents are responsible for paying, just as the current rent that they are paying, must be considered to be able to compare what the resident's total cost for living in a unit is against the cost of living in the subject property.

Example: If in the comparable properties that currently do not pay for the utilities decided to include the utility costs in their rental rates, (such as Indian Hills Townhouses) the monthly rental rates at these properties would have to increase based on the type of utility provided at that property—electric or gas.

Upon review of the adjustments used in our appeal Rent Grid Sheet, we do agree that the Heat, Cooking and Hot Water adjustments need to be changed to reflect the costs for utilities using the utility allowance figures for apartments vs a townhouse unit since all the comparable are apartment buildings. This correction is included on the Rent Grids in the package.

Patio/Balcony

The sliding glass doors in the kitchen/dining room area lead to the patios at the subject property that are enclosed with a privacy fence, providing convenient additional private space for sitting outside or dining. We believe that at least a $10 adjustment is very reasonable.

Please see the enclosed Revised Proposed Rent Comparability Grids which have adjustments per above comments.

Financial:

These Rent Comp Studies are based on rental information and rental rates on conventional properties without any consideration of the additional administrative and operating expenses experienced at HUD/Section 8 properties, such as:

- Rent Comp Study every 5 years @ $2,300 - $2,500
- Annual Financial Audit Report $6,240 per year
- Capital Needs Assessment $3,450
- Specialized Section 8/HUD training, seminars and software
- Additional office supplies for software, resident processing and reporting.
- The rents determined by HUD through the Credit Vest Rent Comp study are at the same level as the RCS prepared by Nicollet Partners, and accepted by HUD, for contract renewal in 2004 for Indian Hills Townhouses.

- The Valbridge report contains a comment on the fact that rents at properties with Section 8 units will have higher rents than conventional properties. So why are these additional costs not considered when comparing to market rate properties who do not have these expenses.

- We understand that Valbridge made some adjustments/corrections to the original RCS that they prepared, but we have not received a copy of the Rent Comparability Grid.

Additional comments/questions:

Why has HUD required the properties to engage a Rent Comp Study every five years, at a cost exceeding $2,300, to renew their contracts, with OCAF factors applying for the following four years....then HUD engages Credit Vest/Valbridge, or some other contractor to prepare a different rent comp study....typically significantly lower that the reports that HUD had previously accepted?

Please see the Rent Comparability Grid that we have prepared with the adjustments/corrections pursuant to this letter. These rents still do not calculate to the current level, however, they will be sufficient to operate this property.

Please do not hesitate to contact us with any questions regarding Indian Hills Townhouses.

Respectfully submitted.

INDIAN HILLS TOWNHOUSES

Robert Poziwilko, General Partner

Enclosure/Attachments

Cc: Sula Miller, RECAP
Sue Pogozelski, Credit Vest
Kelly Flatley, Credit Vest
Latrice Lyons, Account Executive, DHUD, Detroit
Susie Sapilewski, Project Supervisor, DHUD, Detroit

LETTER FROM HUD – DC

The response from Minnie Monroe-Baldwin to our initial Appeal letter contained numerous errors.

We submitted additional information regarding these errors. HUD-DC refused to review this information.

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

OFFICE OF HOUSING

APR 0 4 2017

Robert Poziwilko, General Partner
Indian Hills Townhouses
207 Hawthorne Avenue
St Joseph, MI 49085

Project Name:	Indian Hills Townhouses
FHA Number:	(b)(6)
Property ID:	800010237
HAP Contract #:	MI33L000019

Dear Mr Poziwilko:

This letter is a response to your letter dated March 17, 2017 concerning the subject property. In the case of assets that enter Mark-to-Market (M2M) for a determination of market rent without debt restructuring, there is only one opportunity for an appeal. This is in accordance with the M2M Program Operating Procedures Guide, Chapter 10, Section 8 Contract renewal with a Reduction of Section 8 Rents without Debt Restructuring ("Lites").

Per the above guidance one appeal has been submitted and a response was provided dated March 2, 2017, therefore no more appeals will be processed by Recap.

The appeal process is now complete.

We wish you the best with your future endeavors.

Sincerely,

Minnie Monroe-Baldwin
M2M Branch Chief
Office of Recapitalization

cc: Sue Pogozelski, CreditVest
Kelly Flatley, CreditVest
Latrice Lyons, Account Executive, Detroit HUD Office
Susie Sapilewski, Project Supervisor, Detroit HUD Office

RENT COMP STUDIES

- HUD engages Valbridge Appraisers to prepare rent comparison study.
- The rents determined by Valbrige Appraisers prove to be insufficient to support mortgage.
- HUD then engages Valbridge Appraisers to work with Owners to go through a Full Debt Restructuring, for which Valbridge is engaged to administer.
- Ownership of property forced to incur significant costs and fees through the processing of a new mortgage, when it would not be necessary if the rent comp studies were correct

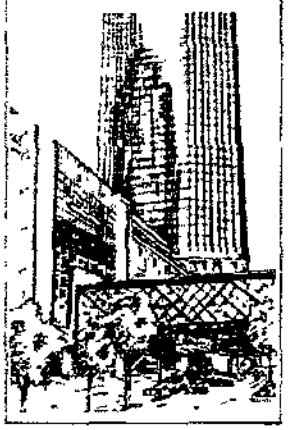
INDIAN HILLS TOWNHOUSES

	Nicollet Partners* (from 2014)	Valbridge	HUD DC	Current	IHT APPEAL
1 Bedroom	$ 665.00	$ 495.00	$ 545.00	$ 682.00	$ 641.00
2 Bedroom	$ 795.00	$ 600.00	$ 655.00	$ 789.00	$ 764.00
3 Bedroom	$ 870.00	$ 715.00	$ 805.00	$ 889.00	$ 878.00

*Every 5 years HUD requires the apartments to engage a Rent Comp Study firm to prepare a Rent Comp Study to establish the rents for the Section 8 units. Ownership pays approximately $2,500 for these reports. The preparer of these reports is a Certified General Appraiser

NICOLLET PARTNERS

Real Estate Advisors



RENT COMPARABILITY STUDY

Indian Hills Townhomes and Apartments
400 Cleveland Street
Dowagiac, MI

PREPARED FOR:

Ms. Deborah Rock
Superior Property Management

DATE OF REPORT:

July 31st, 2014

NICOLLET PARTNERS

1221 Nicollet Mall Suite 700 · Minneapolis, MN 55403 · (612) 340-1236 · FAX (612) 340-1848

July 31st, 2014

Ms. Deborah Rock
Superior Property Management
207 Hawthorne
St. Joseph, MI 49085

RE: Rent Comparability Study (RCS) for the 40-unit Indian Hills Townhomes (FHA#047-11040 and MI33L000019) located at 400 Cleveland Street, Dowagiac, Michigan

Dear Ms. Rock:

The RCS for the above referenced property has been completed with the supporting data, analyses, and conclusions presented in the attached report. The purpose of this study was to estimate the market rents for units that will be assisted under the renewed Section 8 contract. Market rent is the rent that a knowledgeable tenant would most probably pay for the Section 8 units as of the date of this report, if the tenants were not receiving rental subsidies and rents were not restricted by HUD or other government agencies. The following table lists the market rents I concluded for each Section 8 unit type.

Type of Unit	Number of Units	Unit Size Sq.Ft.	Appraiser's Estimated Net Market Rent	Market Rent Per Square Foot	Prepared Grid (Y or N)
One-bedroom - TH	7	698	$665	$0.95	Y
Two-bedroom/1 bath - TH	11	919	$795	$0.87	Y
Three-bedroom - TH	6	1027	$870	$0.85	Y
One-bedroom - apt	8	650	$425	$0.65	Y
Two-bedroom/1 bath - apt	11	800	$490	$0.61	Y

* There are an additional 16 TH (1, 13 and 2, respectively) and 21 apartments (1 and 20, respectively) that are non-Section 8

The RCS was prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) and the supplemental standards of HUD Section 8 Renewal Policy and the supplemental standards of HUD Notice H 00-12. Market rents were defined and estimated in accordance with Section 9-7 through 9-13 and the report was prepared in accordance with Section 9-14 through 9-16 of the HUD Section 8 Renewal Policy. I understand that HUD/the Section 8 Contract Administrator (CA) and the project owner will use my estimate of market rents to determine: 1) the owner's options for renewing the project's Section 8 contracts; and 2) the maximum rents allowed under any renewal contract.

Please contact our firm if you have any questions or comments after reading this report. It has been a pleasure being of service on this assignment.

Cordially,

Nicollet Partners

Douglas J. Wageman, MAI
MN Certified General
Appraisal License (b)(6)
MI Certified General
Appraisal License (b)(6)

OMB Approval – 2502-0507 (exp 11/30/2014)

Rent Comparability Grid

Unit Type → One-bedroom - TH

Subject's FHA #: (b)(6)

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #8	
	Indian Hills	Data	Hillcrest Apartments		Village West		Westview Apts		Lakecrest Ravine		Fountain View Apts.	
	400 Cleveland Street	on	500 Hill Street		736 Colony Court		2700 Lake Shore Dr		2850 Cleveland Ave.		4419 Red Arrow Dr	
	Dowagiac, MI	Subject	Dowagiac, MI		Niles, MI		St Joseph MI		St Joseph, MI		Stevensville, MI	
A	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Last Rent / Restricted?		$425	N	$550	N	$710	N	$662	N	$610	N
2	Date Last Leased (mo/yr)		Jul 14		Jul-14		Jul-14		Jul-14		Jul-14	
3	Rent Concessions		None		None		None		None		None	
4	Occupancy for Unit Type		100%		98%		99%		94%		100%	
5	Effective Rent & Rent/ sq ft	↓	$425	$0.71	$550	$0.79	$710	$0.98	$662	$1.03	$610	$1.09
		In Parts B thru E, adjust only for differences the subject's market values.										
B	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure / Stories	TH/1	Apt/2	$60	Apt/2	$60	Apt/4	$60	Apt/2.5	$60	TH/1	
7	Yr. Built/Yr Renovated	1974/2000+	1965	$20	1966-68	$10	1970's/2000+		1977/2000+		1973/2008	
8	Condition /Street Appeal	G/G	G/G		G/G		G/G		G/G		G/G	
9	Neighborhood	G	G		G		G		G		G	
10	Same Market? Miles to Subj		Y/1.5		Y/15		Y/21	($10)	Y/21	($99)	Y/21	($61)
C	Unit Equipment/ Amenities		Data	Adj	Data	Adj	Data	Adj	Data	Adj	Data	$ Adj
11	# Bedrooms	1	1		1		1		1		1	
12	# Baths	1	1		1		1		1		1	
13	Unit Interior Sq. Ft.	698	600	$20	700	($0)	724	($5)	643	$11	560	$28
14	Balcony/ Patio	Patio	B		B		N	$20	B/P		P	
15	AC: Central/ Wall	Y	W	($10)	C	$0)	W	($ 0)	C	($20)	W	($ 0)
16	Range/ refrigerator	R/F	R/F		R/F		R/F		R/F		R/F	
17	Microwave/ Dishwasher	Y	N		D	($10)	D	($10)	D	($10)	D	($10)
18	Washer/Dryer	HU	L	$5	L	$5	L	$5	L	$5	WD	($15)
19	Floor Coverings	C/V	C/V		C/V		C/V		C/V		C/V	
20	Window Coverings	N	N		N		B	($5)	B	($5)	B	($5)
21	Cable/ Satellite/Internet	C (tenant)	C (tenant)		C (tenant)		C (tenant)		C (tenant)		C (tenant)	
22	Special Features	None	None		None		None		None		None	
23	Elevators	N	None		None		Yes	($10)	None		Townhome	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking ($ Fee)	N	Carport ($10)		DG ($50)		None		None		AG (incl.)	($50)
25	Extra Storage	634 sf bsmt	None	$65	Free storage	$55	None	$65	None	$65	None	$65
26	Security	TH entry	N	$10	Y		Y		Y		Y	
27	Clubhouse/ Meeting Rooms	Y	Y		Y		Y		Y		Y	
28	Pool/ Recreation Areas	Y	Y		Y		P	($10)	P/R	($10)	P/R	($10)
29	Business Ctr / Nbhd Netwk	N	N		N		N		N		N	
30	Service Coordination	Y	Y		Y		Y		Y		Y	
31	Non-shelter Services	Y	Y		Y		Y		Y		Y	
32												
E	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat (in rent?/ type)	Y/Gas	N/Elec	$35	Y/Gas		N/Elec.	$35	Y/Gas		N/Elec.	$50
34	Cooling (in rent?/ type)	N/Elec.	N/Elec		N/Elec.		N/Elec.		N/Elec.		N/Elec.	
35	Cooking (in rent?/ type)	N/Elec.	N/Elec.		N/Elec		N/Elec		N/Elec.		N/Elec.	
36	Hot Water (in rent?/ type)	Y/Gas	N/Elec.	$20	Y/Gas		N/Elec.	$20	Y/Gas		N/Elec	$20
37	Other Electric	N	N		N		N		N		N	
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash /Recycling	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		6		4	1	4		4	5	2	
41	Sum Adjustments B to D		$180	($10)	$130	($10)	$150	($15)	$141	($14)	$93	($161)
42	Sum Utility Adjustments		$55				$55				$70	
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	*Net/ Gross Adjmts B to E*		*$225*	*$245*	*$100*	*$160*	*$48*	*$362*	*($5)*	*$285*	*$2*	*$324*
G	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (5+-43)		$650		$650		$758		$659		$612	
45	Adj Rent/Last rent			153%		118%		107%		100%		100%
46	Estimated Market Rent	$665	$0.95 ← Estimated Market Rent/ Sq. Ft									

Appraiser's Signature — Date: 7/31/2014

Attached are explanations of:

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared: ☐ Manually ☑ Using HUD's Excel form

HUD 92273 - S8

OMB Approval # 2502-0507 (exp 11/30/2014)

Rent Comparability Grid — Unit Type → Two-bedroom/1 bath - TH — Subject's FHA #: (b)(6)

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #7	
	Indian Hills	Data	Hillcrest Apartments		Village West		Westview Apts.		Lakecrest Ravine		Pawating Apts	
	400 Cleveland Street	on	500 Hill Street		736 Colony Court		2700 Lake Shore Dr		2850 Cleveland Ave		1 Fort Street	
	Dowagiac, MI	Subject	Dowagiac, MI		Niles MI		St Joseph, MI		St Joseph, MI		Niles, MI	
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Last Rent / Restricted?		$450	N	$850	N	$750	N	$1,076	N	$750	N
2	Date Last Leased (mo/yr)		Jul-14		Jul-14		Jul-14		Jul-14		Jul-14	
3	Rent Concessions		None		None		None		None		None	
4	Occupancy for Unit Type		100%		98%		99%		94%		100%	
5	Effective Rent & Rent/ sq. ft		$450	$0.60	$850	$0.85	$750	$0.82	$1,076	$0.90	$750	$0.88
	In Parts B thru E, adjust only for differences the subject's market values											
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure / Stories	TH/2	Apt/2	$60	TH/1		Apt/4	$60	TH/2		TH/1	
7	Yr. Built/Yr. Renovated	1974/2000+	1965	$20	1966-68	$10	1970's/2000+		1977/2000+		1970's/ongoing	$10
8	Condition /Street Appeal	G/G	G/G		G/G		G/G		G/G		G/G	
9	Neighborhood	G	G		G		G		G		G	
10	Same Market? Miles to Subj		Y/1.5		Y/15		Y/21	($115)	Y/21	($161)	Y/15	
C.	Unit Equipment/ Amenities		Data	Adj	Data	Adj	Data	Adj	Data	Adj	Data	Adj
11	# Bedrooms	2	2		2		2		2		2	
12	# Baths	1	1		1.5	($10)	1		1.5	($10)	1.5	($10)
13	Unit Interior Sq. Ft.	919	750	$34	1000	($16)	918	$0	1200	($56)	850	$14
14	Balcony/ Patio	Patio	B		P		N	$20	P		P	
15	AC: Central/ Wall	N	W	($10)	C	($20)	W	($10	C	($20)	C	($20)
16	Range/ refrigerator	R/F	R/F		R/F		R/F		R/F		R/F	
17	Microwave/ Dishwasher	N	N		D	($10)	D	($10)	D	($10)	D	($10)
18	Washer/Dryer	HU	L	$5	WD	($15)	L	$5	L	$5	HU	
19	Floor Coverings	C/V	C/V		C/V		C/V		C/V		C/V	
20	Window Coverings	N	N		N		B	($5)	B	($5)	B	($5)
21	Cable/ Satellite/Internet	C (tenant)	C (tenant)		C (tenant)		C (tenant)		C (tenant)		C (tenant)	
22	Special Features	None	None		None		None		None		None	
23	Elevators	N	None		TH's		Yes	($10)	TH's		TH's	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking ($ Fee)	N	Carport ($10)		DG ($50)		None		None		AG (incl.)	($50)
25	Extra Storage	414 sf bsmt.	None	$40	None	$40	None	$40	None	$40	None	$40
26	Security	TH entry	N	$10	Y		Y		Y		Y	
27	Clubhouse/ Meeting Rooms	N	Y		Y		Y		Y		Y	
28	Pool/ Recreation Areas	Y	Y		Y		P	($10)	P/R	($10)	P	($10)
29	Business Ctr / Nbhd Netwk	N	N		N		N		N		N	
30	Service Coordination	Y	Y		Y		Y		Y		Y	
31	Non-shelter Services	Y	Y		Y		Y		Y		Y	
32												
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat (in rent?/ type)	Y/Gas	N/Elec	$50	N/Gas	$35	N/Elec.	$50	Y/Gas		N/Gas	$35
34	Cooling (in rent?/ type)	N/Elec	N/Elec.		N/Elec.		N/Elec		N/Elec		N/Elec	
35	Cooking (in rent?/ type)	N/Elec.	N/Elec.		N/Elec.		N/Elec.		N/Elec.		N/Elec.	
36	Hot Water (in rent?/ type)	Y/Gas	N/Elec.	$30	N/Gas	$10	N/Elec	$30	Y/Gas		N/Gas	$10
37	Other Electric	N	N		N		N		N		N	
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash /Recycling	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		6	1	2	5	5	6	2	7	3	6
41	Sum Adjustments B to D		$169	($10)	$50	($71)	$125	($158)	$45	($273)	$64	($105)
42	Sum Utility Adjustments		$80		$45		$80				$45	
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	*Net/ Gross Adjmts B to E*		*$239*	*$259*	*$24*	*$166*	*$48*	*$363*	*($228)*	*$318*	*$4*	*$214*
G	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	**Adjusted Rent** (5+43)		$689		$874		$798		$848		$754	
45	Adj Rent/Last rent			153%		103%		106%		79%		101%
46	Estimated Market Rent	$795	$0.87 ← Estimated Market Rent/ Sq. Ft									

[redacted]

7/31/2014

Appraiser's Signature — Date

Attached are explanations of :

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared: ☐ Manually ☑ Using HUD's Excel form

HUD 92273 - S8

OMB Approval = 2502-0507 (exp. 11/30/2014)

Rent Comparability Grid

Unit Type → Three-bedroom - TH

Subject's FHA #: (b)(6)

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #7	
	Indian Hills	Data	Hillcrest Apartments		Village West		Westview Apts.		Lakecrest Ravine		Pawating Apts	
	400 Cleveland Street	on	300 Hill Street		736 Colony Court		2700 Lake Shore Dr		2850 Cleveland Ave		1 Fort Street	
	Dowagiac MI	Subject	Dowagiac, MI		Niles, MI		St Joseph MI		St Joseph, MI		Niles, MI	
A	Rents Charged		Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj
1	$ Last Rent / Restricted?		$535	N	$900	N	$895	N	$1,251	N	$800	N
2	Date Last Leased (mo/yr)		Jul-14		Jul-14		Jul-14		Jul-14		Jul-14	
3	Rent Concessions		None		None		None		None		None	
4	Occupancy for Unit Type		100%		98%		99%		94%		100%	
5	Effective Rent & Rent/ sq. ft.		$535	$0.59	$900	(b)	$895	$0.77	$1,251	$0.83	$800	$0.84
	In Parts B thru E, adjust only for differences the subject's market values.											
B	Design, Location, Condition		Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj
6	Structure / Stories	TH/2	Apt/2	$60	TH/2		Apt/4	$60	TH/2		TH/1	
7	Yr. Built/Yr. Renovated	1974/2000+	1965	$20	1966-68	$10	1970's/2000+		1977/2000+		1970's/ongoing	$10
8	Condition /Street Appeal	G/G	G/G		G/G		G/G		G/G		G/G	
9	Neighborhood	G	G		G		G		G		G	
10	Same Market? Miles to Subj		Y/1.5		Y/15		Y/21	($134)	Y/21	($188)	Y/15	
C	Unit Equipment/ Amenities		Data	Adj	Data	Adj	Data	Adj	Data	Adj	Data	Adj
11	# Bedrooms	3	2 + den	$10	3		3		3		3	
12	# Baths	1.5	1	$10	2.5	($25)	1.5		2.5	($25)	1.5	
13	Unit Interior Sq. Ft.	1027	900	$25	1250	($45)	1160	($27)	1500	($95)	950	$15
14	Balcony/ Patio	Patio	B		P		N	$20	P		P	
15	AC: Central/ Wall	N	W	($10)	C	($20)	W	($10)	C	($20)	C	($20)
16	Range/ refrigerator	R/F	R/F		R/F		R/F		R/F		R/F	
17	Microwave/ Dishwasher	N	N		D	($10)	D	($10)	D	($10)	D	($10)
18	Washer/Dryer	HU	L	$5	WD	($15)	L	$5	L	$5	HU	
19	Floor Coverings	C/V	C/V		C/V		C/V		C/V		C/V	
20	Window Coverings	N	N		N		B	($5)	B	($5)	B	($5)
21	Cable/ Satellite/Internet	C (tenant)	C (tenant)		C (tenant)		C (tenant)		C (tenant)		C (tenant)	
22	Special Features	None	None		None		None		None		Fireplace	($10)
23	Elevators	N	None		TH's		Yes	($10)	TH's		TH's	
D	Site Equipment/ Amenities		Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj
24	Parking ($ Fee)	N	Carport ($10)		DG ($50)		None		None		AG (incl.)	($50)
25	Extra Storage	455 sf bsmt.	None	$45	None	$45	None	$45	None	$45	None	$45
26	Security	TH entry	N	$10	Y		Y		Y		Y	
27	Clubhouse/ Meeting Rooms	N	Y		Y		Y		Y		Y	
28	Pool/ Recreation Areas	Y	Y		Y		P	($ 0)	P/R	($10)	P	($10)
29	Business Ctr / Nbhd Netwk	N	N		N		N		N		N	
30	Service Coordination	Y	Y		Y		Y		Y		Y	
31	Non-shelter Services	Y	Y		Y		Y		Y		Y	
32												
E	Utilities		Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj	Data	S Adj
33	Heat (in rent?/ type)	Y/Gas	N/Elec.	$65	N/Gas	$45	N/Elec.	$65	Y/Gas		N/Gas	$45
34	Cooling (in rent?/ type)	N/Elec.	N/Elec.		N/Elec.		N/Elec.		N/Elec.		N/Elec.	
35	Cooking (in rent?/ type)	N/Elec.	Y/Gas	($10)	N/Elec		N/Elec.		N/Elec.		N/Elec.	
36	Hot Water (in rent?/ type)	Y/Gas	Y/Gas		N/Gas	$10	N/Elec.	$40	Y/Gas		N/Gas	$10
37	Other Electric	N	N		N		N		N		N	
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash /Recycling	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		8	1	2	5	4	-	2	-	3	6
41	Sum Adjustments B to D		$185	($10)	$55	($115)	$150	($206)	$50	($357)	$70	($165)
42	Sum Utility Adjustments		$65	($10)	$55		$105				$55	
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	*Net/ Gross Adjmts B to E*		*$230*	*$270*	*($5)*	*$225*	*$29*	*$441*	*($307)*	*$402*	*$20*	*$230*
G	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (5+43)		$765		$895		$924		$949		$820	
45	Adj Rent/Last rent			143%		99%		103%		(b)		103%
46	Estimated Market Rent	$870	$0.85 ← Estimated Market Rent/ Sq. Ft									

[redacted]

7/31/2014

Appraiser's Signature — Date

Attached are explanations of :

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared: ☐ Manually ☑ Using HUD's Excel form

HUD 92273 - S8

Appraiser Certification

Project Name: Indian Hills Townhomes and Apartments *Project No.:* FHA (b)(6)

By my signature below, I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective financial interest in the above property, its ownership or management agent entity, or the principals of those entities. I am not an employee of those principals or entities and I have no business or close personal family interest with those parties that commonly would be perceived to create bias or a conflict of interest.
4. I have no bias with respect to the property that is the subject of this report or to the ownership or management parties involved with this assignment.
5. My engagement in and compensation for this assignment were and are not contingent upon the reporting of a predetermined rent or direction in rent. My fee is my only compensation for this rent study assignment. There are no other side agreements or considerations.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice and all applicable HUD procedures for performing Rent Comparability Studies for Section 8 contracts.
7. Douglas J. Wageman, MAI inspected the interior and exterior of the subject property. Douglas J. Wageman, MAI inspected the exteriors of the properties used as comparables in this report.
8. No one provided significant professional assistance to the person signing this report except the persons listed here _____. If anyone is listed here, his/her contribution is identified in the Scope of Work section of this report.
9. I am a certified general appraiser, licensed and in good standing with the state appraiser regulatory agency where the subject property is located and I meet all of the appraiser qualifications required in HUD's rent comparability procedures.
10. I am not debarred or suspended from doing business with the Federal Government. I also am not under a Limited Denial of Participation (LDP) imposed by the HUD Multifamily HUB or Program Center having jurisdiction over the Section 8 project. Any LDPs in effect now or in the past three years were imposed by the following HUD offices:_____ _____ _____
11. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
12. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
13. As of the date of this report, I (Douglas J. Wageman, MAI) have completed the continuing education program of the Appraisal Institute.

Warning: If you knowingly make a false statement on this form, you may be subject to civil penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosure of information, including intentional non-disclosure, is subject to civil money penalty not to exceed $10,000 for each violation.

Appraiser's Name: **Douglas J. Wageman, MAI** Signature: _____ Date: **7/31/2014**

Permanent License No: (b)(6) Issuing State: **Minnesota** Expires: **8/31/2014**
Permanent License No: _____ Issuing State: **Michigan** Expires: **7/31/2014**

Did you prepare the RCS under a temporary license? **No** - *If so, attach a copy of the temporary license*

APPRAISERS' LICENSES

STATE OF MINNESOTA

DOUGLAS JOHN WAGEMAN
5400 CIRCLE DOWN
GOLDEN VALLEY, MN 55416

Department of Commerce

The Undersigned COMMISSIONER OF COMMERCE for the State of Minnesota hereby certifies that

DOUGLAS JOHN WAGEMAN

5400 CIRCLE DOWN
GOLDEN VALLEY, MN 55416

has complied with the laws of the State of Minnesota and is hereby licensed to transact the business of

Resident Appraiser : Certified General

License Number: 4003297

unless this authority is suspended, revoked, or otherwise legally terminated. This license shall be in effect until August 31, 2014

IN TESTIMONY WHEREOF, I have hereunto set my hand this August 02, 2012.

COMMISSIONER OF COMMERCE

Minnesota Department of Commerce
Licensing Division
85 7th Place East, Suite 500
St. Paul, MN 55101-3165
Telephone (651) 296-6319
Email: licensing.commerce@state.mn.us
Website. commerce.state.mn.us

Continuing Education:

CE Requirement Type	CE Required Hours
Total - Appraiser	30.00
USPAP	7.00

Notes:

- **Continuing Education:** 15 hours is required in the first renewal period, which includes a 7 hour USPAP course. 30 hours is required for each subsequent renewal period, which includes a 7 hour USPAP course
- **Appraisers:** You must hold a licensed Residential, Certified Residential or Certified General qualification in order to perform appraisals for federally related transactions. Trainees do not qualify. For further details, please visit our website at commerce.state.mn.us

Minnesota Appraisal License – Douglas J. Wageman, MAI

M120802 001 S -0377

STATE OF MICHIGAN - DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

BUREAU OF COMMERCIAL SERVICES
CERTIFIED GENERAL APPRAISER
LICENSE

DOUGLAS JOHN WAGEMAN
5400 CIRCLE DOWN
GOLDEN VALLEY MN 55416

1201070828	07/31/2014	2608751

PLEASE TELL US ABOUT YOUR LICENSING EXPERIENCE BY COMPLETING OUR ANONYMOUS CUSTOMER SERVICE SURVEY AT: WWW.MICHIGAN-GOV/LARASURVEY

YOUR LICENSE MUST BE DISPLAYED IN A PROMINENT PLACE

REVERSE SIDE OF LICENSE CONTAINS IMPORTANT INFORMATION.

Inquiries Regarding this License

Please provide your license number on all correspondence and when contacting the Department

www.michigan.gov/commercialicensing

Bureau of Commercial Services
Department of Licensing and Regulatory Affairs
P.O. Box 30018
Lansing, MI 48909

BUREAU OF COMMERCIAL SERVICES
1-517-241-9288

Complaint Information

The issuance of this license or permit should not be construed as a waiver or dismissal of any complaints or violations pending against the licensee, its agents, employees or qualifying officer.

RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

- - 33863

BUREAU OF COMMERCIAL SERVICES
CERTIFIED GENERAL APPRAISER
LICENSE

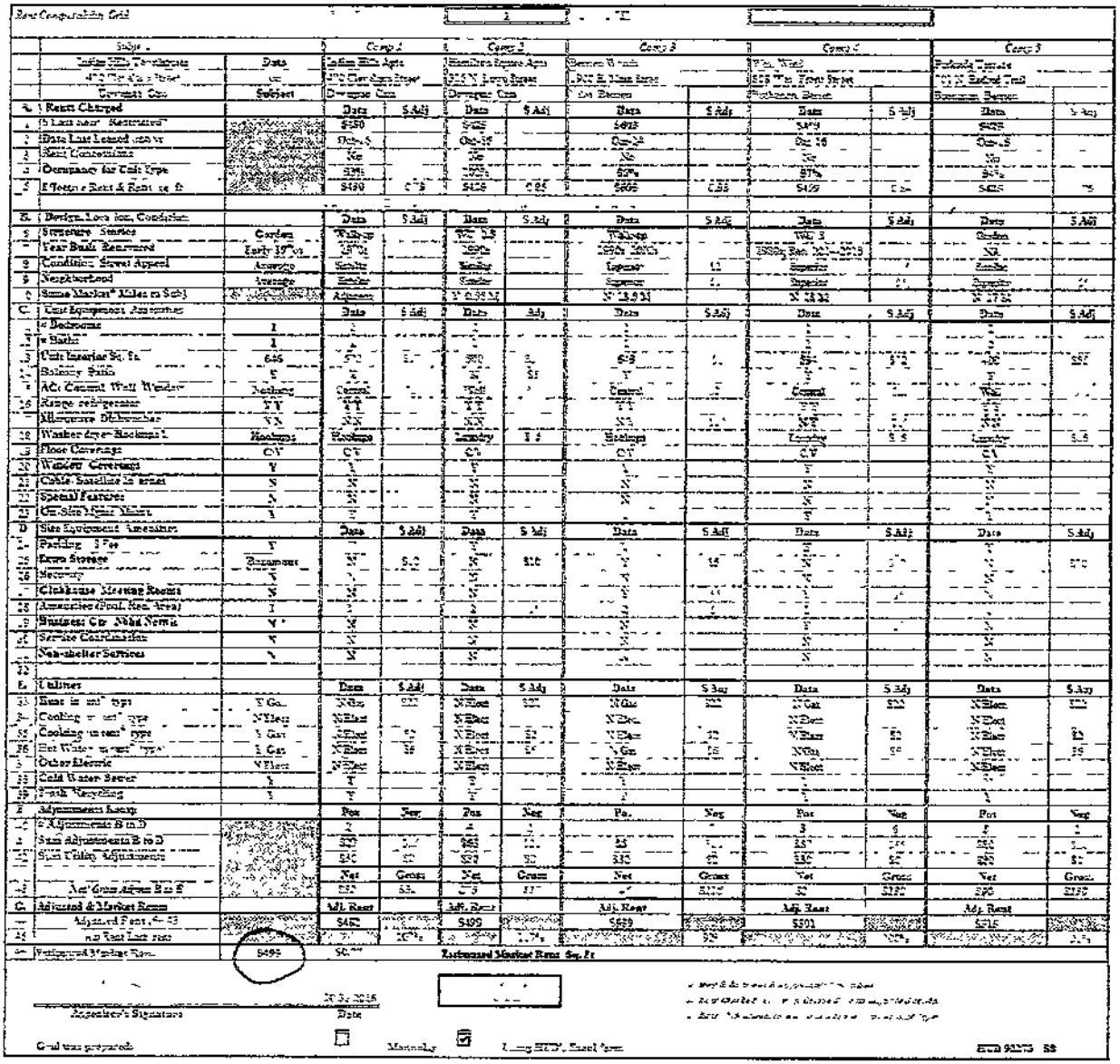
DOUGLAS JOHN WAGEMAN
5400 CIRCLE DOWN
GOLDEN VALLEY MN 55416

1201070828	07/31/2014	2608751

THIS DOCUMENT IS DULY ISSUED UNDER THE LAWS OF THE STATE OF MICHIGAN

Michigan Appraisal License – Douglas J. Wageman, MAI

** In Michigan, Appraisers are required to be licensed/certified and are regulated by the Michigan Department of Labor and Economic Growth (DLEG). Douglas J. Wageman, MAI, is currently licensed as a certified general real estate appraiser with the State of Michigan, license #1201070828 (Michigan Department of Labor and Economic Growth (DLEG)), Real Estate Licensing Division, PO Box 30018, Lansing, Michigan, 48909. 517.241.9201.* ***Note: Updated license for 8/1/2014 to 7/31/2016 has been paid with corresponding education completed.***

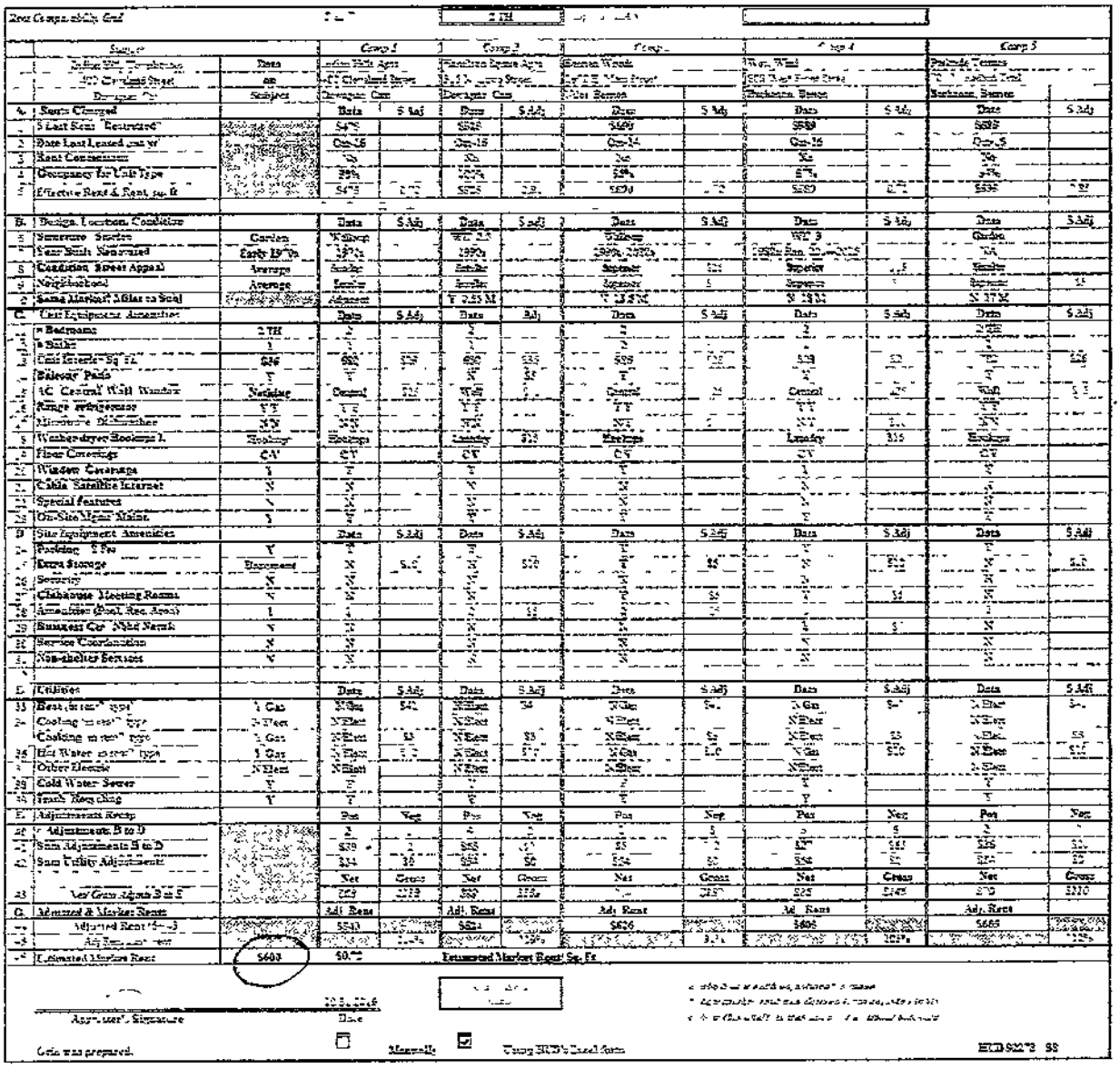


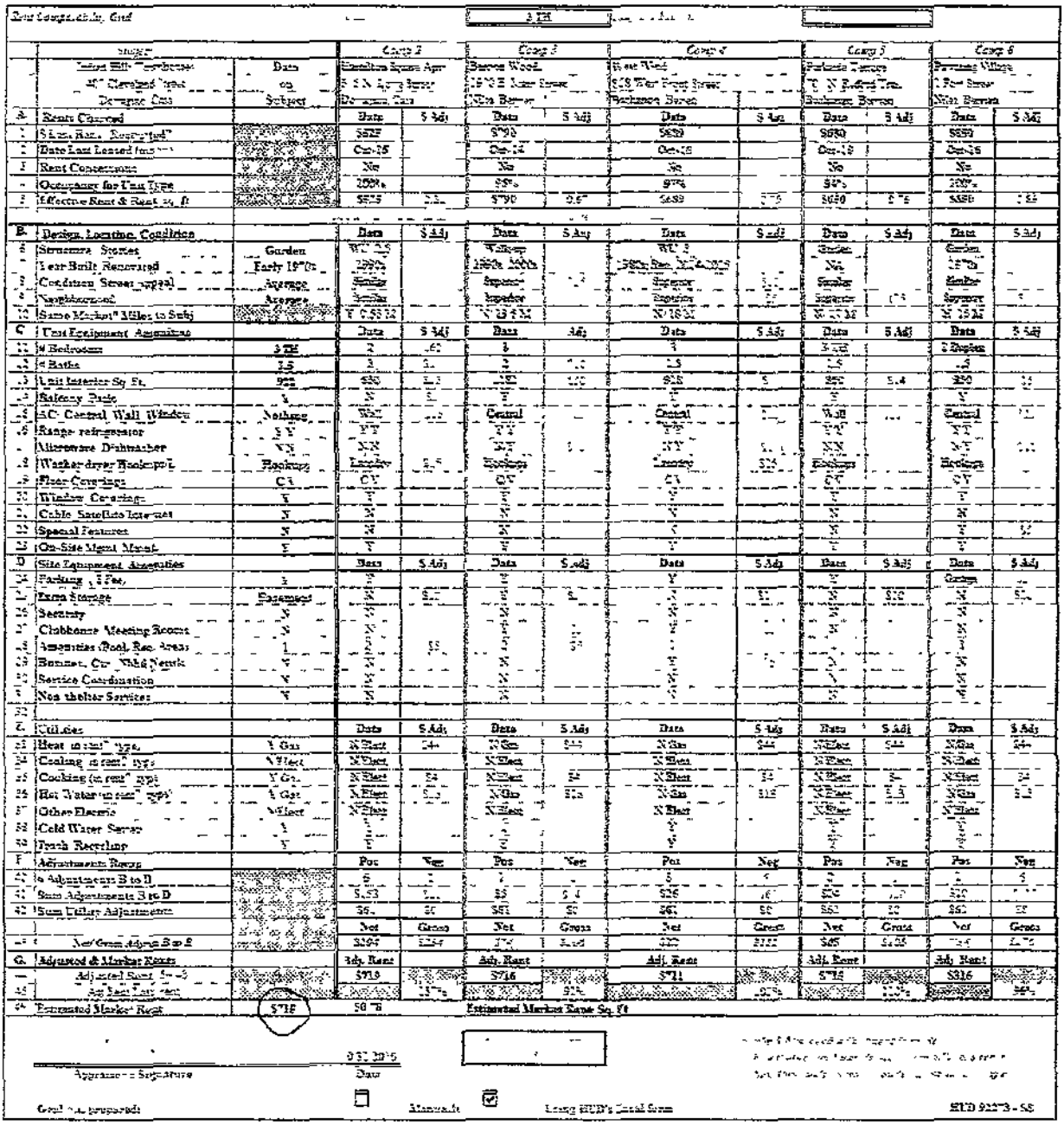
Rent Comparability Grid

	Subject	Data	Comp 1		Comp 2		Comp 3		Comp 4		Comp 5	
	Indian Hills Townhouses		Indian Hills Apts		Hamilton Square Apts		Berrien Woods		Pine Wood		Parkside Terrace	
	400 Cleveland Street		300 Glen Apple Street		2215 N. Lowry Street		201 & 1 Main Street		1515 Pine Tree Street		701 N. Bechtel Trail	
	Dowagiac, Cass	Subject	Dowagiac, Cass		Dowagiac, Cass		Lee Berrien		Pinehaven, Berrien		Dowagiac, Berrien	
A.	Rent Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Last Rent Received		$450		$485		$495		$475		$425	
2	Date Last Leased mo/yr		Oct-15		Oct-15		Oct-15		Oct-15		Oct-15	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		93%		100%		83%		97%		94%	
5	$ Effective Rent & Rent/ sq. ft.		$450	$0.78	$485	$0.85	$495	$0.86	$459	$0.80	$425	$0.74
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure Stories	Garden	Walkup		Walkup		Walkup		Walk-Up		Garden	
7	Year Built/ Renovated	Early 1970's	1970's		1970's		1960's, 2000's		1980's, Ren. 2011-2015		N/A	
8	Condition/ Street Appeal	Average	Similar		Similar		Superior	-10%	Superior	-10%	Similar	
9	Neighborhood	Average	Similar		Similar		Superior	-10%	Superior	-10%	Superior	-10%
10	Same Market? Miles to Subj.		Adjustment		Y/ 0.35 Mi		Y/ 0.35 Mi		Y/ 14.30 Mi		Y/ 17.50 Mi	
C.	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	1	1		1		1		1		1	
12	# Baths	1	1		1		1		1		1	
13	Unit Interior Sq. Ft.	646	672	-$7	700	-$8	648	-$1	684	-$5	498	$87
14	Balcony/ Patio	Y	Y		Y	$0	Y		Y		Y	
15	AC: Central/ Wall/ Window	Central	Central		Wall	$5	Central		Central		Wall	$5
16	Range: refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/N		N/N		N/N		N/N		N/N	
18	Washer/ dryer: Hookups/ L	Hookups	Hookups		Laundry	$ 5	Hookups		Laundry	$ 5	Laundry	$ 5
19	Floor Coverings	CV	CV		CV		CV		CV		CV	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/ Internet	N	N		N		N		N		N	
22	Special Features	N	N		N		N		N		N	
23	Garbage/ Water/ Sewer	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking: # Per	Y	Y		Y		Y		Y		Y	
25	Extra Storage	Basement	N	$ 0	N	$10	N	$ 5	N	$ 5	N	$10
26	Security	N	N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		N		N		N		N	
28	Amenities (Pool, Rec. Area)	Y	Y		Y		Y		Y		Y	
29	Business Ctr/ Mail Servs.	Y	N		N		N		N		N	
30	Service Coordinator	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32												
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat: in rent/ type	N/Gas	N/Elec	$20	N/Elec	$20	N/Elec	$20	N/Gas	$20	N/Elec	$20
34	Cooking: in rent/ type	N/Elec	N/Elec		N/Elec		N/Elec		N/Elec		N/Elec	
35	Cooking: in rent/ type	N/Elec	N/Elec	$2	N/Elec	$2	N/Elec	$2	N/Elec	$2	N/Elec	$2
36	Hot Water: in rent/ type	N/Gas	N/Elec	$6	N/Elec	$6	N/Gas	$6	N/Gas	$6	N/Elec	$6
37	Other: Electric	N/Elec	N/Elec		N/Elec		N/Elec		N/Elec		N/Elec	
38	Cold Water/ Sewer	N	N		N		N		N		N	
39	Trash/ Recycling	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		2		2		3		3		2	
41	Sum Adjustments B to D		$20	-$12	$20	-$12	$25	-$1	$25	-$15	$20	-$1
42	Sum Utility Adjustments		$40	$0	$40	$0	$40	$0	$40	$0	$40	$0
43	Net/ Gross Adjust B to E		Net $28	Gross $32	Net $28	Gross $32	Net $64	Gross $66	Net $25	Gross $55	Net $59	Gross $61
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (+/-) $		$462		$499		$559		$501		$484	
45	Adj Rent/ Last rent		103%		103%		113%		109%		114%	
46	Estimated Market Rent	$495	$0.77		Estimated Market Rent $/sq. Ft.							

Appraiser's Signature — Date

Grid was prepared: ☐ Manually ☑





	Subject		Comp 2		Comp 3		Comp 4		Comp 5		Comp 6	
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, Cass	Data Source	Hamilton Square Apts S 5th & Spring Street Dowagiac, Cass		Beaver Wood 1919 E Main Street Niles, Berrien		Briar Wood 5518 West Pipestone Street Buchanan, Berrien		Parkside Terrace N & S Redbird Trail Buchanan, Berrien		Pennington Village 1 Penn Street Niles, Berrien	
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Unit Rent - Reported		$825		$790		$850		$850		$850	
2	Date Last Leased (mo)		Oct-15		Oct-15		Oct-15		Oct-15		Oct-15	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		100%		95%		97%		94%		100%	
5	Effective Rent & Rent/ sq. ft		$825	$.83	$790	$.87	$850	$.77	$850	$.77	$850	$.85
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure Stories	Garden	WU 2.5		Walkup		WU 3		Garden		Garden	
7	Year Built/ Renovated	Early 1970s	1990s		1960s, 2000s		1960s Reno 2014-2015		Mix		1970s	
8	Condition/ Street Appeal	Average	Similar		Superior	-.10	Superior	-.10	Similar		Similar	
9	Neighborhood	Average	Similar		Superior	-.10	Superior	-.10	Superior	-.10	Superior	-.10
10	Same Market? Miles to Subj		Y 0.55 mi		N 18 mi		N 18 mi		N 18 mi		N 18 mi	
C	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	3 BR	2	.40	3		3		3 BR		3 Bedroom	
12	# Baths	1.5	1	.10	2	-.10	1.5		1.5		1.5	
13	Unit Interior Sq. Ft.	992	650	.13	1100	-.12	928	.05	950	.04	950	.04
14	Balcony/ Patio	Y	Y		Y		Y		Y		Y	
15	AC: Central, Wall, Window	Nothing	Wall	.05	Central	-.05	Central	-.05	Wall	.05	Central	-.05
16	Range, refrigerator	Y,Y	Y,Y		Y,Y		Y,Y		Y,Y		Y,Y	
17	Microwave, Dishwasher	N,N	N,N		Y,Y	-.04	N,Y	-.02	N,N		N,Y	-.02
18	Washer/dryer: Hookup/ In Unit	Hookups	Laundry	.05	Hookups		Laundry	-.05	Hookups		Hookups	
19	Floor Coverings	CVT	CVT		CVT		CVT		CVT		CVT	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable, Satellite, Internet	N	N		N		Y		N		N	
22	Special Features	N	N		N		N		N		N	
23	On-Site Mgmt, Maint.	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking: # Per	2	Y		Y		Y		Y		Garage	
25	Extra Storage	Basement	Y	-.05	Y	-.05	Y	-.05	N	.05	N	.05
26	Security	N	N		N		N		N		N	
27	Clubhouse/ Meeting Room/s	N	N		N		N		N		N	
28	Amenities (Pool, Rec. Areas)	1	N	.05	Y	-.05	Y	-.05	Y	-.05	N	.05
29	Business Ctr, Wifi/ Network	N	N		N		Y	-.02	N		N	
30	Service Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32												
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat in rent? type	N Gas	N Elect	.04	N Gas	.04	N Gas	.04	N Elect	.04	N Gas	.04
34	Cooling in rent? type	N Elect	N Elect		N Elect		N Elect		N Elect		N Elect	
35	Cooking in rent? type	N Gas	N Elect	.04	N Elect	.04	N Elect	.04	N Elect	.04	N Elect	.04
36	Hot Water in rent? type	N Gas	N Elect	.04	N Gas	.04	N Gas	.04	N Elect	.04	N Gas	.04
37	Other Electric	N Elect	N Elect		N Elect		N Elect		N Elect		N Elect	
38	Cold Water Sewer	Y	Y		Y		Y		Y		Y	
39	Trash Recology	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		6	1	2	1	3	1	1	1	2	1
41	Sum Adjustments B to D		$.53	$.05	$.05	$.14	$.26	$.07	$.05	$.07	$.09	$.07
42	Sum Utility Adjustments		$.16	$0	$.81	$0	$.16	$0	$.81	$0	$.81	$0
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	Net/Gross Adjmts B to E		$.64	$.74	$.81	$.14	$.42	$.07	$.85	$.07	$.83	$.07
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent, $		$826		$791		$851		$851		$850	
45	Net Rent Variance		1.1%		9.1%		0.0%		0.0%		0.0%	
46	Estimated Market Rent	$.71E	50 "E		Estimated Market Rent/ Sq. Ft							

Appraiser's Signature — Date

Comments — Manufactured — Using HUD's Postal Form — STD 922"3 - SS

Rent Comparability Grid — Unit Type → ONE BR APPEAL — OMB Approval # 2502-0509 (exp. 7/01) — Subject's FHA #: 31761040

	Subject	Data on Subject	Comp #1	Comp #2	Comp #3	Comp #4	Comp #5
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, MI		Indian Hills Apts 400 Cleveland Street Dowagiac, Cass	Hamilton Square Apts 315 N. Lowe Street Dowagiac, Cass	Berrien Woods 1900 E. Main Street Niles, Berrien	Hillcrest 500 Hill Street Dowagiac, MI	Parkside Terrace 701 N. Redbud Trail Buchanan, Berrien
A.	Rents Charged		Data	Data	Data	Data	Data
1	$ Last Rent / Restricted?		$450	$425	$605	$425	$425
2	Date Last Leased (m/d/y)		Oct-16	Oct-16	Oct 16	Oct-16	Oct-16
3	Rent Concessions		No	No	No	No	No
4	Occupancy for Unit Type		93%	100%	93%	100%	94%
5	Effective Rent & Rent/sq. ft.		$450	$425	$605	$425	$425
	$ Adj. #1 is for Owner's Appraiser, $ Adj. #2 is for HUD's Appraiser. $ Adj. #3 is for HUD's Reconciliation. In Parts B thru G, adjust only for variances from the subject's market values						
B.	Design, Location, Condition		Data	Data	Data	Data	Data
6	Structure / Stories	TH	Walk-up	WU2.5	Walk-up	WU2	Garden
7	Yr. Built/Yr. Remodeled	Early 1970s	1970s	1990s	1990s/2000s	1965	NA
8	Condition /Street Appeal	Average	Similar	Inferior	Superior	Inferior	Inferior
9	Neighborhood	Average	Similar	Similar	Similar	Similar	Similar
10	Source Market Rates to Adj		Appraisal	Y/ 0.55 M	Y/ 43.5 M	Y/ 5.8 M	Y/ 17 M
C.	Unit Equipment/ Amenities		Data	Data	Data	Data	Data
11	# Bedrooms	1	1	1	1	1	1
12	# Baths	1	1	1	1	1	1
13	Unit Interior Sq. Ft.	646	550	500	640	550	600
14	Balcony/ Patio	Y	No	N	Y	Y	Y
15	A/C Central/ Wall	Blanke	Central	Wall	Central	Wall	Wall
16	Range/ Refrigerator	Y/Y	Y/Y	Y/Y	Y/Y	Y/Y	Y/Y
17	Microwave/ Dishwasher	N/N	N/N	N/N	N/Y	N/Y	N/N
18	Washer/Dryer	Hookups	Laundry	Laundry	Hookups	Laundry	Laundry
19	Floor Coverings	C/V	C/V	C/V	C/V	C/V	C/V
20	Window Coverings	Y	Y	Y	Y	Y	Y
21	Cable/ Satellite/Internet	N	N	N	N	N	N
22	Special Features	N	N	N	N	N	N
23	Inside Storage/Other	Y	Y	Y	Y	Y	Y
D.	Site Equipment/ Amenities		Data	Data	Data	Data	Data
24	Parking ($ Fee)	Y	Y	Y	Y	Y	Y
25	Extra Storage	Basement	N	N	Y	N	N
26	Security	N	N	N	N	N	N
27	Clubhouse/Rec. Rooms	N	N	N	Y	Y	N
28	Pool/ Recreation Areas	1	1	2	2	1	1
29	Business Ctr/Multi Newk	N	N	N	N	N	N
30	Service Coordination	N	N	N	N	N	N
31	Non-Shelter Services	N	N	N	N	N	N
32	Neighborhood Networks						
E.	Utilities		Data	Data	Data	Data	Data
33	Heat (in rent? type)	Y/Gas	N/Gas	N/Elect	N/Gas	N/Elect	N/Elect
34	Cooling (in rent? type)	N/Elect	N/Elect	N/Elect	N/Elect	N/Elect	N/Elect
35	Cooking (in rent? type)	Y/Gas	N/Elect	N/Elect	N/Gas	N/Elect	N/Elect
36	Hot Water (in rent? type)	Y/Gas	N/Elect	N/Elect	N/Gas	N/Elect	N/Elect
37	Other Electric	N/Elect	N/Elect	N/Elect	N/Elect	N/Elect	N/Elect
38	Cold Water/ Sewer	Y	Y	Y	Y	Y	Y
39	Trash/ Recycling	Y	Y	Y	Y	Y	Y
F	Adjustments Recap		For	For	For	For	For
40	# Adjustments B to D		5	6	7	5	5
41	Sum Adjustments B to D		$71	$108	$90	$71	$124
42	Sum Utility Adjustments		$27	$37	$27	$27	$27
			Net Gross	Net Gross	Net Gross	Net Gross	Net Gross
43	Net/Gross Adjmts B to G		$78	$120	($63)	$122	$161
44	Adjusted & Market Rents		Adj. Rent	Adj Rent	Adj Rent	Adj. Rent	Adj. Rent
45	Adjusted Rent (3 + 43)		$528	$545	$597	$497	$566
46	Adj Rent/Last rent		100%	100%	99%	100%	100%
47	Estimated Market Rent	$545	$0.84	Estimated Market Rent/Sq. Ft.			

Explanations for the above footnotes along with the standard adjustments used by both the HUD's appraiser and the HUD are located on the attached Rent Grid Adjustment page

Contract Rent - $602

Owner's Rent - $605

Appraiser's Rent - $495

	Adj Rent	Gross Adjust	Weight	
Indian Hills Apts	$528	$118	25%	$132
Hamilton Square Apts	$545	$150	15%	$82
Berrien Woods	$597	$122	25%	$149
Hillcrest	$497	$124	25%	$124
Parkside Terrace	$566	$161	10%	$57
Totals			100%	$544
Rounded over	$46.5964			$545

$ 0.21

Appeal The 5 comps are all in a reasonable range. The weighted average is $544, the average is $547 and the median is $545

Conclusion $545.

PREPARED BY HUD - DC

Rent Comparability Grid

Unit Type → 2BA/1BA (H APPEAL

OMB Approval # 2502-0507 (exp. 7/01)

Subject's FHA #: 047-11016

	Subject		Comp #1					Comp #2					Comp #3					Comp #4					Comp #5				
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, MI	Data on Subject	Indian Hills Apts 400 Cleveland Street Dowagiac, Cass					Hamilton Square Apts 315 N. Lowe Street Dowagiac, Cass					Berrien Woods 1900 E. Main Street Niles, Berrien					Hillcrest Hill Street Dowagiac, MI					Parkside Terrace 701 N. Redbud Trail Dyshanan, Berrien				
A. Rents Charged			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #
1 $ Last Rent / Restricted?			$475		$175	$475	R1	$525	$400	$525	$525	R1	$690		$650	$690	R1	$450	$450		$450	R1	$595		$595	$595	R1
2 Date Last Leased (mo/yr)			Oct 16					Oct-16	Jul-14				Oct 16					Oct 14	Jul-14				Oct-16				
3 Rent Concessions			No					No					No					No					No				
4 Occupancy for Unit Type			93%					100%					95%					100%					94%				
5 Effective Rent & Rent/ sq. ft.			$475		30.70	$0.70		$525	30.62	30.81	$0.81		$690		$0.40	$0.70		$450	30.60		$0.60		$595		30.85	$0.85	

$ Adj #1 is for Owner's Appraiser, $ Adj. #2 is for HUD's Appraiser, $ Adj. #3 is for HUD's Reconciliation. In Parts B thru E, adjust only for variances from the subject's market values

B. Design, Location, Condition			Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #
6 Structure / Stories	TH		Walk-up			$25		WU 2.5			$25		Walk-up			$25		WU 2			$25		TH				
7 Yr. Built/Yr. Renovated	Early 1970s		1970s					1990s	$20			B2	1990s/2000s					1963	$10			B2	NA				
8 Condition/Street Appeal	Average		Similar			$25	B3	Inferior					Superior		($25)	($35)	B3	Inferior			$25	B3	Inferior			$30	
9 Neighborhood	Average		Similar					Similar					Similar		($10)		B4	Similar					Superior		($5)		B4
10 Same Market? Miles to Subj			Adjacent					YV 0.39 M					YV 13.5 M					YV 8 M					YV 16				
C. Unit Equipment/ Amenities			Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #
11 # Bedrooms	2		2					2					2					2					2				
12 # Baths	1		1					1					2		($15)	($15)	B3	1					1				
13 Unit Interior Sq. Ft	836		680		$29	$29	B6	650	$20	$35	$34	B6	986		($20)	($27)	B6	750	$10		$16	B6	700		$26	$25	B6
14 Balcony/ Patio	Y		No			$5		N		$5	$5	B7	Y					Y	($20)			B7	Y				
15 AC: Central/ Wall	Sleeve		Central		($25)	($20)	B8	Wall		($15)	($10)	B8	Central		($25)	($20)	B8	Wall			($10)	B8	Wall		($15)	($10)	B8
16 Range/ refrigerator	Y/Y		Y/Y					Y/Y					Y/Y					Y/Y					Y/Y				
17 Microwave/ Dishwasher	N/N		N/N					N/N					N/Y		($10)	($10)	B9	N/Y			($10)	B9	N/N				
18 Washer/Dryer	Hookups		Laundry			$15		Laundry		$15	$15	B10	Hookups					Laundry			$15	B10	Hookups				
19 Floor Coverings	C/V		C/V					C/V					C/V					C/V					C/V				
20 Window Coverings	Y		Y					Y	($5)				Y					N					Y				
21 Cable/ Satellite/ Internet	N		N					N					N					N					N				
22 Special Features	N		N					N					N					N					N				
23 On-Site Mngmt/Maint	Y		Y					Y					Y														
D. Site Equipment/ Amenities			Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #
24 Parking (# Fee)	Y		Y					Y					Y					Y					Y				
25 Extra Storage	Basement		N		$10	$30		N		$10	$30		Y		$5	$25		N			$30		N		$10	$30	
26 Security	N		N					N					N					N					N				
27 Clubhouse/Mtg Rooms	N		N					N					Y		($5)	($2)	B14	Y			($5)	B14	N				
28 Pool/Recreation Areas	1		1					1	($5)	($5)	B15		1		($5)	($5)	B15	1					1				
29 Business Ctr/Social Mgt	N		N					N					N					N			($5)	B15	N				
30 Service Coordination	N		N					N					N					Y					N				
31 Non-shelter Services	N		N					N					N					Y					N				
32 Neighborhood Networks																											
E. Utilities			Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #	Data	Owner's Adj	Apprsr's Adj	HUD $ Adj	Footnote #
33 Heat (by unit?/ type)	Y/Gas		N/Elect		$41	$38	U1	N/Elect		$41	$38	U1	N/Elect		$41	$38	U1	N/Elect		$41	$38	U1	N/Elect		$41	$38	U1
34 Cooling (by unit?/ type)	N/Elect		N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
35 Cooking (by unit?/ type)	Y/Gas		N/Elect		$3	$3	U2	N/Elect		$3	$3	U2	N/Elect		$5	$3	U2	N/Elect		$3	$3	U2	N/Elect		$3	$3	U2
36 Hot Water (by unit?/ type)	Y/Gas		N/Elect		$10	$9	U3	N/Elect		$10	$9	U3	N/Elect		$10	$9	U3	N/Elect		$10	$9	U3	N/Elect		$10	$9	U3
37 Other Electric	N/Elect		N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
38 Cold Water/ Sewer	Y		Y					Y					Y					Y					Y				
39 Trash Recycling	Y		Y					Y					Y					Y					Y				
F. Adjustments Recap			Pos	Neg	Net	Net		Pos	Neg	Net	Net		Pos	Neg	Net	Net		Pos	Neg	Net	Net		Pos	Neg	Net	Net	
40 # Adjustments B to D			5		1	1		0	1	2	2		2		0	1		1		1	1		3		2	1	
41 Sum Adjustments B to D			$104		$34	($20)		$135	$40	$55	($15)		$50		($110)	($117)					($30)		$85		$15	($10)	
42 Sum Utility Adjustments			$50		$51			$50		$51			$50		$94								$50		$51		
43 Net/Gross Adjs B to E			Net $133	Gross	Gross $174	Gross		Net $170	Gross	Gross $200	Gross		Net ($171)	Gross	Gross $217	Gross		Net $138	Gross	Gross $188	Gross		Net $135	Gross	Gross $165	Gross	
G. Adjusted & Market Rents			Adj. Rent		$513	$609		Adj. Rent	$41	$681	$695		Adj. Rent		$636	$673		Adj. Rent	$150	$52	$578		Adj. Rent			$720	
44 Adjusted Rent (1 +43)			$609					$695					$673					$578					$720				
45 Adj Rent/Last rent			100%		100%	63%			100%	100%	62%			100%	100%	65%			100%	100%	56%			100%	100%	76%	
46 Estimated Market Rent	$655	$0.78	Estimated Monthly Net Rent/ Sq. Ft																								

Explanations for the above footnotes along with the standard adjustments used by both the HUD's appraiser and the HUD are located on the attached Rent Child Adjustment page.

Contract Rent - $789

Owner's Rent - $795

Appraisor's Rent - $680

	Adj Rent	Gross Adjust	Weight	
Indian Hills Apts	$609	$174	25%	$152
Hamilton Square Apts	$698	$200	15%	$104
Berrien Woods	$673	$217	10%	$67
Hillcrest	$578	$188	20%	$116
Parkside Terrace	$720	$165	30%	$216
Points			100%	$655
Rounded				$655

Aver 654.9359

$ 0.18

Appraisal: The weighted average is $655 the average is $655 and the median is $673

Conclusion $655

PREPARED BY HUD DC

OMB Approval # 2502-0507 (exp. 7/01)

Rent Comparability Grid — Unit Type: 3BR/1.5Ba TH APPRAIS — Subject's FHA #: 0171048

	Subject		Comp #1					Comp #2					Comp #3					Comp #4					Comp #5					Comp #6				
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, MI	Data on Subject	Village West 736 Colony Court Niles, MI					Berrien Woods 1900 E. Main Street Niles, Berrien					West Wind 800 West Front Street Buchanan, Berrien					Parkside Terrace 701 N. Redbud Trail Buchanan, Berrien					Pawating Village 1 Fort Street Niles, Berrien								
A.	Rent& Charges																														
1	$ Last Rent / Restrictions		$900	$900		$900	NA	$790		$790	$790	NA	$689		$689	$689	NA	$650		$650	$650	NA	$850								
2	Date Last Leased (Mo/Yr)		Oct-16	Jul-16				Oct-16					Oct-16					Oct-16					Oct-16								
3	Rent Concessions		No					No					No					No					No								
4	Occupancy for Unit Type		98%					100%					98%					98%					98%								
5	Effective Rent & Rent/Sq. Ft		$900	$0.72		$0.72		$790		$0.67	$0.67		$689		$0.73	$0.75		$650		$0.76	$0.76		$850	$0.84	$0.69	$0.89					

$ Adj. #1 is for Owner's appraiser, $ Adj. #2 is for HUD's Appraiser, $ Adj. #3 is for HUD's Reconciliation. In Parts B thru E, adjust only for variances from the subject's market values.

B.	Design, Location, Condition		Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #
6	Structure / Stories	TH	TH					Walk-up			$25		WU/3			$25		TH					Duplex								
7	Yr. Built/Yr. Remodeled	Early 1910s	1966/08	$10			B2	1990s/2000s					1980s, Ren 2010-2015					HA					1920s	$10			B1				
8	Condition/Street Appeal	Average	Similar					Superior		($15)	($30)	B3	Superior		($15)	($30)	B3	Inferior			$30		Similar								
9	Neighborhood	Average	Similar					Similar		($10)		B4	Similar		($5)		B4	Similar		($5)		B4	Similar		($10)		B4				
10	Same Market Area as Subj		Y/13 M					Y/13.5 M					Y/18 M					N/17 M					N/15 M								
C.	Unit Equipment/ Amenities		Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #
11	# Bedrooms	3	3					3					3					3					3								
12	# Baths	1.5	2.5	($25)		($15)	B3	2		($10)	($10)	B5	1.5				B5	1.5					1.5								
13	Unit Interior Sq. Ft.	922	1250	($45)		($30)	B6	1181		($30)	($40)	B6	918		$1		B6	850		$14	$14		950	$15	($5)		B5				
14	Balcony/ Patio	Y	No			$3		Y					Y					Y					Y								
15	AC: Central/ Wall	Sleeve	Central	($20)		($20)	B8	Central		($25)	($20)	B8	Central		($25)	($20)	B8	Wall		($15)	($10)		Central	($20)	($25)	($20)	B6				
16	Range/ refrigerator	Y/Y	Y/Y					Y/Y					Y/Y					Y/Y					Y/Y								
17	Microwave/ Dishwasher	N/N	N/Y	($10)		($10)	B9	N/Y		($10)	($10)	B9	N/Y		($10)	($10)	B9	N/N					N/Y	($10)	($10)	($10)	B9				
18	Washer/Dryer	Hookups	Laundry	($15)		$15	B10	Hookups					Laundry		$15	$15	B10	Hookups					Hookups								
19	Floor Coverings	C/V	C/V					C/V					C/V					C/V					C/V								
20	Window Coverings	Y	Y					Y					Y					Y					Y	($5)							
21	Cable/ Satellite/Internet	N	N					N					N					N					N								
22	Special Features	N	N					N					N					N					Y	($10)	($5)	($5)	B11				
23	On-Site Mgmt/Maint	Y	Y					Y					Y					Y					Y								
D.	Site Equipment &Amenities		Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #
24	Parking ($ Fee)	Y	Y					Y					Y					Y					Y					Garage	($50)	($50)	($50)	D13
25	Extra Storage	Basement	N	$15		$35		Y		$5	$30		N		$10	$35		N		$10	$35		N					N	$15	$10	$33	
26	Security	N	Y					N					N					N					N					N				
27	Condition/Mtg Issues	N	N					Y		($5)	($5)	D14	Y		($5)	($5)	D14	N					N					N				
28	Pool/ Recreation Areas	Y	Y			($5)	D15	Y		($5)	($5)	D15	Y					Y					Y					I	($10)			D15
29	Business Ctr/Child Mind	N	N					N					Y		($5)	($5)	D16	N					N					N				
30	Service Coordination	N	Y					N					N					N					N					N				
31	Non-Shelter Services	N	Y					N					N					N					N					N				
32	Neighborhood Networks																														
E.	Utilities		Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #	Data	Owner $ Adj	Appr $ Adj	HUD $ Adj	Feature #
33	Heat (in unit/ type)	Y/Gas	N/Gas	$45		$41	D1	N/Gas		$44	$41	D1	N/Gas		$44	$41	D1	N/Elect		$44	$41	D1	N/Gas	$45	$44	$41	D1	N/Gas	$45	$44	$41	D1
34	Cooling (in unit/ type)	N/Elect	N/Elect					N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
35	Cooking (in unit/ type)	Y/Gas	N/Elect			$3	D2	N/Elect		$3	$3	D2	N/Elect		$3	$3	D2	N/Elect		$3	$3	D2	N/Elect		$3	$3	D2	N/Elect		$3	$3	D2
36	Hot Water (in unit/ type)	Y/Gas	N/Gas	$10		$12	D3	N/Gas		$13	$12	D3	N/Gas		$13	$12	D3	N/Elect		$13	$12	D3	N/Gas	$16	$13	$12	D3	N/Gas	$16	$13	$12	D3
37	Other Electric	N/Elect	N/Elect					N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
38	Cold Water/ Sewer	Y	Y					Y					Y					Y					Y					Y				
39	Trash/Recycling	Y	Y					Y					Y					Y					Y					Y				
F.	Adjustments Overall		Yes	Neg	Neg	Neg		Yes	Neg	Neg	Neg		Yes	Neg	Neg	Neg		Yes	Neg	Neg	Neg		Yes	Neg	Neg	Neg		Yes	Neg	Neg	Neg	
40	# Adjustments B to D		3	3		5		2		8	7		3		6	5		2		2	1		1	0	6	4		1	0	6	4	
41	Sum Adjustments B to D		$55	($60)		($112)		$90		($135)	($132)		$78		($30)	($34)		$81		$4	($10)		$35	($35)	($25)	($85)		$50	$55	$60		
42	Sum Utility Adjustments		$56	$55				$56		$60			$56		$60			$56		$60			$50	$55	$60			$50	$55	$60		
			Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Either	Gross	Gross		Net	Either	Gross	Gross	
43	Net Grand Adjmt B to E		($51)			$223		($20)		$250	$250		$37		$205	$205		$127		$147	$147		$4			$176					$176	
G.	Adjusted & Market Rents		Adj. Rent	$903		$889		Adj. Rent		$715	$762		Adj. Rent		$710	$746		Adj. Rent		$714	$777		Adj. Rent	$820	$815	$856						
44	Adjusted Rent (5+43)		$849					$770					$746					$777					$856									
45	Adj Rent/Last rent		94%	100%		99%		97%	100%	90%	96%		94%	100%	100%	94%		98%	100%	100%	98%		108%	100%	95%	99%						
46	Estimated Market Rent	$803	$0.87	Estimated Market Rent/ Sq. Ft																												

Explanations for the above footnotes along with the standard adjustments used by both the HUD's appraiser and the HUD are located on the attached Rent Grid Adjustment page.

Contract Rent - $809

Owner's Rent - $870

Appraiser's Rent - $715	Adj Rent	Gross Adjust	Weight	
Village West	$889	$223	15%	$135
Berrien Woods	$762	$250	10%	$76
West Wind	$746	$205	20%	$149
Parkside Terrace	$777	$147	30%	$233
Pawating Village	$856	$176	25%	$214
Totals			100%	$807
Rounded				$805
Aver	807.9456			

$ 0.19

Appeal The weighted average is $807 the average is $808 and the median is $777 The best comp based on lowest gross adjustments is $777

Conclusion $805.

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Housing and Urban Development
Office of Housing

Attachment 9-2

OMB Approval # 2502-0507 (exp 01/31/2018)

Rent Comparability Grid

Unit Type → 1 Bedroom

Subject's FHA #: (b)(6)

	Subject		*Comp #1*		*Comp #2*		*Comp #3*		*Comp #4*		*Comp #5*	
	Project Name	Data	Indian Hills Apartments		Hamilton Square Apartments		Berrien Woods		West Wind		Parkside Terrace	
	Street Address	on	400 Cleveland Street		315 N Lowe Street		1900 E Main Street		808 West Front Street		701 North Red Bud Trail	
	City County	Subject	Dowagiac, Cass		Dowagiac, Cass		Niles, Berrien		Buchanan, Berrien		Buchanan, Berrien	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	$ Last Rent / Restricted?		$450		$425		$605		$499		$425	
2	Date Last Leased (mo/yr)		Oct-16		Oct-16		Oct-16		Oct-16		Oct-16	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		93%		100%		95%		97%		94%	
5	Effective Rent & Rent/ sq. ft		$450	0 789473684	$425	0 85	$605	0 93	$499	0.84	$425	1 06
		In Parts B thru E, adjust only for differences the subject's market values										
B	**Design, Location, Condition**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	Structure / Stories	TH	Walk up	$30	W/U 2-3	$30	Walk up	$30	W/U 3	$30	Garden	$30
7	Yr. Built/Yr. Renovated	1975	1979		1990		1990-2000		1980-Ren2014		NA	
8	Condition /Street Appeal	Above Avg	Average	$10	Below Ave	$30	AboveAvg		Above Avg		Below Avg	$30
9	Neighborhood	Average	Average		Average		Average		Average		Average	
10	Same Market? Miles to Subj		Adjacent		Y 55 M		N 13 5 M		N 18 M		N 17 M	
C.	**Unit Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	# Bedrooms	1	1		1		1		1		1	
12	# Baths	1	1		1		1		1		1	
13	Unit Interior Sq. Ft.	646	570	$17	500	$33	649	($1)	594	$12	400	$55
14	Balcony/ Patio	fenced patio	N	$10	N	$10	Y	$5	Y	$5	Y	$5
15	AC: Central/ Wall	wall sleeve only	Central	($20)	Wall	($10)	Central	($20)	Central	($20)	Wall	($10)
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/N		N/N		N/Y		N/Y		N/N	
18	Washer/Dryer	Hookups	Laundry	$15	Laundry	$15	Hookups		Laundry	$15	Laundry	$15
19	Floor Coverings	CV	CV		CV		CV		CV		CV	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/Internet	N	N		N		N		N		N	
22	Special Features	N	N		N		N		N		N	
23	On-Site Mgmt/Maint	Y	Y		Y		Y		Y		Y	
D	**Site Equipment/ Amenities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	Parking ($ Fee)	Y	Y		Y		Y		Y		Y	
25	Extra Storage	633sf bsmt	N	$35	N	$35	Y	$35	N	$35	N	$35
26	Security		N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		N		Y		Y		N	
28	Pool/ Recreation Areas	Playground	PG		N	$5	Pool	($10)	PG		N	$5
29	Business Ctr / Nbhd Netwk	N	N		N		N		N		N	
30	Service Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32	Neighborhood Networks	N	N		N		N		N		N	
E.	**Utilities**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	Heat (in rent?/ type)	Y/GAS	N/GAS	$20	N/ELECT	$30	N/GAS	$20	N/GAS	$20	N/ELECT	$30
	Service Charge			$13		$8		$13		$13		$8
34	Cooling (in rent?/ type)	N/ELECT	N/ELECT		N/ELECT		N/ELECT		N/ELECT		N/ELECT	
35	Cooking (in rent?/ type)	Y/GAS	N/ELECT	$7	N/ELECT	$7	N/ELECT	$7	N/ELECT	$7	N/ELECT	$7
36	Hot Water (in rent?/ type)	Y/GAS	N/ELECT	$18	N/ELECT	$18	N/GAS	$5	N/GAS	$5	N/ELECT	$18
37	Other Electric											
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash /Recycling	Y	Y		Y		Y		Y		Y	
F.	**Adjustments Recap**		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	# Adjustments B to D		6	1	7	1	3	3	5	1	7	1
41	Sum Adjustments B to D		$117	($20)	$158	($10)	$70	($31)	$97	($20)	$175	($10)
42	Sum Utility Adjustments		$58		$63		$45		$45		$63	
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	*Net/ Gross Adjmts B to E*		*$155*	*$195*	*$211*	*$231*	*$84*	*$146*	*$122*	*$162*	*$228*	*$248*
G	**Adjusted & Market Rents**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	**Adjusted Rent** (5+ 43)		$605		$636		$689		$621		$653	
45	Adj Rent/Last rent			134%		150%		114%		124%		154%
46	**Estimated Market Rent**	640.8	$0.99 ←		**Estimated Market Rent/ Sq. Ft**							

PREPARED BY SUPERIOR / /

~~Appraiser's Signature~~ PROPERTY MGMT Date

Attached are explanations of .

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared ☐ Manually ☐ Using HUD's Excel form

This form is to be used for completing Rent Comparability Studies in accordance with Chapter 9 of the Section 8 Renewal Guide

form HUD-92273-S8 (04/2002)

Housing and Urban Development
Office of Housing

Attachment 9-2

OMB Approval # 2502-0507 (exp 01/31/2018)

Rent Comparability Grid

Unit Type → 2 Bedroom

Subject's FHA #: (b)(6)

	Subject		Comp #1		Comp #2		Comp #3		Comp #4		Comp #5	
	Project Name	Data	Indian Hills Apartments		Hamilton Square Apartments		Berrien Woods		West Wind		Parkside Terrace	
	Street Address	on	400 Cleveland Street		315 N Lowe Street		1900 E Main Street		808 West Front Street		701 North Red Bud Trail	
	City County	Subject	Dowagiac, Cass		Dowagiac, Cass		Niles, Berrien		Buchanan, Berrien		Buchanan, Berrien	
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Last Rent / Restricted?		$475		$525		$690		$640		$595	
2	Date Last Leased (mo/yr)		Oct-16		Oct-16		Oct-16		Oct-16		Oct-16	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		93%		100%		95%		97%		94%	
5	Effective Rent & Rent/ sq. ft		$475	0 6985	$525	0 81	$690	0 70	$640	0 77	$595	0 85
		In Parts B thru E, adjust only for differences the subject's market values										
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure / Stories	TH	Walk up	$30	W/U 2-3	$30	Walk up	$30	W/U 3	$30	Garden	$30
7	Yr. Built/Yr. Renovated	1975	1979		1990		1990-2000		1980-Ren2014		NA	
8	Condition /Street Appeal	Above Avg	Average	$10	Below Ave	$30	AboveAvg		Above Avg		Below Avg	$30
9	Neighborhood	Average	Average		Average		Average		Average		Average	
10	Same Market? Miles to Subj		Adjacent		Y 55 M		N 13 5 M		N 18 M		N 17 M	
C.	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	2	2		2		2		2		2	
12	# Baths	1	1		1		2	$15	1		1	
13	Unit Interior Sq. Ft.	836	680	$34	650	$41	986	($33)	828	$2	700	$30
14	Balcony/ Patio	160 sf fenced patio	N	$10	N	$10	Y	$5	Y	$5	Y	$5
15	AC: Central/ Wall	wall sleeve only	Central	($20)	Wall	($10)	Central	($20)	Central	($20)	Wall	($10)
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/N		N/N		N/Y		N/Y		N/N	
18	Washer/Dryer	Hookups	Laundry	$15	Laundry	$15	Hookups		Laundry	$15	Laundry	$15
19	Floor Coverings	CV	CV		CV		CV		CV		CV	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/Internet	N	N		N		N		N		N	
22	Special Features	N	N		N		N		N		N	
23	On-Site Mgmt/Maint	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking ($ Fee)	Y	Y		Y		Y		Y		Y	
25	Extra Storage	414 sf bsmt	N	$40	N	$40	Y	$40	N	$40	N	$40
26	Security		N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		N		Y		Y		N	
28	Pool/ Recreation Areas	Playground	PG		N	$5	Pool	($10)	PG		N	$5
29	Business Ctr / Nbhd Netwk	N	N		N		N		N		N	
30	Service Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32	Neighborhood Networks	N	N		N		N		N		N	
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat (in rent?/ type)	Y/GAS	N/GAS	$23	N/ELECT	$42	N/GAS	$23	N/GAS	$23	N/ELECT	$42
	Service charge			$13		$8		$13		$13		$8
34	Cooling (in rent?/ type)	N/ELECT	N/ELECT		N/ELECT		N/ELECT		N/ELECT		N/ELECT	
35	Cooking (in rent?/ type)	Y/GAS	N/ELECT	$10	N/ELECT	$10	N/ELECT	$10	N/ELECT	$10	N/ELECT	$10
36	Hot Water (in rent?/ type)	Y/GAS	N/ELECT	$23	N/ELECT	$23	N/GAS	$7	N/GAS	$7	N/ELECT	$23
37	Other Electric	N/ELECT	N/ELECT		N/ELECT		N/ELECT		N/ELECT		N/ELECT	
38	Cold Water/ Sewer	Y	Y		Y		Y		flat fee W/S/Trash	$32	Y	
39	Trash /Recycling	Y	Y		Y		Y		Y		Y	
F.	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		6	1	7	1	4	3	5	1	7	1
41	Sum Adjustments B to D		$139	($20)	$171	($10)	$90	($63)	$92	($20)	$155	($10)
42	Sum Utility Adjustments		$69		$83		$53		$85		$83	
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	*Net/ Gross Adjmts B to E*		*$188*	*$228*	*$244*	*$264*	*$80*	*$206*	*$157*	*$197*	*$228*	*$248*
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (5+43)		$663		$769		$770		$797		$823	
45	Adj Rent/Last rent			140%		146%		112%		125%		138%
46	Estimated Market Rent	764.4	$0.94		Estimated Market Rent/ Sq Ft							

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

PREPARED BY SUPERIOR PROPERTY MGMT

~~Appraiser~~'s Signature Date

Attached are explanations of :

Grid was prepared ☐ Manually ☐ Using HUD's Excel form

This form is to be used for completing Rent Comparability Studies in accordance with Chapter 9 of the Section 8 Renewal Guide

form HUD-92273-S8 (04/2002)

OMB Approval # 2502-0507 (exp 01/31/2018)

Rent Comparability Grid

Subject's FHA #: (b)(6)

UNIT TYPE - 3 BEDROOM

	Subject		*Comp #1*		*Comp #2*		*Comp #3*		*Comp #4*	
	Project Name	Data	Berrien Woods		West Wind		Parkside Terrace		Pawating Village	
	Street Address	on	1900 E Main Street		808 West Front Street		701 North Red Bud Trail		1 Fort Street	
	City County	Subject	Niles, Berrien		Buchanan, Berrien		Buchanan, Berrien		Niles, MI	
A.	**Rents Charged**		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
1	$ Last Rent / Restricted?		$790		$689		$650		$850	
2	Date Last Leased (mo/yr)		Oct-16		Oct-16		Oct-16		Oct-16	
3	Rent Concessions		No		No		No		No	
4	Occupancy for Unit Type		95%		97%		94%		94%	
5	Effective Rent & Rent/ sq. ft		$790	0 67	$689	0 75	$650	0 76	$850	0 89
B.	Design, Location, Condition		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
6	Structure / Stories	TH	Walk up	$30	W/U 3	$30	Garden	$30	Garden	$30
7	Yr. Built/Yr. Renovated	1975	1990-2000		1980-Ren2014		NA		NA	
8	Condition /Street Appeal	Above Avg	AboveAvg		Above Avg		Below Avg	$20	Below Avg	$20
9	Neighborhood	Average	Average		Average		Average		Average	
10	Same Market? Miles to Subj		N 13 5 M		N 18 M		N 17 M		N 17 M	
C.	Unit Equipment/ Amenities		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
11	# Bedrooms	3	3		3		3		3	
12	# Baths	3	3		3		3		3	
13	Unit Interior Sq. Ft.	922	1181	($57)	918	$2	850	$16	950	($6)
14	Balcony/ Patio	fenced patio	Y	$5	Y	$5	Y	$5	Y	$5
15	AC: Central/ Wall	wall sleeve only	Central	($20)	Central	($20)	Wall	($10)	Centra,	($20)
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/Y	($10)	N/Y	($10)	N/N		N/Y	($10)
18	Washer/Dryer	Hookups	Hookups		Laundry	$15	Laundry	$15	Hookups	
19	Floor Coverings	CV	CV		CV		CV		CV	
20	Window Coverings	Y	Y		Y		Y		Y	
21	Cable/ Satellite/Internet	N	N		N		N		N	
22	Special Features	N	N		N		N		Y	($5)
23	On-Site Mgmt/Maint	Y	Y		Y		Y		Y	
D	Site Equipment/ Amenities		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
24	Parking ($ Fee)	Y	Y		Y		Y		Y	
25	Extra Storage	418 sf bsmt	Y	$40	N	$40	N	$40	N	$40
26	Security		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	Y		Y		N		N	
28	Pool/ Recreation Areas	Playground	?	($10)	?		?	$5	?	
29	Business Ctr / Nbhd Netwk	N	N		N		N		N	
30	Service Coordination	N	N		N		N		N	
31	Non-shelter Services	N	N		N		N		N	
32	Neighborhood Networks	N	N		N		N		N	
E.	Utilities		**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**	**Data**	**$ Adj**
33	Heat (in rent?/ type)	Y/GAS	N/GAS	$27	N/GAS	$27	N/ELECT	$53	N/GAS	$27
	Service charge			$13		$13		$8		$13
34	Cooling (in rent?/ type)	N/ELECT	N/ELECT		N/ELECT		N/ELECT		N/ELECT	
35	Cooking (in rent?/ type)	Y/GAS	N/ELECT	$13	N/ELECT	$13	N/ELECT	$13	N/ELECT	$13
36	Hot Water (in rent?/ type)	Y/GAS	N/GAS	$10	N/GAS	$10	N/ELECT	$27	N/GAS	$10
37	Other Electric									
38	Cold Water/ Sewer	Y	Y		Y		Y		Y	
39	Trash /Recycling	Y	Y		Y		Y		Y	
F.	Adjustments Recap		**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**	**Pos**	**Neg**
40	# Adjustments B to D		3	4	5	2	7	1	4	4
41	Sum Adjustments B to D		$75	($97)	$92	($30)	$131	($10)	$95	($41)
42	Sum Utility Adjustments		$63		$63		$101		$63	
			Net	**Gross**	**Net**	**Gross**	**Net**	**Gross**	**Net**	**Gross**
43	*Net/ Gross Adjmts B to E*		*$41*	*$235*	*$125*	*$185*	*$222*	*$242*	*$117*	*$199*
G.	Adjusted & Market Rents		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**		**Adj. Rent**	
44	Adjusted Rent (5+ 43)		$831		$814		$872		$967	
45	Adj Rent/Last rent			105%		118%		134%		114%
46	Estimated Market Rent	#VALUE!								

$878.00

a. why & how each adjustment was made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

PREPARED BY SUPERIOR PROPERTY MGMT

This form is to be used for completing Rent Comparability Studies in accordance with Chapter 9 of the Section 8 Renewal Guide

Michigan State Housing Development Authority

Utility Schedule - Region C

Effective: January 1, 2017

Allegan, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Livingston, Macomb, Manistee, Muskegon, Newaygo, Oceana, Ottawa, Saginaw, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren

Standard Utility Allowance

Structure Type	Apartment						Attached						Detached					
Unit Type	Flat/Garden/Walk Up						Duplex/Townhouse						Manufactured Home/Single Family					
Utility	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating – Natural Gas	$21	$23	$25	$27	$30	$33	$30	$35	$38	$41	$43	$46	$24	$28	$33	$38	$43	$48
Heating – Propane Gas	$42	$51	$66	$76	$86	$95	$85	$100	$108	$116	$123	$131	$69	$81	$95	$109	$122	$136
Heating – Electric	$25	$30	$42	$53	$64	$75	$37	$44	$58	$71	$85	$98	$61	$72	$85	$97	$110	$122
Heating – Fuel Oil	$47	$58	$68	$75	$84	$94	$84	$98	$106	$113	$121	$128	$66	$79	$93	$107	$120	$134
Cooking – Natural Gas	$1	$2	$3	$4	$5	$6	$2	$2	$3	$4	$5	$6	$2	$2	$3	$4	$5	$6
Cooking – Propane Gas	$3	$4	$5	$11	$14	$18	$5	$6	$9	$11	$14	$16	$5	$6	$9	$11	$14	$18
Cooking – Electric	$2	$3	$10	$13	$16	$19	$6	$7	$10	$13	$16	$19	$6	$7	$10	$13	$16	$19
Other Electric	$7	$25	$35	$45	$55	$64	$26	$31	$43	$55	$67	$79	$31	$37	$51	$66	$80	$95
Air Conditioning	$3	$4	$5	$7	$9	$10	$4	$4	$6	$7	$9	$11	$2	$3	$7	$10	$14	$17
Hot Water – Natural Gas	$4	$5	$7	$10	$12	$14	$5	$6	$9	$12	$15	$18	$5	$6	$9	$12	$15	$18
Hot Water – Propane Gas	$13	$16	$21	$28	$34	$41	$16	$18	$27	$35	$43	$51	$16	$18	$27	$35	$43	$51
Hot Water – Electric	$15	$16	$23	$27	$32	$37	$19	$22	$28	$34	$40	$47	$19	$22	$28	$34	$40	$47
Hot Water – Fuel Oil	$12	$14	$21	$27	$34	$40	$15	$18	$26	$34	$42	$50	$15	$18	$26	$34	$42	$50
Water	$15	$17	$28	$44	$61	$77	$15	$17	$28	$44	$61	$77	$15	$17	$28	$44	$61	$77
Sewer	$21	$23	$39	$62	$85	$108	$21	$23	$39	$62	$85	$108	$21	$23	$39	$62	$85	$108
Trash	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17

Service Charge:

Natural Gas – for all unit types add	$13
Electric – for all unit types add	$8

Air Conditioning Allowance: Only allowed if windows are not operable.

Tenant Furnished Appliance Allowance: If the tenant is responsible for supplying the range and/or refrigerator, use the allowances listed to the right.

Range –	$3
Refrigerator–	$5

To use this schedule:

Enter the appropriate amount on the chart for each utility/appliance that you are responsible to pay.

NOTE: Sales tax is included in the amounts listed above.

MSHDA 1792a (10/5/16) Previous versions obsolete

	Natural Gas	Propane	Electric	Oil	Wood (Secondary)	Cost
Heating						
Cooking						
Hot Water						
Other Electric						
Water						
Sewer						
Trash						
Air Conditioning						
Other						
Gas Service Charge						
Electric Service Charge						
Range						
Refrigerator						
TOTAL ROUNDED						

COMPARABLES

Comparables:

Valbridge Appraisal

1 Bedroom	2 Bedroom	3 Bedroom
Indian Hills Apartments	Indian Hills Apartments	
Hamilton Square Apartments	Hamilton Square Apartments	Hamilton Square Apartments *1
Berrien Woods	Berrien Woods	Berrien Woods
West Wind	West Wind	West Wind
		Parkside *2
		Pawating Village

HUD Appraisal

Indian Hills Apartments	Indian Hills Apartments	Village West Apartments *
Hamilton Square Apartments	Hamilton Square Apartments	Berrien Woods
Berrien Woods	Berrien Woods	West Wind
Hillcrest *4	Hillcrest *5	Pawating Village
Parkside Terrace	Parkside Terrace	Parkside Terrace

***1 – Hamilton Square does not have 3 bedroom units**

***2 – Parkside Terrace does not have 3 bedroom units**

***3 – Village West Apartments was not on the Valbridge Report**

***4 – Hillcrest Apartments was not on the Valbridge Report**

***5 – Hillcrest Apartments was not on the Valbridge Report**

This information is evidence that the Appraisal Reports prepared by Valbridge and by HUD contain errors that have a negative impact on determining proper comparisons to the Subject property.

The Valbridge report only included photos available on the properties website, which do not properly represent the conditions of these rental units.

It is concerning that the HUD Appraiser in Washington D.C. included comparable properties (Hillcrest and Village West Apartment) that were not on the original appraisal by Valbridge. It is questionable as to how reliable the information on these properties can be without physically seeing the sites.

Rent Comparability Grid		Last Name		1	Subject Name						
	Subject		Comp 1		Comp 2		Comp 3		Comp 4		Comp 5	
	Indian Hills Townhouses	Date	Indian Hills Apts		Hamilton Square Apts		Beaver Woods		West Wind		Parkside Terrace	
	400 Cleveland Street	on	400 Cleveland Street		515 N. Lowe Street		1905 E. Main St #6		828 West Front Street		715 N. Redford Trail	
	Dowagiac, Cass	Subject	Dowagiac, Cass		Dowagiac, Cass		Niles, Berrien		Dowagiac, Berrien		Buchanan, Berrien	
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
	$ Last Rent Restricted?		$450		$425		$650		$699		$425	
2	Date Last Leased (mo) yr		Oct-15		Oct-15		Oct-15		Oct-15		Oct-15	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		92%		100%		95%		97%		94%	
5	Effective Rent & Rent/ sq. ft		$450	0.93	$425	0.83	$606	0.93	$499	0.85	$425	0.96
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure Stories	Garden	Walk-up		Walk-up		Walk-up		Walk-up		Garden	
7	Year Built/ Renovated	Early 1970s	1970s		1960s		1990s, 2000s		1980s; Ren. 2014-2015		NA	
8	Condition/ Street Appeal	Average	Similar		Similar		Superior	$25	Superior	($15	Similar	
9	Neighborhood	Average	Similar		Similar		Superior	$25	Superior	($5	Superior	($5
10	Same Market? Miles to Subj		Adjacent		0.25 SE		NE 12.5 SE		NE 18 SE		NE 27 SE	
C.	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	1	1		1		1		1		1	
12	# Baths	1	1		1		1		1		1	
13	Unit Interior Sq. Ft.	646	570	$25	509	$35	649	($5	691	$10	400	$55
14	Balcony/ Patio	Y	Y		N	$5	Y		Y		Y	
15	AC: Central/ Wall/ Window	Nothing	Central	$25	Wall	($15)	Central	$25	Central	($20	Wall	($15)
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/N		N/N		N/Y	$5.0	N/N	$ 0	N/N	
18	Washer/dryer-Hookups/L	Hookups	Hookups		Laundry	$15	Hookups		Laundry	$15	Laundry	$15
19	Floor Coverings	C/V	C/V		C/V		C/V		C/V		C/V	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/ Internet	Y	Y		Y		Y		Y		Y	
22	Special Features	N	N		N		N		N		N	
23	On-Site Mgmt/ Maint.	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking $/Fee	Y	Y		Y		Y		Y		Y	
25	Extra Storage	Basement	N	$50	N	$10	Y	$5	N	$10	N	$10
26	Security	N	N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		N		Y	($5)	Y	($5	N	
28	Amenities (Pool, Rec. Area)	1	1		1	$5	1	($5	1		1	
29	Business Ctr/ Shtl/ Netwk	N	N		N		N		Y	($5	N	
30	Services Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32												
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat (central type	V Gas	N Gas	$20	N Elect	$20	N Gas	$20	N Gas	$20	N Elect	$20
34	Cooling (central type	N Elect	N Elect		N Elect		N Elect		N Elect		N Elect	
35	Cooking (central type	N Gas	N Elect	$5	N Elect	$5	N Elect	$5	N Elect	$5	N Elect	$5
36	Hot Water (central type	N Gas	N Elect	$5	N Elect	$5	N Gas	$5	N Gas	$5	N Elect	$5
37	Other Electric	N Elect	N Elect		N Elect		N Elect		N Elect		N Elect	
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash/ Recycling	Y	Y		Y		Y		Y		Y	
F.	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		2	1	4	3	3	1	3	3	5	2
41	Sum Adjustments B to D		$25	($5)	$60	($30)	$30	$5	$55	($65)	$30	($15)
42	Sum Utility Adjustment		$20	$0	$20	$0	$20	$0	$20	$0	$20	$0
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	Net/Gross Adjmt B to E		$40	$50	$75	$115	($45)	$115	$10	$135	$20	$150
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (=+43)		$482		$496		$559		$501		$515	
45	Adj Rent/ Last rent		107%		117%		86%		100%		121%	
46	Estimated Market Rent	$495	$0.77		Estimated Market Rent/ Sq. Ft							

Appraiser's Signature — Date

Reviewed by — Supervisory or Co-Appraiser (if applicable)

a. why & how each adjustment is made
b. how market rent was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared. ☐ Manually ☑ Using ARGUS Valuation-DCF, Excel Version

	Subject	Data	Comp 1		Comp 2		Comp 3		Comp 4		Comp 5	
	Indian Hills Townhomes	Data	Indian Hills Apts		Hamilton Square Apts		Sherrer Woods		West Wind		Parkside Terrace	
	400 Cleveland Street	as	400 Cleveland Street		915 N. Lowe Street		400 E. Main Street		505 West Front Street		0 N. Bethel Trail	
	Dowagiac, Cass	Subject	Dowagiac, Cass		Dowagiac, Cass		Niles, Berrien		Buchanan, Berrien		Buchanan, Berrien	
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
1	$ Last Rent Restricted?		$675		$825		$690		$559		$695	
2	Date Last Leased mo yr		Oct-16		Oct-16		Oct-16		Oct-16		Oct-16	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		95%		100%		95%		97%		94%	
5	Effective Rent & Rent/ sq. ft.		$675	$0.70	$825	$0.85	$690	$0.72	$559	$0.58	$695	$0.85
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure Stories	Garden	Walkup		Walkup		Walkup		WU 3		Garden	
7	Year Built/ Renovated	Early 1970s	1970s		1990s		1980s, 2000s		1980s Ren. 2014-2015		NA	
8	Condition/ Street Appeal	Average	Similar		Similar		Superior	-$25	Superior	-$25	Similar	
9	Neighborhood	Average	Similar		Similar		Superior	-$25	Superior	-$25	Superior	-$25
10	Same Market Villas vs Subj	Same	Adjacent		0.45 Mi		3.5 Mi		8.5 Mi		7.3 Mi	
C.	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	2 BR	2		2		2		2		2 BR	
12	# Baths	1	1		1		1		1		1	
13	Unit Interior Sq. Ft.	886	550	$25	650	$15	948	-$22	928	$2	700	$26
14	Balcony/ Patio	Y	Y		N	$5	Y		Y		Y	
15	A/C: Central Wall Window	Nothing	Central	-$15	Wall	$-5	Central	-$15	Central	-$15	Wall	-15
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	N/N	N/N		N/N		N/N	$0	N/1	+$10	N/N	
18	Washer/dryer Hookups	Hookups	Hookups		Laundry	$-5	Hookups		Laundry	$-5	Hookups	
19	Floor Coverings	CV	CV		CV		CV		CV		CV	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/ Internet	N	N		N		N		N		N	
22	Special Features	N	N		N		N		N		N	
23	On-Site Mgmt/ Maint.	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking (# Fee)	1	Y		Y		Y		Y		Y	
25	Extra Storage	Basement	N	$10	N	$-5	Y	-$5	N	$-5	Y	-$26
26	Security	N	N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		N		Y	-$5	Y	-$5	N	
28	Amenities (Pool, Rec. Area)	1	1		1	$5	1	-$5	1		1	
29	Business Ctr/ Computer	N	N		N		N		Y	($5	N	
30	Service Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
32	Heat (in rent? type)	N/Elect	N/Gas	$43	N/Elect	$-5	N/Gas	$2	N/Gas	$43	N/Elect	$5
33	Cooling (in rent? type)	N/Elect	N/Elect		N/Elect		N/Elect		N/Elect		N/Elect	
34	Cooking (in rent? type)	N/Gas	N/Elec	$3	N/Elect	$3	N/Elect	$3	N/Elect	$3	N/Elect	$3
35	Hot Water (in rent? type)	N/Gas	N/Elec	$-5	N/Elect	$-5	N/Gas	$-5	N/Gas	$-5	N/Elect	$-5
36	Other Electric	N/Elect	N/Elec		N/Elect		N/Elect		N/Elect		N/Elect	
37	Cold Water/ Sewer	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
38	Trash/ Recycling	N/N	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
F.	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
39	# Adjustments B to D		2		2		2	5	3	5	2	2
40	Sum Adjustments B to D		$39	$25	$65	$20	$5	($5)	$27	($45)	$36	$26
41	Sum Other Adjustments		$5	$0	$5	$0	$10	$2	$10	$0	$5	$0
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
42	Net Gross Adjmts B to E		$49	$113	$59	$130	$14	$37	$28	$145	$52	$110
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
43	Adjusted Rent (44+45)		$543		$624		$626		$605		$665	
45	Adj Rent/ Last Rent		2.4%		-3.9%		-9.2%		8.2%		-4.3%	
46	Estimated Market Rent	$600	$0.72		Estimated Market Rent/ Sq. Ft							

Appraiser's Signature — Date

a. skip & how each adjustment is made
b. how "dated rent" was derived from adjusted rents
c. how this analysis was used for a similar unit type

Grid was prepared Manually using HUD's Excel form

Rent Comparables Grid		Unit Type	3 TH	Property ID #	
	Subject	Comp 2	Comp 3	Comp 4	Comp 5	Comp 6
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, Cass	Data on Subject	Hamilton Square Apts 515 N. Elm Street Dowagiac, Cass	Barnes Woods 1670 E. Main Street Niles, Berrien	West Wind 508 West Front Street Buchanan, Berrien	Parkview Terrace 701 N. Redbud Trail Buchanan, Berrien	Pheasant Village 3 Year Street New Berrien
A.	Rents Charged		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
	$ Last Rent Increased?		$625		$790		$689		$650		$850	
2	Date Last Leased (mo/yr)		Oct-16		Oct-16		Oct-16		Oct-16		Oct-16	
3	Rent Concessions		No		No		No		No		No	
4	Occupancy for Unit Type		100%		95%		97%		94%		100%	
5	Effective Rent & Rent/ sq. ft		$625	0.51	$790	0.67	$689	0.75	$650	0.76	$850	0.85
		Rent adjustments reflect only the market generated by typical rent of units.										
B.	Design, Location, Condition		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
6	Structure/ Stories	Garden	WU/2.5		Walk-up		WU/3		Garden		Garden	
7	Year Built/ Renovated	Early 1970s	1992s		1960s, 2000s		1980s; Ren. 2014-2015		N/A		1970s	
8	Condition/ Street Appeal	Average	Similar		Superior	($25)	Superior	($50)	Similar		Similar	
9	Neighborhood	Average	Similar		Superior	($10)	Superior	($50)	Superior	($50)	Superior	($100)
10	Same Market? Miles to Subj		Y/ 0.35 M		N/ 13.5 M		N/ 18 M		N/ 17 M		N/ 15 M	
C.	Unit Equipment/ Amenities		Data	$ Adj	Data	Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
11	# Bedrooms	3 TH	2	$62	3		3		3 TH		3 Duplex	
12	# Baths	1.5	1	$38	2	($40)	1.5		1.5		1.5	
13	Unit Interior Sq. Ft.	922	650	$53	1181	($40)	918	$1	850	$4	950	($2)
14	Balcony/ Patio	Y	N	$5	Y		Y		Y		Y	
15	AC/ Central/ Wall/ Window	Working	Wall	($15)	Central	($20)	Central	($25)	Wall	($5)	Central	($20)
16	Range/ refrigerator	Y/Y	Y/Y		Y/Y		Y/Y		Y/Y		Y/Y	
17	Microwave/ Dishwasher	Y/N	N/N		N/Y	($10)	N/Y	($40)	N/N		N/Y	($40)
18	Washer/dryer/Hookups/L	Hookups	Laundry	$15	Hookups		Laundry	$15	Hookups		Hookups	
19	Floor Coverings	CT	CT		CT		CT		CT		CT	
20	Window Coverings	Y	Y		Y		Y		Y		Y	
21	Cable/ Satellite/ Internet	N	N		N		N		N		N	
22	Special Features	N	N		N		N		N		Y	($5)
23	On-Site Mgmt/ Maint.	Y	Y		Y		Y		Y		Y	
D	Site Equipment/ Amenities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
24	Parking (-$ Fee)	Y	Y		Y		Y		Y		Garage	($50)
25	Extra Storage	Basement	N	$30	Y	$5	N	$30	N	$40	N	$30
26	Security	N	N		N		N		N		N	
27	Clubhouse/ Meeting Rooms	N	N		Y	($5)	Y	($50)	N		N	
28	Amenities (Pool, Rec. Area)	1	1	$5	2	($5)	1		1		1	
29	Business Ctr/ Child Nrsrk	N	N		N		Y	($5)	N		N	
30	Services Coordination	N	N		N		N		N		N	
31	Non-shelter Services	N	N		N		N		N		N	
32												
E.	Utilities		Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj	Data	$ Adj
33	Heat (in rent? type)	N Gas	N/Elect	$44	N/Gas	$44	N/Gas	$44	N/Elect	$44	N/Gas	$44
34	Cooling (in rent? type)	N/Elect	N/Elect		N/Elect		N/Elect		N/Elect		N/Elect	
35	Cooking (in rent? type)	N Gas	N/Elect	$4	N/Elect	$4	N/Elect	$4	N/Elect	$4	N/Elect	$4
36	Hot Water (in rent? type)	N Gas	N/Elect	$13	N/Gas	$13	N/Gas	$13	N/Elect	$13	N/Gas	$13
37	Other Electric	N/Elect	N/Elect		N/Elect		N/Elect		N/Elect		N/Elect	
38	Cold Water/ Sewer	Y	Y		Y		Y		Y		Y	
39	Trash/ Recycling	Y	Y		Y		Y		Y		Y	
F	Adjustments Recap		Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg	Pos	Neg
40	# Adjustments B to D		6	2	2	5	3	6	2	2	2	6
41	Sum Adjustments B to D		$153	($20)	$5	$ 40	$26	($65)	$34	($20)	$10	($100)
42	Sum Utility Adjustments		$61	$0	$61	$0	$61	$0	$61	$0	$61	$0
			Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross
43	Net/ Gross Adjmts B to E		$194	$254	$74	$306	$22	$157	$85	$105	($29)	$161
G.	Adjusted & Market Rents		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent		Adj. Rent	
44	Adjusted Rent (+/- 43)		$719		$716		$711		$716		$816	
45	Adj Rent/ Last rent		15%		-9%		3%		10%		-4%	
46	Estimated Market Rent	$715	50 %	Estimated Market Rent/ Sq. Ft.								

Appraiser's Signature — Date: 03/ 2016

Additional explanations

a. site & bldg exact adjustment is made
b. base market rent was derived from adjusted rents
c. this comp/s was used for a similar unit type

Grid was prepared ☐ Manually ☑ Using HUD's Excel form — HUD 92273 - SS

OMB Approval # 2502-0507 (exp. 7/31)

Rent Comparability Grid — Unit Type → 3BR/1.5Bth TH APPEAL — Subject's FHA # 04711040

	Subject		Comp #1				Comp #2				Comp #3				Comp #4				Comp #5				Comp #6			
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, MI	Data on Subject	Village West 736 Colony Court Niles, MI				Berrien Woods 1900 E. Main Street Niles, Berrien				West Wind 808 West Front Street Buchanan, Berrien				Parkside Terrace 701 N. Redbud Trail Buchanan, Berrien				Pawating Village 1 Fort Street Niles, Berrien							
A.	Rents Charged		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj
1	$ Last Rent / Restricted?		$900	$900		$900	$790		$790	$790	$689		$689	$689	$650		$650	$650	$850	$800	$850	$850				
2	Date Last Leased (mo/yr)		Oct-16	Jul-14			Oct 15				Oct-16				No				Oct-16							
3	Rent Concessions		No				No				No				96%				No							
4	Occupancy for Unit Type		96%				100%				95%				$689		$0.75	$0.75	$650		$0.76	$0.76				
5	Effective Rent & Rent/sq. ft	$	$900	$0.72		$0.72	$790		$0.67		$689												$850	$0.84	$0.85	$0.89

$ Adj. #1 is for Owner's Appraiser, $ Adj. #2 is for HUD's Appraiser, $ Adj. #3 is for HUD's Reconciliation. In Parts B thru E, adjust only for variances from the subject's market values

B.	Design, Location, Condition		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj
6	Structure / Stories	TH	TH/2				Walk-up			$25	WU/3			$25	TH				Duplex			
7	Yr. Built/Yr. Renovated	Early 1970s	1966-66	$80		$2	1950s/2000s				1980s, Ren 2014-2015				NA				1970s	$80		
8	Condition/Street Appeal	Average	Similar				Superior		($25)	($40)	Superior		($15)	($34)	Inferior			$30	Similar			
9	Neighborhood	Average	Similar				Similar		($10)		Similar		($5)		Similar		($5)		Similar		($10)	
10	Same Market? Miles to Sub		Y/13.5 M				Y/13.5 M				Y/18 M				N/17 M				N/15 M			

E.	Unit Equipment/ Amenities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj
11	# Bedrooms	3	3				3				3				3				3			
12	# Baths	1.5	1.5	($25)		($15)	2		($10)	($10)	1.5				1.5				1.5			
13	Gall Interior Sq. Ft	922	1250	($45)		($62)	1481		($30)	($49)	918		$1		850		$14	$14	950	$15	($5)	
14	Balcony/ Patio	Y	No			$5	Y				Y				Y				Y			
15	A/C: Central/ Wall	Sleeve	Central	($30)		($20)	Central		($25)	($20)	Central		($35)	($20)	Wall		($15)	($10)	Central	($20)	($25)	($20)
16	Range/ refrigerator	Y/Y	Y/Y				Y/Y				Y/Y				Y/Y				Y/Y			
17	Microwave/ Dishwasher	N/N	N/Y	($10)		($10)	N/Y		($10)	($10)	N/Y		($10)	($10)	N/N				N/Y	($10)	($10)	($10)
18	Washer/dryer	Hookups	Laundry	($15)		$15	Hookups				Laundry		$15	$15	Hookups				Hookups			
19	Floor Coverings	C/V	C/V				C/V				C/V				C/V				C/V			
20	Window Coverings	Y	Y				Y				Y				Y				Y	($5)		
21	Cable/ Satellite/Internet	N	N				N				N				N				N			
22	Special Features	N	N				N				N				N				Y	($40)	($5)	($5)
23	On-site Mngmt/Maint	Y	Y				Y				Y				Y				Y			

D	Site Equipment/ Amenities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj
24	Parking (\$ Fee)	Y	Y				Y				Y				Y				Y			
25	Extra Storage	Basement	N	$15		$35	Y		$5	$30	N		$10	$35	N		$10	($35)	Garage	($30)	($30)	($30)
26	Security	N	Y				N				N				N				N	$15	$10	$35
27	Clubhouse/Rec Rooms	N	N				Y		($5)	($5)	Y		($5)	($5)	N				N			
28	Pool/ Recreation Areas	1	2			($5)	2		($5)	($5)	1				1				1	($10)		
29	Business Ctr/Shtl Netwk	N	N				N				Y		($5)	($5)	N				N			
30	Service Coordination	N	Y				N				N				N				N			
31	Non-shelter Services	N	Y				N				N				N				N			
32	Neighborhood Networks																					

E.	Utilities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj
33	Heat (in rent? type)	N/Gas	N/Gas	$45		$41	N/Gas		$44	$41	N/Gas		$44	$41	N/Elect		$34	$41	N/Gas	$45	$44	$41
34	Cooling (in rent? type)	N/Elect	N/Elect				N/Elect				N/Elect				N/Elect				N/Elect			
35	Cooking (in rent? type)	Y/Gas	N/Elect			$3	N/Elect		$3	$3	N/Elect		$3	$3	N/Elect		$3	$3	N/Elect		$3	$3
36	Hot Water (in rent? type)	Y/Gas	N/Gas	$10		$12	N/Gas		$13	$12	N/Gas		$13	$12	N/Gas		$13	$12	N/Gas	$10	$13	$12
37	Other Electric	N/Elect	N/Elect				N/Elect				N/Elect				N/Elect				N/Elect			
38	Cold Water/ Sewer	Y	Y				Y				Y				Y				Y			
39	Trash /Recycling	Y	Y				Y				Y				Y				Y			
40	Adjustments Recap		Pos	Neg	Neg	Neg	Pos	Neg	Neg	Neg	Pos	Neg	Neg	Neg	Pos	Neg	Neg	Neg	Pos	Neg	Neg	Neg
41	# Adjustments B to D		3	3		5	2		0	7	3		6	5	1		2	1	1	6	6	4
42	Sum Adjustments B to D		$55	($60)		($112)	$55		($135)	($139)	$75		($39)	($74)	$81		$4	($10)	$35	($35)	($95)	($85)
43	Sum Utility Adjustments		$56	$55			$56		$60		$56		$60		$56		$60		$56	$55	$40	
			Net	Gross	Gross	Gross	Net	Gross	Gross	Gross	Net	Gross	Gross	Gross	Net	Gross	Gross	Gross	Net	Gross	Gross	Gross
44	*Net/ Gross Adjmts B to D*		($1)			$223	($39)			$250	$37			$305	$127			$147	$4			$178
45	Adjusted & Market Rents		Adj. Rent	$899		$899	Adj. Rent		$715	$762	Adj. Rent		$710	$746	Adj. Rent		$711	$777	Adj. Rent	$820	$815	$856
46	Adjusted Rent (5+45)		$899				$762				$746				$777				$856			
47	Adj Rent/Lss 10%			100%	100%	75%		100%	100%	68%		100%	100%	70%		100%	100%	77%		100%	100%	79%
48	Estimated Market Rent	$805	$0.87	Estimated Market Rent/ Sq. Ft																		

Explanations for the above responses along with the standard adjustments used by both the HUD's appraiser and the HUD are located on the attached Rent Gold Adjustment page

Contract Rent - $889

		Adj Rent	Gross Adjust	Weight	
Owner's Rent - $870					
Appraiser's Rent - $715					
Village West		$899	$223	15%	$135
Berrien Woods		$762	$250	10%	$76
West Wind		$746	$205	20%	$149
Parkside Terrace		$777	$147	30%	$233
Pawating Village		$856	$176	25%	$214
Totals				100%	$807
Rounded					($805)

$ 0.19

Appeal The weighted average is $807 the average is $806 and the median is $777 The best comp based on lowest gross adjustments is $777

Conclusion $805

Area 807.9456

OMB Approval # 2502-0507 (exp. 7/31)

Rent Comparability Grid

Unit Type → 2BA / 1BA FHA APPEAL

Subject's FHA # 04711010

	Subject		Comp #1					Comp #2					Comp #3					Comp #4					Comp #5				
	Indian Hills Townhouses	Data on Subject	Indian Hills Apts					Hamilton Square Apts					Berrien Woods					Hillcrest					Parkside Terrace				
	400 Cleveland Street		400 Cleveland Street					315 N. Lowe Street					1900 E. Main Street					500 Hall Street					701 N. Redbud Trail				
	Downgine, MI		Downgine, Cass					Downgine, Cass					Niles, Berrien					Downgine, MI					Buchanan, Berrien				
A.	Rents Charged		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #
1	$ Last Rent / Restricted		$475		$475	$475	R1	$525	$-00	$525	$525	R1	$690		$690	$690	R1	$450	$450		$450	R1	$595		$595	$595	R1
2	Date Last Leased (mo/yr)		Oct-16					Oct-16	Jul 14				Oct-16					Oct-16	Jul 14				Oct-16				
3	Rent Concessions		No					No					No					No					3466				
4	Occupancy for Unit Type		95%					100%					95%					100%									
5	Effective Rent & Rent/sq. ft		$475		$0.70	$0.70		$525	$0.61	$0.81	$0.81		$690		$0.70	$0.70		$450	$450		$0.60		$595		$0.85	$0.85	

$ Adj. #1 is for Owner's Appraiser, $ Adj. #2 is for HUD's Appraiser $ Adj. #3 is for HUD's Reconciliation. In Parts B thru E, adjust only for variances from the subject's marked values.

B.	Design, Location, Condition		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #
6	Structure/Stories	TH	Walk-up			$25		WU/2.5			$25		Walk-up			$25		WU/2			$25		fit				
7	Yr. Built/Yr. Renovated	Early 1970s	1973s					1990s	$20			S2	1990/2000s				S2	1965	$10			S2	N/A				
8	Condition /Street Appeal	Average	Similar					Inferior			$20	S3	Superio		($25)	($35)	S3	Inferior			$25	S3	Inferior			$35	
9	Neighborhood	Average	Similar					Similar					Similar		($10)		S4	Similar					Superior		($5)		S4
10	Same Market Effects Subj		Adjacent					Y/0.55 M					Y/13.5 M					Y/1.8 M					Y/17.6 M				
C.	Unit Equipment/ Amenities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #
12	# Bedrooms	2	2					2					2					2					2				
13	# Baths	1	1					1					1		($15)	($15)	S5	1					1				
14	Unit Interior Sq. Ft.	836	680		$29	$29	S6	650	$29	$35	$34	S6	966		($28)	($27)	S6	750	$-0		$10	S6	709		$26	$25	S6
15	Balcony/ Patio	Y	No			$5		N		$5	$5	S7	Y				S7	Y	($20)			S7	Y				
16	AC: Central/ Wall	Sleeve	Central		($25)	($20)	S8	Wall		($15)	($10)	S8	Central		($25)	($20)	S8	Wall			($10)	S8	Wall		($15)	($10)	S8
17	Range/ refrigerator	Y/Y	Y/Y					Y/Y					Y/Y					Y/Y					Y/Y				
18	Microwave/ Dishwasher	N/N	N/N					N/N					N/Y		($10)	($10)	S9	N/Y			($10)	S9	N/N				
19	Washer/Dryer	Hookups	Laundry			$15		Laundry		$15	$15	S10	Rockupt					Laundry			$15	S10	Hookups				
20	Floor Coverings	C/V	C/V					C/V					C/V					N					C/V				
21	Cable/ Satellite/Internet	N	N					Y	($5)				Y					N					Y				
22	Special Features	N	N					N					N					N					N				
23	On-site Mngmt/Shtlot	Y	Y					N					N					N					N				
								Y					Y					Y					Y				
D.	Site Equipment/ Amenities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #
24	Parking (# PSs)	Y	Y					Y					Y					Y					Y				
25	Extra Storage	Basement	N		$10	$30		N		$10	$30		Y		$5	$25		N			$30		N		$10	$30	
26	Security	N	N					N					N					N					N				
27	Clubhouse/Mtg Rooms	N	N					N					Y		($5)	($5)	S14	Y			($5)	S14	N				
28	Pool/ Recreation Area	1	1					2		($5)	($5)	S15	2		($5)	($5)	S15	1					1				
29	Business Ctr/Nghd Nhrd	N	N					N					N					N			($5)	S15	N				
30	Service Coordination	N	N					N					N					Y					N				
31	Non-Shelter Services	N	N					N					N					N					N				
32	Neighborhood Network/Key																										
E.	Utilities		Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #	Data	Owner $ Adj	Apprsr $ Adj	HUD $ Adj	Footnote #
33	Heat (in rent/ type)	Y/Gas	N/Gas		$41	$38	U1	N/Elect		$41	$38	U1	N/Gas		$41	$38	U1	N/Elect			$41	U1	N/Elect		$41	$38	U1
34	Cooling (in rent/ type)	N/Elect	N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
35	Cooking (in rent/ type)	Y/Gas	N/Elect		$3	$3	U2	N/Elect			$3	U2	N/Elect		$3	$3	U2	N/Elect		$3	$3	U2	N/Elect		$3	$3	U2
36	Hot Water (in rent/ type)	Y/Gas	N/Elect		$10	$9	U3	N/Elect		$10	$9	U3	N/Gas		$10	$9	U3	N/Elect		$10	$9	U3	N/Elect		$10	$9	U3
37	Other Electric	N/Elect	N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
38	Cold Water/ Sewer	Y	Y					Y					Y					Y					Y				
39	Trash/Recycling	Y	Y					Y					Y					Y					Y				
F.	Adjustments Recap		Pos	Neg	Neg	Neg		Pos	Neg	Neg	Neg		Pos	Neg	Neg	Neg		Pos	Neg	Neg	Neg		Pos	Neg	Neg	Neg	
40	# Adjustments B to D		5		1	1		6	1	3	2		2		6	7		1	1		4		3		2	1	
41	Sum Adjustments B to D		$104		$14	($20)		$135	$49	$45	($15)		$20		($118)	($117)		$109	-		($30)		$85		$16	($40)	
42	Sum Utility Adjustments		$50		$54			$50		$51			$50		$54			$50		$54			$50		$54		
43	*Net Gross Adjmts B to E*		Net $154	Gross	Gross $174	Gross $174		Net $170	Gross	Gross $200	Gross $200		Net ($17)	Gross	Gross $217	Gross $217		Net $126	Gross	Gross $108	Gross $108		Net $125	Gross	Gross $145	Gross $145	
G.	Adjusted & Market Rents		Adj Rent		$543	$609		Adj Rent	$144	$623	$695		Adj Rent		$673			Adj Rent	$450	$54	$578		Adj. Rent		$665	$720	
44	Adjusted Rent (5+43)		$609					$695					$673					$578					$720				
45	Adj Rent/Last rent			100%	100%	63%			100%	100%	62%			100%	100%	69%			100%	100%	56%			100%	100%	76%	
46	Estimated Market Rent	$655	$0.78					Estimated Market Rent $/ ft																			

Explanations for the above footnotes along with the standard adjustments used by both the HUD's appraiser and the HUD are located on the attached Rent Grid Adjustments page

Contract Rent = $789

Owner's Rent = $795

Appraiser's Rent = $680	Adj. Rent	Gross Adjust	Weight	
Indian Hills Apts	$609	$174	25%	$152
Hamilton Square Apts	$695	$200	15%	$104
Berrien Woods	$673	$217	10%	$67
Hillcrest	$578	$188	20%	$116
Parkside Terrace	$720	$145	30%	$216
Totals			100%	$655
Rounded				$655

$ 0.58

Aver 654.9359

Appeal The weighted average is $655 the average is $655 and the median is $673

Conclusion $655.

OMB Approval # 2502-0507 (exp. 7/01)

Rent Comparability Grid — Unit Type → ONE BR APPEAL — Subject's FHA # 047 11040

	Subject		Comp #1					Comp #2					Comp #3					Comp #4					Comp #5				
	Indian Hills Townhouses 400 Cleveland Street Dowagiac, MI	Data on Subject	Indian Hills Apts 400 Cleveland Street Dowagiac, Cass					Hamilton Square Apts 315 N. Lowe Street Dowagiac, Cass					Berrien Woods 1900 E. Main Street Niles, Berrien					Hillcrest 500 Hill Street Dowagiac, MI					Parkside Terrace 701 N. Redbud Trail Buchanan, Berrien				
A. Rents Charged			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position
1 $ Last Rent / Restricted?			$450		$450	$450	RI	$425		$425	$425	RI	$605		$603	$605	RI	$425	$425		$425	RI	$425				
2 Date Last Leased (mo/yr)			Oct-16					Oct-16					Oct-16					Oct 16	Jul 16				Oct 16				
3 Rent Concessions			No					No					No					No					No				
4 Occupancy for Unit Type			93%					100%					95%					100%					94%				
5 Effective Rent & Rent/ sq. ft			$450		$0.79	$0.79		$425		$0.85	$0.85		$605		$0.93	$0.93		$425	$0.65		$0.65		$425		$1.06	$1.06	

$ Adj. #1 is for Owner's Appraiser, $ Adj. #2 is for HUD's Appraiser, $ Adj. #3 is for HUD's Reconciliation. In Parts B thru E, adjust only for variances from the subject's market value.

B. Design, Location, Condition			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position
6 Structure / Stories	TH		Walk-up			$15		WU/ 2.5			$15		Walk-up			$15		WU/ 2	$65		$15		Garden			$15	
7 Yr. Built/Yr. Remodeled	Early 1970s		1970s					1990s				S2	1990s/ 2000s					1955	$25			S2	NA				
8 Condition /Street Appeal	Average		Similar					Inferior			$21	S3	Superior		($25)	($30)	S3	Inferior			$21	S3	Inferior			$21	
9 Neighborhood	Average		Similar					Similar					Similar		($10)		S4	Similar					Similar		($5)		S4
10 Same Market? Miles to Subj.			Adjacent					Y/ 0.55 M					Y/ 13.5 M					Y/ 1.0 M					Y/ 17 M				
C. Unit Equipment/ Amenities			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position
11 # Bedrooms	1		1					1					1					1					1				
12 # Baths	1		1					1					1					1					1				
13 Unit Interior Sq. Ft.	645		570		$17	$16	S6	500		$33	$31	S6	649		($1)		S6	650	$20		($1)	S6	700		$35	$53	S6
14 Balcony/ Patio	Y		No			$5		N		$5	$5	S7	Y					Y	($10)			S7	Y				
15 AC: Central/ Wall	Sleeve		Central		($15)	($20)	S8	Wall		($15)	($10)	S8	Central		($25)	($20)	S8	Wall			($10)	S8	Wall		($15)	($10)	S8
16 Range/ Refrigerator	Y/Y		Y/Y					Y/Y					Y/Y					Y/Y					Y/Y				
17 Microwave/ Dishwasher	N/N		N/N					N/N					N/Y		($10)	($5)	S9	N/Y	$5		($5)	S9	N/N				
18 Washer/Dryer	Hookups		Laundry			$15		Laundry		$15	$15	S10	Hookups					Laundry			$15	S10	Laundry		$15	$15	S10
19 Floor Coverings	C/V		C/V					C/V					C/V					C/V					C/V				
20 Window Coverings	Y		Y					Y					Y					N					Y				
21 Cable/Satellite/Internet	N		N					N					N					N					N				
22 Special Features	N		N					N					N					N					N				
23 Gazebo/ Playground/ Walnut	Y		Y					Y					Y					Y					Y				
D. Site Equipment/ Amenities			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position
24 Parking ($ Fee)	Y		Y					Y					Y					Y					Y				
25 Extra Storage	Basement		N		$10	$20		N		$10	$20		Y		$5	$15		N	$65		$20		N		$10	$20	
26 Security	N		N					N					N					N	$10				N				
27 Clubhouse/Mtg Rooms	N		N					N				S14	Y		($5)	($5)	S14	Y			($5)	S14	N				
28 Pool/ Recreation Areas	1		1					2		($5)	($3)	S15	1		($5)	($5)	S15	1					1				
29 Business Ctr/Shtd Wrk	N		N					N					N					N			($5)	S16	N				
30 Service Coordination	N		N					N					N					N					N				
31 Non Shelter Services	N		N					N					N					N					N				
32 Neighborhood Network																											
E. Utilities			Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position	Data	Owner's Adj	Apprsr's Adj	HUD's Adj	Position
33 Heat (in rent? / type)	Y/Gas		N/Gas		$22	$20	U1	N/Elect		$22	$20	U1	N/Gas		$22	$20	U1	N/Elect	$35		$20	U1	N/Elect		$22	$20	U1
34 Cooking (in rent? / type)	N/Elect		N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
35 Cooking (in rent? / type)	Y/Gas		N/Elect		$1	$2	U2	N/Elect		$2	$2	U2	N/Elect		$2	$2	U2	N/Elect			$2	U2	N/Elect		$2	$2	U2
36 Hot Water (in rent? / type)	Y/Gas		N/Elect		$6	$5	U3	N/Elect		$6	$5	U3	N/Gas		$6	$5	U3	N/Elect	$20		$5	U3	N/Elect		$6	$5	U3
37 Other Electric	N/Elect		N/Elect					N/Elect					N/Elect					N/Elect					N/Elect				
38 Cold Water/ Sewer	Y		Y					Y					Y					Y					Y				
39 Trash /Recycling	Y		Y					Y					Y					Y					Y				
F. Adjustments Recap			Tot	Neg	Neg	Neg		Tot	Neg	Neg	Neg		Tot	Neg	Neg	Neg		Tot	Neg	Neg	Neg		Tot	Neg	Neg	Neg	
40 # Adjustments B to D			5		1	1		6		2	2		2		7	5			1		5		3		2	1	
41 Sum Adjustments B to D			$71		$2	($20)		$108		$13	($15)		$30		($76)	($55)		$71	$130		($26)		$124		$30	$30	
42 Sum Utility Adjustments			$27		$30			$27		$30			$37		$30			$27	$55				$27		$30		
43 Net Gross Adjmts B to E			Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Gross	Gross	Gross		Net	Gross	Gross	Gross	
			$28		$178			$120		$150			($8)		$122			$72			$124		$151		$167		
G. Adjusted & Market Rents			Adj. Rent		$482	$426		Adj. Rent		$868	$845		Adj. Rent		$599	$527		Adj. Rent	$610		$497		Adj. Rent		$515	$566	
44 Adjusted Rent (5 + 43)			$528					$545					$597					$197					$566				
45 Adj Rent/Last Rent				100%	100%	74%			100%	100%	65%			100%	100%	80%			100%	100%	71%			100%	100%	63%	
46 Estimated Market Rent	$545		$0.84	Estimated Market Rent/ Sq. Ft																							

Explanations for the above footnotes along with the standard adjustments used by both the HUD's appraiser and the HUD site located on the attached Rent Grid Adjustment page.

Contract Rent - $682

Owner's Rent - $665

Appraiser's Rent - $495		Adj. Rent	Gross Adjust	Weight	
Indian Hills Apts		$528	$118	25%	$132
Hamilton Square Apts		$545	$150	15%	$82
Berrien Woods		$597	$122	25%	$149
Hillcrest		$497	$124	25%	$124
Parkside Terrace		$566	$161	10%	$57
Totals				100%	$544
Rounded	over	546.5964			$545

$ 0.21

Appeal. The 5 comps are all in a reasonable range. The weighted average is $544, the average is $547 and the median is $545.

Conclusion $545.

UTILITIES

Lines: 33 Heat; 34 Cooling; 35 Cooking; 36 Hot Water

Utilities: MSHDA (Michigan State Housing Development Authority publishes a Utility Allowance chart for use in determining utility allowances for housing.

- Valbridge Appraisers did not use the correct utility allowances as published.
- Department of Housing and Urban Development did not use the correct utility allowances as published.
- Owner's appeal utilizes the correct utility allowances.

Please see the MSHDA Utility Schedule which indicates the monthly amount that a resident would pay when they are responsible for paying their utility bills for Heating, Cooking, and Hot Water. The rates differ depending on which type of utilities utilized for these services.)

The total monthly cost for this resident would be their monthly rental payment **plus** the amount of this monthly allowance based on the particular type of utility they must pay for heat, cooling, cooking, and hot water.

UTILITIES

		1 Bedroom				2 Bedroom				3 Bedroom			
		IHT	Per MSHDA Utility Schedule		HUD	IHT	Per MSHDA Utility Schedule		HUD	IHT	Per MSHDA Utility Schedule		HUD
HEAT	(Line 33)	Gas	$	20.00	$ 20.00	Gas	$	23.00	$ 38.00	Gas	$	27 00	$ 41.00
Allowable Service Fee per MSHDA			$	13.00			$	13.00			$	13 00	
		Electric	$	30.00		Electric	$	42.00		Electric	$	53 00	
Allowable Service Fee per MSHDA			$	8 00			$	8.00			$	8 00	
									$ 3.00				
COOKING	(Line 35)	Electric	$	7.00	$ 2.00	Electric	$	10.00		Electric	$	13.00	$ 3.00
HOT WATER	(Line 36)	Gas	$	5.00	$ 5.00	Gas	$	7.00	$ 9.00	Gas	$	10.00	$ 12.00
		Electric	$	18 00		Electric	$	23.00		Electric	$	27.00	

The HUD Appraisal did not apply the appropriate utility allowances in the comparisions with other properties based on the types of fuel used at the various comps

See Michigan State Housing Develoment Authority Utility Schedule - Region 3 Effective January 1, 2017

Michigan State Housing Development Authority

Utility Schedule - Region C

Effective: January 1, 2017

Counties in Region C: Allegan, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clinton, Eaton, Genesee, Gratiot, Hillsdale, Huron, Ingham, Ionia, Isabella, Jackson, Kalamazoo, Kent, Lapeer, Lenawee, Mecosta, Midland, Montcalm, Muskegon, Newaygo, Oceana, Ottawa, Saginaw, St. Joseph, Sanilac, Shiawassee, Tuscola, Van Buren

Standard Utility Allowance

Structure Type	Apartment						Attached						Detached					
Includes:	Apartment/Flat/Garden/Walk Up						Duplex/Townhouse						Manufactured Home/Single Family					
Utility*	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Heating – Natural Gas	$17	$20	$23	$27	$30	$33	$30	$35	$38	$41	$43	$46	$24	$28	$33	$38	$43	$48
Heating – Bottle Gas	$48	$57	$66	$76	$86	$95	$85	$100	$108	$116	$123	$131	$69	$81	$95	$109	$122	$136
Heating – Electric	$26	$30	$42	$53	$64	$75	$37	$44	$58	$71	$85	$98	$61	$72	$85	$97	$110	$122
Heating – Fuel Oil	$47	$56	$66	$75	$84	$94	$84	$93	$106	$113	$121	$128	$68	$79	$93	$107	$120	$134
Cooking – Natural Gas	$2	$2	$3	$4	$5	$6	$2	$2	$3	$4	$5	$6	$2	$2	$3	$4	$5	$6
Cooking – Bottle Gas	$5	$6	$9	$11	$14	$16	$5	$6	$9	$11	$14	$16	$5	$6	$9	$11	$14	$16
Cooking – Electric	$6	$7	$10	$13	$16	$19	$6	$7	$10	$13	$16	$19	$6	$7	$10	$13	$16	$19
Other Electric	$21	$25	$35	$45	$55	$64	$28	$31	$43	$55	$67	$79	$31	$37	$51	$66	$80	$95
Air Conditioning**	$3	$4	$5	$7	$8	$10	$4	$4	$6	$7	$9	$11	$2	$3	$7	$10	$14	$17
Hot Water – Natural Gas	$4	$5	$7	$10	$12	$14	$5	$6	$9	$12	$15	$18	$5	$6	$9	$12	$15	$18
Hot Water – Bottle Gas	$13	$15	$21	$28	$34	$41	$16	$18	$27	$35	$43	$51	$16	$18	$27	$35	$43	$51
Hot Water – Electric	$15	$18	$28	$27	$32	$37	$19	$22	$28	$34	$40	$47	$19	$22	$28	$34	$40	$47
Hot Water – Fuel Oil	$12	$14	$21	$27	$34	$40	$15	$18	$26	$34	$42	$50	$15	$18	$26	$34	$42	$50
Water	$15	$17	$28	$44	$61	$77	$15	$17	$28	$44	$61	$77	$15	$17	$28	$44	$61	$77
Sewer	$21	$23	$39	$62	$85	$108	$21	$23	$39	$62	$85	$108	$21	$23	$39	$62	$85	$108
Trash	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17	$17

*Service Charge:

Natural Gas – for all unit types add	$13
Electric – for all unit types add	$8

**Air Conditioning Allowance: Only allowed if windows are not operable.

Tenant Furnished Appliance Allowance:
If the tenant is responsible for supplying the range and/or refrigerator, use the allowances listed to the right.

Range –	$3
Refrigerator –	$5

To use this schedule:
Fill in the appropriate amount on the chart for each utility/appliance that you are responsible to pay.

NOTE: Sales tax is included in the amounts listed above.

	Natural Gas	Propane	Electric	Oil	Wood (Secondary)	Cost
Heating						
Cooking						
Hot Water						
Other Electric						
Water						
Sewer						
Trash						
Air Conditioning						
Other						
Gas Service Charge						
Electric Service Charge						
Range						
Refrigerator						
TOTAL ROUNDED						

5H

REFINANCING PROCESS

Appendix G:
Owner's Package

Owner's Package includes the following:

Cover Letter, plus

Attachment 1: Overview of Mark-To-Market Process

Attachment 2: Key Decision Points For Owners

Attachment 3: Checklist of Owner's Documentation

Attachment 4: Financing Options and Sources

Attachment 5: Financing Options Comparison Chart

When sent to Owner, PAE should attach:

Form 4.1 Data Release Authorization Letter

Form 4.2 Related Parties Checklist

Form 4.3 Loan History Statement

Form 7.16 Certification of Mortgagor information

Form Owner Certification

Form Subsidy Layering Certification

IRS Form W-9

IRS Form W-9 Instructions

Owner's Certification re: Accounts Payable (Form A *or* Form B)

REFINANCING REQUIREMENTS
IF RENTS FROM RENT COMP STUDY
DO NOT SUPPORT MORTGAGE

Appendix G, Attachment 1:
Brief Overview of the Full Debt Restructuring Process

⇒ Owner Notifies local HUD Office (under HUD Notice 99-36) of Option to Reduce rents to market and to Restructure Debt.

⇒ Local HUD Office forwards the project to RECAP.

⇒ RECAP assigns the project to the Participating Administrative Entity (PAE); PAE notifies Owner of assignment.

⇒ If the owner believes that the PAE to which the project has been assigned has a ***conflict of interest***, the owner must advise RECAP HQ in writing and copy the RECAP Regional Office.

The Restructuring process must be completed within 12 months of the assignment of the property to the PAE.

⇒ **Owner confers** with tax advisors and discusses restructuring with Limited Partners and other General Partners, if applicable.

⇒ **Owner discusses** potential debt restructuring with existing Lender and other potential financing sources.

⇒ PAE schedules Kickoff meeting and forwards information package to owner.

⇒ **Owner submits** the requested information to the PAE. (See Attachment C)

⇒ PAE and owner notify tenants and other interested parties and hold first tenant meeting

⇒ PAE obtains Physical Condition Assessment (PCA) and Limited Scope Appraisal. Any owner data and tenant comments provided to preparers of these 3rd party reports

⇒ **Owner applies** for take-out financing.

⇒ Draft Restructuring Plan prepared by PAE. Ongoing discussions with owner and Lender. PAE conclusions on rents, repairs and reserves, supplied to owner.

⇒ Second tenant meeting held to discuss Draft Restructuring Plan

⇒ PAE submits Draft Restructuring Plan to RECAP

⇒ RECAP approves Restructuring Plan; RECAP issues Restructuring Commitment

⇒ **Owner executes** Restructuring Commitment.

⇒ RECAP issues Firm Commitment for financing under Section 223(a)(7); or **owner submits** financing commitment from alternate Lender.

⇒ Closing documents prepared and distributed.

⇒ Closing scheduled and completed.

Appendix G, Attachment 2:
Key Decision Points for Owners

- **Consultation Process.** You should begin planning and consulting appropriate parties as soon as possible after requesting a debt restructuring. Limited Partners are key decision makers whose involvement and approval is crucial to the success of the Restructuring Plan. You should also start seeking appropriate financing as early as possible in the process if new or modified debt is anticipated.

- **Working with the PAE.** In general, RECAP expects that PAEs will contact owners early in the restructuring process and will engage in an ongoing dialogue regarding the property and its debt restructuring. The PAE will send you a copy of the PAE's appraisal and PCA (Physical Condition Assessment) not later than 30 days after the PAE receives the final appraisal report and PCA.

  At the time the PAE presents you with the draft Restructuring Plan (or a term sheet for discussion that would form the basis of the Restructuring Plan), the PAE will also provide additional information that is reasonably sufficient to allow you to understand the basis for the PAE's conclusions. Such information will include, at a minimum:

  - The PAE's analysis supporting its market rent conclusions.

  - The PAE's analysis supporting its conclusions on physical condition, reserve needs, any critical repairs and/or any repair/rehabilitation escrow.

  - Appropriate pages from the optional underwriting model, or equivalent, showing the PAE's recommended restructuring.

- **Incentives for Cooperation and Timely Performance.** It is important to remember that the restructuring process must be completed within 12 months of the assignment of the property to the PAE. If the owner cooperates with the PAE, enabling timely completion of the full restructuring process, and the closing of the transaction, the following new incentives will be made available:

  - A waiver of the FHA Application Fee of $3 per thousand of the loan amount for loans insured under Section 223(a)(7).

  - A waiver of the FHA Review Fee of $.50 per thousand of the original loan amount for properties that require a Transfer of Physical Assets (TPA) due to ownership changes or ownership restructuring.

  - An increase in the percentage of transaction costs that can be included in the mortgage from 50% to 80%

- An increase in the amount of the Initial Deposit to the Replacement Reserves that can be included in the mortgage from 80% to 100%

- A monthly Capital Recovery Payment (CRP) (included in underwriting as an expense) providing equal monthly principal and interest payments for a term of 7 to 10 years at an interest rate of up to 350 basis points over like-term Treasuries. The CRP is intended to provide a reasonable return for any new capital investment in the project. The CRP would be paid monthly after project expenses, replacement reserves and debt service payments on the first mortgage. Unpaid amounts could accrue.

- An Incentive Performance Fee (IPF) of up to 3% of Effective Gross Income. The ability to pay the IPF is determined by the audited financial statement and would be paid annually after the payment of all approved expenses, replacement reserves, debt service payments on the first mortgage and Capital Recovery Payments. This Fee would have an initial floor of $100 a unit and a ceiling of $200 a unit and would depend on the owner's successful management of the financial and physical assets of the project. Unpaid amounts would not accrue.

- **Review and Appeal Provisions.** The owner can review the approved Restructuring after its receipt from the PAE and then appeal the Restructuring Plan to RECAP. If RECAP rejects the appeal, the owner must respond promptly to RECAP's letter turning down any appeal. Specific time requirements will be contained in the applicable correspondence.
- **Potential Consequences for Non-Cooperation and Untimely performance.** If the owner rejects the approved final debt restructuring plan (after completion of any appeals) or fails to respond to the PAE's requests for information, assistance and/or acceptance of the Restructuring Plan, the following consequences may result:

  - Loss of some or all of the Incentives listed above.

  - Reduction of rents to market without restructuring of the debt.

  - Placement of the project on the FHA "Watch List" for close monitoring. HUD staff will carefully watch over these projects, which are potentially troubled as a result of rent reductions without debt restructuring

Appendix G, Attachment 3:
Checklist of Owner's Documentation

	Date Sent
Items Listed Below Must be Delivered to CreditVest by *2/22/2017*	
Lender Data Authorization Letter (Form 4.1 is attached with M2M Forms)	
Checklist of Related Party Agreements (Form 4.2 is attached with M2M Forms)	
Loan History Statement (Form 4.3 is attached with M2M Forms)	
Past 3 Years Audited Financial Statements	
Current Rent Roll with tenant address listing	
Owner Certification (Form is attached with M2M Forms)	
Complete listing of all Partners to Borrowing Entity, Contact Name, and Address	
Subsidy Layering Certification (Form is attached with M2M Forms)	
Items Listed Below Must be Delivered to CreditVest by *3/17/2017*	
Owner's Certification re: Accounts Payable – (Instructions included with M2M Forms) If the property is in a positive Surplus Cash position, complete Form A. Otherwise, complete Form B, and prepare the required attachments described therein	
Form 4.10 - PAE to Owner Transmitting Ownership Certification Requirements – (The Form 4.10 & instructions will be sent ***prior to*** the kickoff conference call) Please include all applicable ownership documents:	
▪ Partnership Agreement	
▪ Certificate of Limited Partnership	
▪ Current termination date of the Partnership and consents needed to extend	
▪ Consents needed to effectuate debt restructuring transaction	
▪ Articles Of	
▪ Bylaws	
▪ Trust Documents	
▪ Any other documents necessary to show the current ownership structure and interests in the property.	
Regulatory Agreement	
Preliminary Title Report – To assist in reviewing the ownership structure, please obtain and submit a preliminary title report. A final Title Policy will be required at closing	
Existing Notes and Mortgages, and Bond Documents (if applicable) – Provide copies of existing notes and mortgages and any modification to them If the property is currently bond financed, bond documents are needed as soon as possible. These items would include, but are not limited to, indenture, resolutions, indenture lock agreement	
Insurance Policies – Provide copy of the project's current fire and hazard, personal injury, flood and any other insurance policies, and the most recent premium invoice	

Items Listed Below Must be Delivered to CreditVest by *3/17/2017*	
Evaluation of Physical Condition – The statute requires that the owner evaluate the physical condition of the property. Please indicate whether you intend to • Obtain your own evaluation (please contact the PAE for information on the various components), or • Adopt, after review, the PAE's conclusions on repairs and reserve needs based on the Physical Condition Assessment performed by a third party contractor of the PAE. (Form 4 7 must be submitted upon receipt of the PCA if you choose this option.)	
List of Recent Major Repairs and Replacements – This list is optional, but is strongly recommended since it may reduce the estimate of long term physical needs and the resulting deposits to the Replacement Reserve Please indicate number and type of appliances replaced, *roof or boiler replacements*, date replaced, etc. (*Please also share such documentation with the PAE's engineer.)	
Subordinate Project Debt – Full documentation of existing subordinate debt is required whether secured or unsecured by the property.	
Existing Use Agreement, Use Restriction, Deed Restriction or Equivalent – These items will need to be subordinated to the M2M Use Agreement at closing (*May also be picked up in the Title Report)	
Supplemental Information	
Project rent and expense analysis (a current year budget)	
Ownership Entity Resume – key principals	
Management Agreement	
Management Company Resume	
HUD Management Certification	
Ownership Entity Income Tax Returns from the past year	
Service Contracts	
Commercial leases (if applicable)	
Utility bills (please provide the most recent bills from each meter)	
Property tax (please provide the most recent bill from each parcel)	
Owner's Market Study or Rent Comparability Study (if applicable)	
Current HAP Contract- Part I and Part II	
HUD REAC Inspection reports – most recent and corresponding response	
Lender's Inspection most recent and corresponding response	
Form 7 16 – Certification of Mortgagor information *(attached with M2M Forms)*	
IRS Form W9 (attached with M2M Forms, please provide 2 originals)	
Accounts Payable - Current accounts payable aging analysis	
Current cash account balances for all property accounts	
Current loan servicing statement/bill	

*****Please note that the owner may be asked to submit additional information by the PAE as a result of the underwriting process.**

Appendix G, Attachment 4: Financing Options and Sources

Full debt restructuring can be achieved by modifying the current HUD insured mortgage or by replacing it with new debt from a variety of public and private sources. The terms and conditions connected with different financing alternatives will vary. Each project is unique and some M2M projects may not meet the eligibility criteria for all financing sources and programs. Owners should shop early for the best available financing for their project All 1st mortgage financing must be subordinated to the M2M Use Agreement.

The restructured debt will be underwritten to a level that can be serviced by the property's reduced income once the rents are marked down All or a portion of any claim payment made to reduce the debt will be included in a 2nd and sometimes a 3rd mortgage held by HUD (2nd and 3rd mortgages will not require new financing sources). The following addresses alternate sources for first mortgage financing and provides some suggestions on how to obtain additional information A Chart comparing and summarizing basic loan features and requirements is also attached.

A. **FHA - General**

1. There are a variety of FHA insured loan programs available for debt restructuring. They range from modifying the original mortgage to originating a new FHA insured loan on the property. The owner should identify a FHA-Approved Multifamily Lender interested in providing the financing early in the restructuring process. The timing of the insured loan application and processing should coincide with RECAP's approval of the proposed Restructuring Plan and issuance of the Restructuring Commitment.

2 Approach the current lender as well as other lenders when considering new insured financing. Lists of FHA-Approved Multifamily Lenders active in processing applications under these insured loan programs on HUD's Multifamily Products Web site at http://www.hud.gov/fha/mfh/fhamie/fy99mie/ Note: a PAE which is also a HUD-Approved multifamily lender may also provide takeout financing (subject to RECAP review).

3. **Generally any post restructuring financing that is FHA insured cannot exceed the current unpaid principal balance (UPB) prior to restructuring.** Descriptions of the various FHA insured financing options, including additional terms, conditions and limitations, follow in Attachment E.

B. **FHA - Mortgage Modification.**

1. The first option to be considered is modification of the existing insured mortgage. A mortgage modification requires the agreement of the current lender (and investors if applicable), so it may not be an option for many restructurings. If viable, however, it is worth pursuing as it is usually less costly than obtaining new financing.

2. Loans currently FHA insured:

   a) may be modified with the approval of the existing FHA-insured mortgagee

b) may include adjustment of interest rate up or down and reamortization within the existing loan term

c) will not generate cash proceeds for rehab or transaction costs

3. Loans currently HUD-held:

a) may be modified on PAE recommendation

b) will have accrued interest added to the principal balance.

c) may include adjustment of interest rate up or down and reamortization

d) will be processed directly between HUD and the PAE. with approval by RECAP.

C. **FHA Insured Mortgage under Section 223 (a)(7).**

Applications for mortgage insurance under Section 223(a)(7) will receive an expedited review by the PAE with approval by RECAP. The expedited review is possible because RECAP has delegated authority to issue commitments and because such commitments involve only refinances of existing insured loans.

1. HUD-held mortgages and projects requiring substantial rehabilitation cannot be refinanced through a Section 223(a)(7) loan.

2. A restructuring that includes a transfer of ownership requires submission of a request for a Transfer of Physical Assets (TPA) in addition to the 223(a)(7) insured loan application

D. **Other FHA Mortgage Insurance.**

New FHA insured financing may also be provided under Sections 223(f) and 221(d)(4). Applications under these Sections of the National Housing Act must be submitted by a HUD Approved Multifamily Accelerated Processing (MAP) Lender and will be processed and approved by Housing staff (not RECAP) in the local HUD Offices. The PAE will need to coordinate closely with the local HUD office processing the application.

1. Section 223(f). Available for acquisition or refinance of properties requiring repairs or moderate (but not substantial) rehabilitation. Has a maximum mortgage term of 35 years.

2. Section 221(d)(4). Available for refinance or acquisition of properties requiring substantial rehabilitation. Has a maximum mortgage term of 40 years.

3 HUD Risk Sharing under 542(b) or (c). FHA insured financing may also be provided by a state or local Housing Finance Agency or through Fannie Mae, Freddie Mac and the Federal Home Loan Bank of Seattle under Risk Sharing programs between those entities and HUD. RECAP will issue approval letters for risk sharing loans taken out under these programs. However, if the PAE is also providing this financing they will be subject to further review by RECAP.

E. **State and Local Government Financing Programs.**

There are many different financing programs available locally that support affordable housing preservation. They are funded by a variety of HUD, State and Local Government entities The features and requirements of these programs vary greatly. The demand for the assistance

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provided generally exceeds the supply of funds. There is no guarantee that any given property will qualify for or be able to obtain such assistance.

The best place to seek information on local government supported programs is at the local government level. The local HUD Office and State and local Housing Finance Agencies are an excellent source of information on local and state programs. The financing and any financial or use restrictions accompanying the financing would need to support the approved Restructuring Plan.

F. **Fannie Mae and Freddie Mac.**

Both of these entities provide financing for multifamily properties through a network of Approved Lenders. Their financing need not be limited to the remaining UPB prior to restructuring. Each has separate underwriting standards and loan terms and each has complete control of the loan processing and approval process. The amount of their new commitment would be limited to the maximum new loan amount approved as a part of the Restructuring Plan.

1. Information on Fannie Mae's loan programs and approved Lenders can be obtained at their web site: http://www.fanniemae.com/multifamily.
2. Freddie Mac's information is available at: http://www.freddiemac.com/multifamily
3. There is no guarantee that any given property will meet the loan standards of either Lender.

G. **Other Private Sector Lenders/Conventional Financing.**

There are a number of private sector lenders that may be able to provide financing to support the Restructuring Plan. Some are local branches of large national banks with community development financing goals and some are local institutions, which strongly support affordable housing financing. The Community Reinvestment Act encourages regulated financial institutions to meet the credit needs of the communities, which they serve. Potential sources of information on active local private Lenders include:

1. Local and State Housing Finance Agencies.
2. Local Community Development focused non-profit organizations.
3. The Mortgage Bankers Association of America and the various State Mortgage Bankers Associations. The national organization is located in Washington, DC and can be accessed at http://www.mbaa.org.
4. There are a number of privately run websites that provide a wide range of financing services and information. The public sector officials mentioned above may be able to provide you with information about such relevant web sites.

If conventional financing is proposed, the owner should obtain a "Conditional Letter of Intent" from the lender as evidence of a loan commitment for the new first mortgage piece of the Restructuring Plan

Appendix G, Attachment 5: Comparison of different first mortgage financing options under M2M

	RECAP Full Processing (all terms must be consistent with Restructuring Commitment)					
	modification of original mortgage	FHA 223(a)(7)	FHA 223(f)	FHA 221(d)(4)	HFA Risk Sharing	conventional financing
Lender requirements	no change in lender	FHA approved MF Mortgagee	FHA approved MF Mortgagee	FHA approved MF Mortgagee	HFA RS lender	as required by mortgagee
Eligibility	may be currently insured or HUD-held	must be currently insured (no HUD-held)	may be currently insured or HUD-held	may be currently insured or HUD-held	may be currently insured or HUD-held	may be currently insured or HUD-held
Relationship of new first to UPB and Restructuring Commitment	Capped at UPB prior to restructuring, (NTE amount in Restructuring Commitment)	Capped at UPB prior to restructuring, (NTE amount in Restructuring Commitment)	Capped at UPB prior to restructuring, (NTE amount in Restructuring Commitment)	Capped at UPB prior to restructuring, (NTE amount in Restructuring Commitment)	Capped at UPB prior to restructuring, (NTE amount in Restructuring Commitment)	may exceed UPB, (NTE amount in Restructuring Commitment)
Maximum loan term	remaining term of original loan	remaining term of original loan + 12 years, NTE original limit (eg., 35max if was 223f)	lesser of 35 years or 75% of remaining useful life	lesser of 40 years or 75% of remaining useful life	RS program requirements	lender requirements
Eligibility of sub rehab	no	no	no	yes	yes	yes
Underwriting/ processing requirements	processed by RECAP/PAE based on current FHA policy guidance modified by MOU provisions	processed by RECAP/PAE based on current FHA policy guidance modified by MOU provisions	processed by Housing staff, subject to program limits	processed by Housing staff, subject to program limits	HFA processed, RECAP/PAE approval (MOU provisions), subject to program limits and HFA RS standards	processed by lender subject to their limits
Regulatory Agreement required by new first mortgage financing	original remains in place, with M2M modifications	RA under which it was originally insured, with M2M modifications	New FHA/Section 8 RA with M2M modifications	New FHA/Section 8 RA with M2M modifications	New HFA RS RA	none
Processing of TPA (if applicable)	RECAP/PAE processes TPA	RECAP/PAE processes TPA	no TPA submission required	no TPA submission required	no TPA submission required	no TPA submission required
Primary role in Closings	RECAP/PAE attorney leads	RECAP/PAE attorney leads	RECAP/PAE attorney coordinates with HUD Housing counsel	RECAP/PAE attorney coordinates with HUD Housing counsel	RECAP/PAE attorney coordinates with HFA Counsel	RECAP/PAE attorney coordinates with conventional lender counsel

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Fred Upton
Member, United States
House of Representative
720 Main Street
Saint Joseph, MI 49085-1317

Dear Representative Upton:

Thank your letter on behalf of your constituent, Ms. Susan Doroh, about the Superior Property Management's Indian Hills Townhouse property at 400 Cleveland Street in Dowagiac, Michigan (Indian Hills). The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

The Multifamily Assisted Housing Reform and Affordability Act of 1997 (MAHRA) (42 U.S.C. 1437f note) authorized the Mark to Market program, which was designed to preserve low-income rental housing affordability while reducing the long-term costs of federal rental assistance.

The projects participating in the program are ones with (1) HUD-insured or HUD-held mortgages, and (2) contracts for project-based rental assistance from HUD, primarily through the Section 8 program, which the average rents for assisted units exceed the rent of comparable properties. To disburse funding in an equitable manner and to protect the taxpayer, HUD is required by 42 U.S.C. 1437 to evaluate the rent levels for properties that qualify under these parameters when they are renewing their Section 8 contract. HUD is statutorily obligated under MAHRA to reduce these rents to market level if they are above the market rate. Occasionally there is a dispute, as is the case here, between the owner and HUD as to what "market rate" rents should be.

Indian Hills is a Section 8 participant with an FHA-insured mortgage. With their Section 8 contract slated to expire, the property's rent levels were reviewed by HUD's Detroit Field Office, who determined that the HAP contract rents were above market. Subsequently, the Detroit Field Office referred Indian Hills to the Office of Recapitalization (Recap) under the Mark to Market program. Recap then assigned Indian Hills to a HUD Participating Administrative Entity (PAE), which was charged with marking contract rents to market rate levels, and modeling the impact of the reduced rents on project economics. This process included the analysis of both the owner-sponsored Rent Comparability Study (RCS), as well as a November 4, 2016 third-party appraisal (Appraisal) commissioned by HUD's PAE. On December 8, 2016, PAE conducted an on-site field review of the property and all comparable properties used in the Owner's RCS and HUD's

Appraisal as part of PAE's review of both appraisals. Recap reviewed PAE conclusions and made upward adjustments to the PAE-concluded rents. The following table shows the various rent conclusions:

Unit Type	Contract Rent	RCS Rent	Appraisal Rent	PAE Rent	Recap* Rent
1-BR	$682	$665	$495	$525	**$545**
2-BR	$789	$795	$600	$640	**$655**
3-BR	$889	$870	$715	$785	**$805**

*Post Appeal

Utilizing the concluded market-rate rents, an operating pro forma was prepared based on the Indian Hill's historical operating expense data. The operating pro forma indicated that the property would not have sufficient net operating income to service the property's existing debt.

Under the Mark to Market program, the Owner is entitled to appeal Recap's conclusion Superior Property Management made such an appeal and, upon consideration of the facts, HUD provided a point-by-point response to Superior's contentions HUD determined, on appeal, that a modest increase (included in the above chart) would be granted from the original Recap rent conclusion. Superior Property Management then sought to engage in a further appeal of these findings, as they believed that these rent levels are still insufficient to cover the existing debt service on the property

While HUD agrees with that contention regarding the property's cash flow, no further appeal is allowed Superior Property Management elected to proceed as a "lite" transaction (rents reduced to market with no debt restructuring) The Owner's election is important because, pursuant to regulations promulgated under MAHRA, only appeals of full debt restructurings are eligible for the second level of appeal being requested by this Owner, there are no second level of appeals for "lite" transactions

Going forward, there are two options available to Superior Property Management under the MAHRA and HUD regulations 1) the property may forge ahead with its desire to perform a 'lite' restructuring under Mark to Market at the market rents as determined by Recap, or 2) the property can elect to proceed under a full Mark to Market debt restructuring

Under Option 1, the Owner would be required to renew its Section 8 contract as a "Watch List" contract, which includes additional monitoring to provide measures to safeguard the solvency of the property, as Recap has determined that this property would not be financially viable at the Recap determined market rents. This additional monitoring is designed to limit the risk to the FHA insurance fund and protect taxpayer dollars. HUD does not recommend this option.

Under Option 2, Superior Property Management could resubmit for a full debt restructuring. If this option were chosen, HUD would approve a short-term extension of the Section 8 contract at its current rents for as long as the full restructuring was under review At completion, this option would allow the property to remain financially viable after the rents are marked down to Recap determined market rents and would also preserve the property as affordable housing. Additionally,

the full restructuring may fund immediate and critical repairs along with an enhancement to the property's replacement reserves to meet future capital needs. Note that the full debt restructuring would change the terms of the FHA loan to reduce the amount of debt service.

HUD would encourage Superior Property Management to resubmit for a full debt restructuring under Mark to Market so that the revenues from Indian Hills can meet its debt obligations after its rents are marked down to Recap determined market rents. To date, hundreds of properties in the State of Michigan have used the full debt restructuring process available under Mark to Market to preserve affordable housing. HUD hopes Superior Property Management will choose to do so as well.

If Ms. Doroh has any further questions, regarding this matter, she may contact Ms. Minnie Monroe-Baldwin, Branch Chief, Office of Recapitalization at 202-402-2636 or by email at: *Minnie.X.MonroeBaldwin@hud.gov*.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
For Congressional and Intergovernmental Relations

Privacy Act Authorization

Name of Agency: HUD - Financial Operations Center

To Whom It May Concern:

I, (b)(6), have sought assistance from Congressman Kevin Cramer (ND-00) on a matter that may require the release of information maintained by your agency and which you may be prohibited from disseminating under the Privacy Act of 1974.

I hereby authorize you to release all relevant portions of my records or to discuss problems involved in this case with Congressman Kevin Cramer or any authorized member of his staff until this matter is resolved

Name: (b)(6) Date: 6/25/16

Mailing Address: (b)(6)

City: (b)(6) State: (b)(6) Zip Code: (b)(6)

Primary Telephone Number: (b)(6)

Email Address: (b)(6)

Date of Birth: (b)(6)

Social Security Number: (b)(6)

Relevant Claim Number if Applicable: (b)(6)
(Veteran Claim, FEMA Registration, Loan or Account Number, etc.)

Signature: (b)(6)

Please return this signed form to:

Congressman Kevin Cramer
4200 James Ray Dr., Office 600
Grand Forks, ND 58202

Please include a detailed history of the issue and copies of all related correspondence. Thank you.

DEPARTMENTOF THE TREASURY
BUREAU OF THE FISCAL SERVICE
P.O. BOX 1686
BIRMINGHAM, AL 35201-1686

001143

THIS IS NOT A BILL
PLEASE RETAIN FOR YOUR RECORDS

03/22/16

126129733

(b)(6)

As authorized by federal law, we applied all or part of your federal payment to a debt you owe. The government agency (or agencies) collecting your debt is listed below.

HUD - Financial Operations Center
FINANCIAL OPERATIONS CENTER
52 CORPORATE CIRCLE
ALBANY NY 12203

800-669-5152 (800)669-5152
PURPOSE: Non-Tax Federal Debt

TIN Num: 502-72-0694
TOP Trace Num: 126129733
Acct Num: (b)(6)
Amount This Creditor: $293.59
Creditor: 07 Site: 02

The agency has previously sent notice to you at the last address known to the agency. That notice explained the amount and type of debt you owe, the rights available to you, and that the agency intended to collect the debt by intercepting any federal payments made to you, including tax refunds. **If you believe your payment was reduced in error or if you have questions about this debt, you must contact the agency at the address and telephone number shown above.** The U. S. Department of the Treasury's Bureau of the Fiscal Service cannot resolve issues regarding debts with other agencies.

We will forward the money taken from your federal payment to the agency to be applied to your debt balance; however, the agency may not receive the funds for several weeks after the payment date. If you intend to contact the agency, please have this notice available.

U. S. Department of the Treasury
Bureau of the Fiscal Service
(800) 304-3107
TELECOMMUNICATIONS DEVICE FOR THE DEAF (TDD) (866) 297-0517

PAYMENT SUMMARY
PAYEE NAME: B (b)(6)
PAYMENT BEFORE REDUCTION: $293.59
TOTAL AMOUNT OF THIS REDUCTION: $293.59
PAYING FEDERAL AGENCY: Internal Revenue Service
(See Insert on Tax Refund Offsets for Additional Information)

PAYMENT DATE: 03/22/16
PAYMENT TYPE: CHECK
SPLIT REFUND CODE:

FOR OFFICIAL USE ONLY 0000000603 126129733279054260000775356 41ALTR-P01B.AN001087
RL101614

History (b)(6) & HUD

I sold a house back around 1996 @ Stapley Greens in Mesa Arizona through a realtor & bought a townhouse with the same realtor (I believe her name was Mary Green w/ Reality Executives) & I think it was American Title Company. I was expecting that all matters of business were takencare of by the realator, 10 + yrs. later HUD contacted me about oweing them money around $3000 on the Stapley Greens house. I tried then to retrieve records from the realtor & title company, but no one kept records that far back. I explained that to HUD & thought we had the issue resolved until 2007 when I was on Unemployment & they took my stimulus check & have taken all tax refunds or federal money owed me since. I have tried for years to contact HUD w/ the nomber given to me by the Dept. of Treasury & could never get a statement showing how much I owe or how much I have paid. I finally contacted a woman Osepa and told her I wanted a final bill sent to me so I could pay it off and avoid further charges which she said she would send. Her # is (b)(6), I've talked with her twice since a month ago and she keeps telling me she's sending it to my PO Box but I never get it.

(b)(6)

6/25/16

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

AUG 3 1 2016

The Honorable Kevin Cramer
Member, United States
House of Representatives
4200 James Ray Drive, Office 600
Grand Forks, ND 58202-6090

Dear Representative Cramer:

Thank you for your letter on behalf of your constituent, Mr. (b)(6) J. (b)(6) about his Department of Housing and Urban Development (HUD) claim number (b)(6) The following information is from HUD's Office of Housing.

The Department's records reflect that (b)(6) J. (b)(6) and Catherin D. Hess signed a Subordinate Note dated April 4, 2000, wherein they agreed to pay HUD $4,599.60. The terms of the Note did not require monthly payments, but the full amount borrowed became due when their Federal Housing Administration (FHA)-insured first mortgage was paid in full in September 2000. However, HUD did not receive payment and the debt became delinquent.

Delinquent FHA Partial Claim debts are serviced by the Department's Financial Operations Center (FOC), which is located in Albany, New York. Despite the FOC's collection efforts, the debt remains delinquent with a current balance due of $6,303.80, as of July 31, 2016. In accordance with Mr. (b)(6) request, a letter explaining how he could pay off the debt was mailed to him at PO Box 4547, Williston, North Dakota 58802 on August 18, 2016. A copy of the letter was also emailed to Mr. (b)(6) at: *jayleigh212@gmail.com*.

If Mr. (b)(6) has any additional questions, he may contact Mr. (b)(6) Dillon, the Director of the FOC's Asset Recovery Division at 1-800-669-5152, extension 2819.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

RECEIVED
By TGray Executive Secretariat at 8 42 am & 9 17

Congress of the United States
Washington, DC 20510

June 7, 2017

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, D.C. 20410

Dear Secretary Carson:

We are writing to strongly urge an expeditious review and approval of the regulatory waiver submitted by the City of Grand Forks, North Dakota, for "LaGrave on First," a permanent supportive housing project to serve the chronically homeless population. This housing first project is profoundly needed to assist homeless individual and families in northeastern North Dakota, including nearby tribal communities.

This 42-unit project is being developed by Grand Forks Homes with the full cooperation and support of the city and Grand Forks Housing Authority. Through the diligent and tireless work of these groups, all necessary financing for the project – nearly $9 million – is in place. Using Low Income Housing Tax Credits (LIHTC), the Department of Housing and Urban Development's (HUD) Housing Trust Fund, HOME, the Section 8 Housing Choice Voucher program, and the Federal Home Loan Bank's Affordable Housing Program, as well as grants from the Bremer Trust and the Turtle Mountain Band of Chippewa, LaGrave on First will have no debt to service when it opens its doors. This project is truly an example of a community coming together and using a creative and diverse patchwork of funding to serve its chronically homeless population.

However, due to a procedural misstep in the environmental review process resulting from staff turnover last December, some of the project's Community Development Block Grant (CDBG) funds were drawn down prior to obtaining final environmental clearance. As a result, the HUD Region 8 environmental office issued a Statutory and Regulatory Violation Notice on March 30, 2017, informing the city that the draw-down of CDBG funds violated 24 CFR 58.22 and Section 104(g) of the Housing and Community Development Act of 1974. For the project to move forward, the city was required to submit a regulatory waiver, which included an Environmental Assessment and a 30-day comment period. In the interim, all activity on the project has been halted pending action on the waiver, which was submitted to the Region 8 office on June 5.

LaGrave on First has received very favorable construction bids, however, their deadline to award a construction contract under the current bid terms is July 24, after which point they could lose their favorable bids, jeopardizing the LIHTC funding being provided by US Bank and other funding sources and pushing construction back another year due to the short building season in

North Dakota. In light of all this, we ask that HUD's Office of Community Planning and Development work with the Region 8 office to get this waiver approved expeditiously.

Thank you for your attention to this important matter, and we look forward to your prompt reply.

Sincerely,

JOHN HOEVEN
U.S. Senator

HEIDI HEITKAMP
U.S. Senator

KEVIN CRAMER
U.S. Congressman

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Kevin Cramer
U S. House of Representatives
Washington, DC 20515

Dear Representative Cramer.

On behalf of Secretary Benjamin S. Carson, Sr., thank you for your letter regarding the City of Grand Forks' request for a waiver of 24 CFR Part 58.22(a) for the proposed LaGrave on First project. The following information is from the Department of Housing and Urban Development's (HUD) Office of Community Planning and Development (CPD)

The Department understands that this project is funded by several of its programs, including the HOME Investment Partnership program, Housing Trust Fund (HTF), and the Section 8 Housing Choice Voucher program. HUD's Field Environmental Officer in Region 8 determined that the City of Grand Forks violated the Department's environmental review requirements by acquiring property using Community Development Block Grant funds in December 2016, prior to completing an environmental review. Because of this violation, HUD cannot release any funds for this project until a waiver of 24 CFR Part 58 22(a), "Limitations on activities pending clearance," has been approved. The Department's Denver Field Office received the City of Grand Forks' waiver request on June 5, 2017. HUD Headquarters received the completed package from the field office on June 12, 2017.

The Department is giving full consideration of the City of Grand Forks' request consistent with HUD's regulations and the departmental procedures for waiver approval. The Office of Environment and Energy (OEE) and the Office of General Counsel (OGC) are currently reviewing the waiver request. OEE and OGC's comments will be provided to CPD's General Deputy Assistant Secretary The General Deputy Assistant Secretary has the discretion to approve the waiver if there is good cause and if no unmitigated adverse environmental impacts will result.

Thank you for your interest in the Department's program. Please let me know if I can be of further assistance

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary
for Congressional and Intergovernmental Relations

Congress of the United States
Washington, DC 20510

June 7, 2017

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, D.C. 20410

Dear Secretary Carson:

We are writing to strongly urge an expeditious review and approval of the regulatory waiver submitted by the City of Grand Forks, North Dakota, for "LaGrave on First," a permanent supportive housing project to serve the chronically homeless population. This housing first project is profoundly needed to assist homeless individual and families in northeastern North Dakota, including nearby tribal communities.

This 42-unit project is being developed by Grand Forks Homes with the full cooperation and support of the city and Grand Forks Housing Authority. Through the diligent and tireless work of these groups, all necessary financing for the project – nearly $9 million – is in place. Using Low Income Housing Tax Credits (LIHTC), the Department of Housing and Urban Development's (HUD) Housing Trust Fund, HOME, the Section 8 Housing Choice Voucher program, and the Federal Home Loan Bank's Affordable Housing Program, as well as grants from the Bremer Trust and the Turtle Mountain Band of Chippewa, LaGrave on First will have no debt to service when it opens its doors. This project is truly an example of a community coming together and using a creative and diverse patchwork of funding to serve its chronically homeless population.

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LaGrave on First has received very favorable construction bids, however, their deadline to award a construction contract under the current bid terms is July 24, after which point they could lose their favorable bids, jeopardizing the LIHTC funding being provided by US Bank and other funding sources and pushing construction back another year due to the short building season in

North Dakota. In light of all this, we ask that HUD's Office of Community Planning and Development work with the Region 8 office to get this waiver approved expeditiously.

Thank you for your attention to this important matter, and we look forward to your prompt reply.

Sincerely,

JOHN HOEVEN
U.S. Senator

HEIDI HEITKAMP
U S. Senator

KEVIN CRAMER
U.S. Congressman

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

APR 17 2013

The Honorable Louis J. Barletta
Member, United States
House of Representatives
106 Arch Street
Sunbury, PA 17801

Dear Representative Barletta:

Thank you for your letter of February 13, 2013, regarding the request of your constituent, Mr. Ronald Miller, for information pertaining to the Shamokin Housing Authority.

This type of request is considered to be a Freedom of Information Act (FOIA) request. Mr. Miller's request is presently being processed by the FOIA Branch in the order in which it was received among other FOIA requests. The Department will exercise due care in complying with statutory and regulatory guidance in this regard.

Thank you for your interest in the Department's programs. Please let me know if I can be of further assistance.

Sincerely,

Elliot M. Mincberg
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515–3811

WASHINGTON, DC OFFICE:
115 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-6511 PHONE
(855) 241-5144 TOLL-FREE
(202) 226-0250 FAX

HAZLETON, PA OFFICE:
1 SOUTH CHURCH STREET, SUITE 100
HAZLETON, PA 18201
(570) 751-0050 PHONE
(570) 751-0054 FAX

SUNBURY, PA OFFICE
106 ARCH STREET
SUNBURY, PA 17801
(570) 988-7801 PHONE
(570) 988-7805 FAX

CARLISLE, PA OFFICE:
99 WEST LOUTHER STREET
CARLISLE, PA 17013
(717) 249-0180 PHONE
(717) 218-0190 FAX

HARRISBURG, PA OFFICE:
4813 JONESTOWN ROAD, SUITE 101
HARRISBURG, PA 17109
(717) 635-7002 PHONE
(717) 695-6794 FAX

February 13, 2013

Ms. Adria Crutchfield
Us Department Of Housing And Urban Development
451 Seventh St. Sw, Room 10148
Washington, DC 20410-0001

Dear Ms. Crutchfield:

The enclosed information concerning my constituent, Mr. Ronald A. Miller, is submitted for your consideration. Mr. Miller has requested my assistance regarding the access to information pertaining to the Shamokin Housing Authority.

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Mr. Miller.

Thank you very much for your attention to this matter. Please respond to me at the Sunbury Office: 106 Arch Street, Sunbury, PA 17801, (570) 988-7801.

Sincerely yours,

Lou Barletta

Lou Barletta
Member of Congress

LB/VK

Congressman Lou Barletta
Eleventh District, Pennsylvania

Vincent J. Kundrik III
Constituent Services/Field Representative

106 Arch St.
Sunbury, PA 17801

Tele: (570) 988-7801
Fax: (570) 988-7805

Vincent.Kundrik@mail.house.gov

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: Mr. / Mrs. / Ms. / Miss Ronald A. Miller

Address: (b)(6)

City, State, ZIP Code: (b)(6)

Email: (b)(6)

Telephone: **Home:** (b)(6) **Work:** (b)(6)

Social Security Number: (b)(6) **Date of Birth:** (b)(6)

Passport/Alien Number *(if this is an immigration case)*: N/A

Claim, File or Case Number: **Filing Date:**

Federal Agency involved in your case: Dept of Housing & Urban Dev.

Which other offices have you contacted?

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document. Use additional paper if necessary.)

Public Housing As Pertains To our Housing Authority & The City of Shamokin.

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and his staff.

Signed: [signature] **Date:** 02/12/2013

RAYMOND G. SPLANE
Chairperson
PAMALA S. RHOADES
Vice Chairperson
JAMES PICARELLI
Member
ROBERT J. WOLFE
Member
SUZANNE KOPITSKY
Member

HOUSING AUTHORITY OF THE CITY OF SHAMOKIN

1 EAST INDEPENDENCE STREET
SHAMOKIN, PA 17872

Phone: 570-644-0431
Fax: 570-644-9193
E-Mail: sha2@ptd.net

RONALD A. MILLER
Executive Director

Harold E. Thomas
Elderly Highrise

Raspberry Hill
Family Housing

Spruce Street Townhouses

Harrison Street Townhouses

February 12, 2013

Congressman Lou Barletta
Northumberland County
106 Arch Street
Sunbury, PA 17801

Congressman Barletta:

Enclosed please find two issues Shamokin Housing Authority has been unable to get responses to.

1. Freedom of Information Act Request regarding a comparison of Housing Authorities in the Philadelphia HUD Office by occupancy, tenants accounts receivable, and inspection scores.

2. Response to an on site inspection and a report issued without full review of supplied project information and limited review of overall construction project.

Any help you can offer in resolving these issues will be appreciated.

Sincerely,

Ronald A. Miller
Executive Director

RAM/sp
Enclosures

RAYMOND G. SPLANE
Chairperson
PAMALA S. RHOADES
Vice Chairperson
JAMES PICARELLI
Member
ROBERT J. WOLFE
Member
SUZANNE KOPITSKY
Member

HOUSING AUTHORITY OF THE CITY OF SHAMOKIN

1 EAST INDEPENDENCE STREET
SHAMOKIN, PA 17872

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RONALD A. MILLER
Executive Director

Harold E. Thomas
Elderly Highrise

Raspberry Hill
Family Housing

Spruce Street Townhouses

Harrison Street Townhouses

September 14, 2012

Dennis G. Bellingtier, *Director*
Office of Public Housing
U.S. Department of Housing & Urban Development
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107

Dear Mr. Bellingtier,

The Housing Authority of the City of Shamokin is submitting correspondence with supporting documentation regarding a Site/Program Review conducted May 22-24, 2012 (copies enclosed). Please note, the review addresses "limited inspections of units" and as a result of one cracked tile and four loose tiles that are tenant related.

This will be addressed in two separate responses listed below:

1. Limited inspection of units – The Housing Authority enclosed a sample of inspections as conducted by the Design Professional two-hours daily, the Executive Director morning and afternoon site visit, and Housing Authority maintenance as needed. The complete inspection file was presented to the HUD staff and dismissed as not necessary to review and irrelevant to the purpose of their visit. Also enclosed for your reviews are samples of administrative reviews conducted regarding wage compliance, contract violations and suspension of work required due to lack of compliance.

2. Remedial corrections: The Housing Authority is demanding a revisit to the site and complete review of all information regarding the findings listed as limited inspections. Determinations documented by the Authority as to repairs required by contract up to and including total floor removal where warranted by the construction documents are available for review. A letter

of retraction is in order on the determinations issued in error and accompanying apology to the Design Professional, administration and maintenance personnel of the Authority.

Thank you for your consideration on this issue and I will await your response. If you have any questions regarding this matter, please contact me at your convenience.

Sincerely,

Ronald A. Miller
Executive Director

RAM/sp
Enclosures

cc: Debra Torres

RAYMOND G. SPLANE
Chairperson
PAMALA S. RHOADES
Vice Chairperson
JAMES PICARELLI
Member
ROBERT J. WOLFE
Member
SUZANNE KOPITSKY
Member

HOUSING AUTHORITY OF THE CITY OF SHAMOKIN

1 EAST INDEPENDENCE STREET
SHAMOKIN, PA 17872

Phone: 570-644-0431
Fax: 570-644-9193
E-Mail: sha2@ptd.net

RONALD A. MILLER
Executive Director

Harold E. Thomas
Elderly Highrise

Raspberry Hill
Family Housing

Spruce Street Townhouses

Harrison Street Townhouses

September 20, 2012

Mr. John M. Concannon
Department of Housing & Urban Development
Office of Public Housing
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3380

Dear Mr. Concannon:

Shamokin Housing Authority takes exception to your report dated August 2, 2012 sighting limited inspections on Raspberry Hill flooring contract. Documentation to refute this has been submitted to the Field Office in Philadelphia on September 14, 2012 and to the Regional Director Office of Field Operations in Ohio.

In order to respond to these issues I am submitting documentation on Findings #3, #4 and #5 due to the fact they were the easiest to research & submit. Findings #1, #2, and #6 should be submitted by the end of this month.

If you have questions, please contact me at your convenience.

Sincerely,

Ronald A. Miller
Executive Director

RAM/sp
Enclosures
cc: Debra Torres

Finding #3

The Security contract as initiated was considered a micro purchase due to the fact that it was between Security Contract negotiations with the City of Shamokin. A new Security Contract was executed with the City of Shamokin/Shamokin Police Department on July 12, 2012. (copy enclosed)

The interim security individuals are no longer being used.

Finding #4

All of the issues raised in finding #4 were included in the file in its entirety. (Copies included)

- Advertisement in local newspaper
- Complete RFP Packet
- Architect's Qualification Statement, Resume, Registered Architect's License, PA Department of General Service Minority Business Enterprise Certificate
- HUD Form 51915 – Agreement Between Owner and Design Professional
- HUD Form 5369C – Certifications and Representations of Offerors
- Insurance

Finding #5

The Housing has researched with procurement training (copy enclosed) and has also reviewed Federal Procurement Guidelines and was informed and confirmed that The Authority may require attendance at pre-bid conferences. The Authority also understands it cannot be done to limit competition or restrict bidders.

The Authority has determined due to the complexity of the Furnace Installation and related relocation from 3rd floor storage area to basement area regarding 6 types of units with multiple bedrooms and duct work, the only reasonable avenue was to have bidders review the scope of work as advertised. In order to present fair and detailed information The Authority would notify tenants, have architect and engineers present, along with administration & maintenance staff to present the required work to bidders.

The Authority has considered the words "should", "could" and "may" regarding Federal Procurement Guidelines on mandatory pre bid attendance. If wording were stated as "must", "will", or "shall", then these provisions would have been adhered to. Shamokin Housing Authority has determined we have not violated any regulations and have acted in the best interest of the Authority.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Louis J. Barletta
Member, United States
House of Representatives
106 Arch Street
Sunbury, PA 17801

JUN 2 5 2013

Dear Representative Barletta:

Thank you for your February 13, 2013 letter on behalf of your constituent Ronald Miller, who is the Executive Director of the Shamokin Housing Authority (SHA). Mr. Miller wrote to you regarding two issues on which he believes that HUD has been unresponsive. The following information is from HUD's Office of the Executive Secretariat.

The first item in Mr. Miller's letter seeks agency data under the Freedom of Information Act (FOIA) on other housing authorities. HUD responded to his FOIA request under separate cover letter dated May 20, 2013, providing available data that is responsive to his request to the extent permissible by law.

The second item relates to a review report letter that HUD's Office of Public Housing sent to the SHA regarding the administration of its American Recovery and Reinvestment Act (ARRA) grant. This report, dated July 31, 2012, was sent as a result of an on-site review which was conducted at the SHA on May 22-24, 2012. The report contained a recommendation relating to the work which was done at the Raspberry Hill development as part of the ARRA grant.

Mr. Miller sent HUD's office a letter on September 14, 2012, responding to the recommendation contained in the ARRA review letter. His response demanded a retraction of the recommendation included in HUD's July 31, 2012 letter as well as an apology to the SHA for including this recommendation in HUD's letter. He also demanded that we revisit the site and review all information related to the report.

HUD's staff discussed the SHA's September 14, 2012 letter with Mr. Miller in a telephone call subsequent to its receipt of the letter and, therefore, they believed that this matter was adequately addressed. However, since Mr. Miller still appears to be unclear about the recommendation in HUD's ARRA letter, a formal and detailed response to his September 14, 2012 letter was recently sent to him. A copy of HUD's response letter dated May 3, 2013 is enclosed.

As indicated in this letter, no response to the recommendation was required since it was only advisory in nature. As reflected in the letter, HUD officials do not believe there is an adequate basis for withdrawing the recommendation or apologizing for it, since the recommendation was based on problems with the tiles that were observed by HUD staff while at the Raspberry Hill development. If the SHA does not believe that any action needs to be taken in response to the

recommendation, then it does not need to take any further action on this issue. As for HUD's staff returning to the Raspberry Hill development, the HUD report indicated that "no significant issues were found pertaining to the ARRA" grant. Therefore, HUD does not believe that it would be a good use of taxpayer funds to re-review a program for which no findings were issued and which was generally well run.

Please note that during the on-site visit on May 22-14, 2012, HUD's office conducted the ARRA review referenced above, a limited procurement review and a review of the most recent Exigent Health and Safety (EH&S) violations cited by HUD's Real Estate Inspection Center (REAC). To date the SHA has never responded to the EH&S review. The SHA did provide one response to the procurement review, but when its response was found to be deficient, the SHA refused to provide additional information as requested in a letter dated December 31, 2012 The SHA finally submitted a cursory response on April 17, 2013 to the procurement review after our Office of General Counsel sent a letter dated April 16, 2013 to the legal counsel for the SHA regarding its lack of cooperation with HUD A copy of our April 19, 2013 letter is enclosed

It is the goal of the Department's Philadelphia Office of Public Housing to conduct reviews in a fair and objective manner HUD's office remains committed to working with Mr Miller in a professional manner to resolve the issue related to this review

I hope this information is helpful in responding to your constituent. Please let me know if I can be of further assistance.

Sincerely,

Elliot M. Mincberg
Acting Assistant Secretary for Congressional
and Intergovernmental Relations

Enclosures

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

APR 17 2013

The Honorable Louis J. Barletta
Member, United States
House of Representatives
106 Arch Street
Sunbury, PA 17801

Dear Representative Barletta:

Thank you for your letter of February 13, 2013, regarding the request of your constituent, Mr. Ronald Miller, for information pertaining to the Shamokin Housing Authority.

This type of request is considered to be a Freedom of Information Act (FOIA) request. Mr. Miller's request is presently being processed by the FOIA Branch in the order in which it was received among other FOIA requests. The Department will exercise due care in complying with statutory and regulatory guidance in this regard.

Thank you for your interest in the Department's programs. Please let me know if I can be of further assistance.

Sincerely,

Elliot M. Mincberg
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

U.S. Department of Housing and Urban Development

Office of the Regional Counsel
Philadelphia Office
The Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3380

APR 1[illegible] 2013

Frank W Garrigan, Esq
Garrison & Targonski
112 East Independence Street
Shamokin, PA 17872

Re: Housing Authority of the City of Shamokin

Dear Mr. Garrigan:

This responds to your letter of March 28, 2013, in which, on behalf of your client the Housing Authority of the City of Shamokin, you (1) requested copies of policies relating to the 2012 Performance Review, and (2) claimed that your client did not have an exit conference

The issues that you raise in your letter were previously addressed in communication from Dennis Bellingtier, HUD Public Housing Field Office Director to Mr Ronald Miller, Executive Director of the Housing Authority of the City of Shamokin

As was explained to your client, HUD field offices conduct reviews to monitor any program in receipt of federal funds to ensure compliance with applicable program regulations For your information, regulations relating to performance reviews are codified at 24 C F R. Part 902 (Public Housing Assessment System); regulations applicable to procurement are codified at 24 C.F.R Part 85 The Department has also issued a Procurement Handbook for Public and Indian Housing 7460 8 The Regulations and the Handbook are available on HUD's webpage.

Contrary to the statements made by your client, an exit conference was held in the afternoon of Thursday, May 24, 2012, at the Authority's executive offices and attended by Ronald Miller, Executive Director, Judith Axler, HUD Division Director, John Concannon, HUD Portfolio Management Specialist, and Debra Gardner, HUD General Engineer.

As was further explained to Mr. Miller, the exit conference is an informal process by which the review team goes over the findings of the review with the authority and provides the authority an opportunity to respond to the findings and provide additional documentation for any identified deficiencies

Please be advised that your client has not responded to HUD's Exigent Health and Safety Review Report dated October 31, 2012 Moreover, as set forth in HUD's letter of December 31, 2012, your client has also failed to address five outstanding findings from the Procurement Review Copies of the October 31, 2012, and December 31, 2012, letters are enclosed for your reference If your client disagrees with any conclusions made during the Review, or disputes any of the outstanding findings, please provide the documentation supporting your client's position together within any regulatory authority upon which your client is relying The information will be reviewed by the HUD program office and if necessary, the Office of the Regional Counsel If appropriate, the disputed finding will be modified or withdrawn accordingly.

Please be further advised that if your client does not respond to the Exigent Health and Safety Review and does not address the five outstanding findings from the Procurement Review within **10 business days of the date of this letter**, HUD will pursue appropriate administrative remedies and sanctions provided under Part 85 and other applicable regulations These remedies and sanctions may include, but are not limited to, establishing threshold reviews for LOCCS draws, disallowing the use of federal funds for the questioned activity, wholly or partly suspending or terminating a current award, and such other remedies as may be provided by law

Should you have any further questions concerning this matter, please contact Dennis Bellingtier, Director of Public Housing. Mr. Bellingtier can be reached by phone at 215-861-7596 or by email at Dennis Bellingtier @hud gov

Sincerely,

Sheryl L. Johnson
Regional Counsel

U.S. Department of Housing and Urban Development

Philadelphia Regional Office
The Wanamaker Building
100 Penn Square East
Philadelphia, Pennsylvania 19107-3380

Mr. Ronald A. Miller
Executive Director
Shamokin Housing Authority
1 E. Independence Street
Shamokin, PA 17872

March 7, 2013

Dear Mr. Miller:

This is in response to your letter to Congressman Louis Barletta, dated February 12, 2013, in which you complained that you have not received a response to your September 14, 2012 letter to our office. Your September 14, 2012 letter concerns a recommendation that was included in the letter we sent the Authority dated July 31, 2012 regarding the administration of your American Recovery and Reinvestment Act (ARRA) grant. That recommendation relates to the work that was done at the Raspberry Hill Development as part of the ARRA grant.

We discussed your September 14, 2012 letter with you on the telephone call subsequent to our receipt of the letter and, therefore, as a result, we believed that this matter was adequately addressed. However, since you still appear to be concerned about the recommendation in our Annual Year 2012 letter, this will serve as a formal, written response to your September 14, 2012 letter.

In your letter, you claim that our office should not recommend corrective action related to the HVAC contract at the Raspberry Hill development while we were on-site and request remedial corrections to our review, including a revision of our recommendation. Your letter includes copies of the documentation related to the HVAC contract for the Raspberry Hill development that you had offered to provide to our staff while we were on-site but that we declined at that moment. We acknowledge that you did offer the procurement file for the HVAC contract to us to review while we were on-site but we did not review the file because of time constraints and because other issues and matters are of the file during our May 2012 visit, nor with any actions you may have taken prior to this date. We do note that the documentation which you submitted after your September 14, 2012 visit shows that you undertook adequate oversight of the HVAC contract prior to our visit in May 2012.

Your letter also references a number of the deficiencies included in our review report as well as an apology by the Authority for not having scheduled a time in our letter. As part of the ARRA visit, our office conducted visits to several of the Authority's units. While we were at the Raspberry Hill development, some residents of the small development with the ARRA funds. Our

www.hud.gov espanol.hud.gov

office did not plan in advance to visit these units, and the tile contract was not one that we selected to review during the procurement review part of our on-site visit. However, because the tenants requested that we visit their units, we entered their units, observed the flooring that they showed us, and listened to their complaints The problems observed were discussed with you on-site, and you indicated to us that there had been problems with the original tile installation, and that the contractor had to come back on-site to fix the problems. The tenants also indicated to us that the tile had needed to be fixed after the original installation, but that the problems reappeared later. The recommendation included in our July 31, 2012 letter documented what we had observed in the units. We cannot withdraw comments that we made based on physical evidence that we observed while we were in the units We do not agree with your description that the deficiencies we observed were only "one cracked tile and four loose tiles" However, please note that no finding was issued against the Authority's ARRA program. While actions were recommended, no action was required to be taken by the Authority provided the Authority reassessed the condition of the floor tiles and determined that no further action is necessary. We also note that no response was required to be provided to our office Therefore, we do not believe that an apology or retraction of our recommendation is warranted as the recommendation was merely advisory based on what we observed in the units.

Finally, your letter demands "a revisit to the site and complete review of all information regarding the findings listed as limited inspections." We note again that no findings were issued against your ARRA program as a result of our walk-throughs of the units. In fact, our report indicated that we were "pleased to report that no significant issues were found pertaining to the ARRA" grant Therefore, we also do not believe that it would be a good use of taxpayer funds to re-review a program for which no findings were issued and which our office felt was generally well run

If you have any further questions or concerns, please contact me at (215) 861-7596 or by e-mail at dennis.bellingtier@hud.gov.

Sincerely,

Dennis G. Bellingtier
Director
Office of Public Housing

CC:
Congressman Louis J. Barletta

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410 3000

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

MAY 2 0 2013

Mr. Ronald Miller
Executive Director
Housing Authority of
the City of Shamkin
1 E Independence Street
Shamokin, PA 17872

RE: Freedom of Information Act Request
FOIA Control No. 12-FI-HQ-01721

Dear Mr. Miller,

This letter is in response to your Freedom of Information Act (FOIA) request dated May 15, 2012, to the Department of Housing and Urban Development You requested the following:

(1) The occupancy, tenant's accounts receivable, and inspection scores from all Housing Authorities in the Philadelphia State Office jurisdiction of HUD

(2) In a letter from Congressman Lou Barletta dated February 12, 2013, on your behalf, you also requested a response to an on-site inspection, a report issued without full review of the supplied project information, and limited review of the overall construction project

When responding to a FOIA request, HUD searches for responsive documents existing up to the date that the request is received in the Department's FOIA Branch. Your request was received on May 15, 2012.

Your request is granted in part at no cost to you. In response to item 1, enclosed is a copy of the information you have requested. In response to item 2, a search of records by knowledgeable staff in the Department's Philadelphia Regional Office failed to locate any documents that would be responsive.

I am the official responsible for this determination based on information provided by the Department's Office of Public and Indian Housing and the Philadelphia Regional Office You may appeal this determination within 30 days from the date of this letter If you decide to appeal, your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting your appeal The envelope should be plainly marked to indicate that it contains a FOIA appeal and be addressed to.

U S. Department of Housing
and Urban Development
Attention: FOIA Appeals
Office of Ethics and Personnel Law
451 7th Street, SW, Room 2130
Washington, DC 20410

Telephone: (202) 708-3815

For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests In responding to these requests, the Department does not release personal privacy information, such as home address, telephone number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you need additional information, please contact Ms Eugenia Harris at (202) 402-5074 Thank you for your interest in the Department's programs and policies

Sincerely,

Dolores W. Cole
Director for FOIA and
Executive Correspondence
Office of the Executive Secretariat

Enclosure

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410 3000

MAY 2 0 2013

OFFICE OF THE CHIEF HUMAN CAPITAL OFFICER

Mr. Ronald Miller
Executive Director
Housing Authority of
the City of Shamkin
1 E Independence Street
Shamokin, PA 17872

RE: Freedom of Information Act Request
FOIA Control No · 12-FI-HQ-01721

Dear Mr. Miller:

This letter is in response to your Freedom of Information Act (FOIA) request dated May 15, 2012, to the Department of Housing and Urban Development You requested the following:

(1) The occupancy, tenant's accounts receivable, and inspection scores from all Housing Authorities in the Philadelphia State Office jurisdiction of HUD

(2) In a letter from Congressman Lou Barletta dated February 12, 2013, on your behalf, you also requested a response to an on-site inspection, a report issued without full review of the supplied project information, and limited review of the overall construction project

When responding to a FOIA request, HUD searches for responsive documents existing up to the date that the request is received in the Department's FOIA Branch. Your request was received on May 15, 2012.

Your request is granted in part at no cost to you. In response to item 1, enclosed is a copy of the information you have requested. In response to item 2, a search of records by knowledgeable staff in the Department's Philadelphia Regional Office failed to locate any documents that would be responsive.

I am the official responsible for this determination based on information provided by the Department's Office of Public and Indian Housing and the Philadelphia Regional Office You may appeal this determination within 30 days from the date of this letter If you decide to appeal, your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting your appeal The envelope should be plainly marked to indicate that it contains a FOIA appeal and be addressed to:

U S. Department of Housing
and Urban Development
Attention: FOIA Appeals
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451 7th Street, SW, Room 2130
Washington, DC 20410

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For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests In responding to these requests, the Department does not release personal privacy information, such as home address, telephone number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you need additional information, please contact Ms. Eugenia Harris at (202) 402-5074 Thank you for your interest in the Department's programs and policies

Sincerely,

Dólores W. Cole
Director for FOIA and
Executive Correspondence
Office of the Executive Secretariat

Enclosure

Below is a list of the dates of what I would call the "Hard Changes" to our Home Program Agreement that we have talked about. These are the times that we have been sent to the homeowners with new docs that have had "final approval".

In addition, there have been more of what I would call "soft changes" These are times when we have received an email, a phone call or been told in a meeting of a changes in wording, a request for an addition to the agreement, or a change in criteria between these "Hard change" versions.

I also want to call attention to the dates. The original home agreement is September 5, 2013 for funds awarded for 2013.

Bay Vista	
Home Program Agreement	
Date	Revision Number
September 5, 2013	Original
October 23, 2013	Version #2
November 13, 2013	Version #3, Signed Copy #1
January 3, 2014	Version #4, Signed Copy #2
March 28, 2014	Version #5, Signed Copy #3
May 2014	Asking for new revision

In addition to the moving target of the home agreements is the change in who we are allowed to work with. Our target families are 30-60% of the area median income. We have great success with this population. The criteria has now been changed for HUD funds through the local PJ to working with families at 51-80% of the area median income. This leaves a 9% window for our target population.

Truly, this seems like onerous restrictions and a moving target of changes on HUD funding. I am concerned that we will be restricted from utilizing 2014 funds already awarded. We have already made obligations and spent money.

I also cannot imagine that we could in good faith apply for 2015 funds. Knowing that a $1 of public funding to Habitat is leveraged 5 fold seems like a huge waste.

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
CHAIRMAN
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515–3811

WASHINGTON, DC OFFICE:
116 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
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(855) 241-5144 TOLL FREE
(202) 226-0250 FAX

HAZLETON, PA OFFICE
1 SOUTH CHURCH STREET SUITE 100
HAZLETON, PA 18201
(570) 751-0050 PHONE
(570) 751-0054 FAX

SUNBURY, PA OFFICE
106 ARCH STREET
SUNBURY, PA 17801
(570) 988-7801 PHONE
(570) 988-7805 FAX

CARLISLE PA OFFICE
59 WEST LOUTHER STREET
CARLISLE, PA 17013
(717) 249-0190 PHONE
(717) 216-0190 FAX

HARRISBURG, PA OFFICE:
4813 JONESTOWN ROAD, SUITE 101
HARRISBURG PA 17109
(717) 525-7002 PHONE
(717) 695-6794 FAX

May 14, 2014

To Whom it May Concern:

The enclosed information concerning my constituent, Mr. (b)(6) F. (b)(6) is submitted for your consideration. Mr. (b)(6) has requested my assistance regarding a purchase he is trying to make at (b)(6) (b)(6) agent reports to him that his sale is being held up because it needs HUD approval.

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Mr. (b)(6)

Thank you very much for your attention to this matter. Please respond to me at the Hazleton Office: 1 South Church Street, Suite 100, Hazleton, PA 18201, (570) 751-0050.

Sincerely yours,

Lou Barletta

Lou Barletta
Member of Congress

LB/pr

LOUIS J. BARLETTA
11th District, Pennsylvania

Hazleton District Office
1 S. Church St, Suite 100
HAZLETON, PA 18201
TEL: (570) 751-0050
FAX: (570) 751-0054

Sunbury District Office
106 Arch Street
Sunbury, PA 17801
Tel:(570)988-7801

UNITED STATES
HOUSE OF REPRESENTATIVES

Harrisburg District Office
4813 Jonestown Road Suite 101
Harrisburg, PA 17109
Tel: (717)-525-7002
Fax: (717)695-6794

Carlisle District Office
59 W. Louther Street
Carlisle, PA 17013
Tel:(717)249-0190

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: Mr. / Mrs. / Ms. / Miss (b)(6)

Address: (b)(6)

City, State, ZIP Code: (b)(6)

Email: (b)(6)

Telephone: Home: (b)(6) **Work:**

Social Security Number: (b)(6) **Date of Birth:** (b)(6)

Passport/Alien Number *(if this is an immigration case)*:

Claim, File or Case Number: **Filing Date:**

Federal Agency involved in your case:

Which other offices have you contacted?

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document. Use additional paper if necessary.)

ASSISTANCE WITH SHORT SALE.
12 TAMMY LANE, SUGARLOAF PA 18249

ACCOUNT # (b)(6)

FHA # (b)(6)

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and ~~his staff~~ ALL

Signed (b)(6) **Date:**

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUN 03 2014

The Honorable Louis J Barletta
Member, United States
House of Representatives
1 South Church Street, Suite 100
Hazleton, PA 18201-6200

Dear Representative Barletta

Thank you for your letter of May 14, 2014, on behalf of your constituent, Mr [(b)(6)] J [(b)(6)] regarding his offer on a short sale for the property located at [(b)(6)] [(b)(6)] A short sale is also known as a pre-foreclosure sale (PFS). The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing

While HUD is sympathetic to the difficulties that Mr. [(b)(6)] is experiencing, the Department cannot discuss information pertaining to the PFS transaction with Mr [(b)(6)] since he does not own the referenced property If the owner of the property is having concerns with the PFS transaction, he or she may contact Ms. Heather Robeaux, Housing Program Specialist in HUD's National Servicing Center at the toll-free telephone number 1-866-449-1661, extension 8429

Mr [(b)(6)] may wish to contact one or more of HUD-approved housing counseling agencies. These agencies usually provide service at little or no cost and may be able to provide assistance or recommend other organizations that can be of assistance. This option can be pursued online at http://www.hud.gov/offices/hsg/sfh/hcc/hcsprof14.cfm, or by telephone at 1-800-569-4287 (weekdays from 9:00 AM to 5:00 PM)

I hope this information is helpful in responding to your constituent If I can be of further assistance, please let me know

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
CHAIRMAN
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515–3811

WASHINGTON DC OFFICE
115 CANNON HOUSE OFFICE BUILDING
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(855) 241-5144 TOLL-FREE
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HAZLETON PA OFFICE:
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HAZLETON PA 18201
(570) 751-0050 PHONE
(570) 751-0054 FAX

SUNBURY PA OFFICE:
108 ARCH STREET
SUNBURY, PA 17801
(570) 988-7801 PHONE
(570) 988-7805 FAX

CARLISLE, PA OFFICE
59 WEST LOUTHER STREET
CARLISLE PA 17013
(717) 249-0180 PHONE
(717) 218-0190 FAX

HARRISBURG PA OFFICE
4813 JONESTOWN ROAD, SUITE 101
HARRISBURG, PA 17109
(717) 525-7002 PHONE
(717) 695-6794 FAX

May 15, 2014

To Whom It May Concern:

The enclosed information concerning my constituent, Joseph Boylan, is submitted for your consideration. Boylan has requested my assistance regarding setting up a conference call with representatives from HUD regarding section 8 vouchers.

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Boylan.

Thank you very much for your attention to this matter. Please respond to me at the Hazleton Office: 1 South Church Street, Suite 100, Hazleton, PA 18201, (570) 751-0050.

Sincerely yours,

Lou Barletta

Lou Barletta
Member of Congress

LB/pr

LOUIS J. BARLETTA
11th District, Pennsylvania

Hazleton District Office
1 S. Church St., Suite 100
HAZLETON, PA 18201
TEL: (570) 751 0050
FAX: (570) 751-0054

Sunbury District Office
106 Arch Street
Sunbury, PA 17801
Tel:(570)988-7801

UNITED STATES
HOUSE OF REPRESENTATIVES

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Fax: (717)695-6794

Carlisle District Office
59 W. Louther Street
Carlisle, PA 17013
Tel:(717)249-0190

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: (Mr.) / Mrs. / Ms. / Miss Joseph A. Boylan (Ashburn Advisors)

Address: 120 Franklin Avenue, Suite 200

City, State, ZIP Code: Scranton, PA 18503

Email: jab@ashburnadvisors.com

Telephone: **Home:** (b)(6) **Work:** 570-371-9962

Social Security Number: **Date of Birth:** (b)(6)

Passport/Alien Number *(if this is an immigration case)*:

Claim, File or Case Number: **Filing Date:**

Federal Agency involved in your case: HUD

Which other offices have you contacted? N/A

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document Use additional paper if necessary.)

Our firm is in need of assistance in securing a conference call with an appropriate HUD agent (Philly or DC office) to discuss the following items: (1) The process to request Project Based Section 8 Vouchers and Certificates; and (2) The administration of the Project Based Section 8 Vouchers and Certificates. The call would include myself, our Director (Chris Cawley), and our Director of Government Lending (b)(Colarossi). We can make ourselves available to fit HUD's schedule. Please respond with the available dates/times of HUD, or if you should require additional information

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and his staff

Signed: _____ **Date:** 05/14/2014

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUN 03 2014

The Honorable Louis J. Barletta
Member, United States
House of Representatives
1 South Church Street, Suite 100
Hazelton, PA 18201-6200

Dear Representative Barletta:

Thank you for your letter of May 15, 2014, on behalf of Joseph Boylan. Mr. Boylan would like to set up a conference call with the appropriate staff from the Department of Housing and Urban Development (HUD) to discuss the Section 8 Project-Based Voucher (PBV) program. The following information is from HUD's Office of Public and Indian Housing.

Staff in HUD's Philadelphia Office of Public Housing would be the appropriate staff to assist Mr. Boylan. Mr. Boylan may contact Dennis Bellingtier, Director Office of Public Housing, to arrange a suitable date and time to discuss the PBV program. Mr. Bellingtier can be reached at the following address and telephone number:

Department of Housing and Urban Development
Philadelphia Regional Office
The Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3380
215-861-7556

I hope this information is helpful in responding to your constituent. If I can be further assistance, please let me know.

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515–3811

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115 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
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(866) 241-6144 TOLL FREE
(202) 226-6260 FAX

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HAZLETON, PA 18201
(570) 751-0050 PHONE
(570) 751-0054 FAX

SUNBURY, PA OFFICE
106 ARCH STREET
SUNBURY, PA 17801
(570) 988-7801 PHONE
(570) 988-7808 FAX

CARLISLE, PA OFFICE
59 WEST LOUTHER STREET
CARLISLE, PA 17013
(717) 249-0190 PHONE
(717) 218-0190 FAX

HARRISBURG, PA OFFICE:
4813 JONESTOWN ROAD, SUITE 101
HARRISBURG, PA 17109
(717) 525-7002 PHONE
(717) 695-6754 FAX

July 2, 2014

Ms. Adria Crutchfield
Us Department Of Housing And Urban Development
451 Seventh St. Sw, Room 10148
Washington, DC 20410-0001

Dear Ms. Crutchfield:

The enclosed information concerning my constituent, Mr. Ronald A. Miller, is submitted for your consideration. Mr. Miller has requested my assistance regarding a review conducted at the Shamokin Housing Authority in Shamokin, PA. Mr. Miller is the Executive Director and is requesting a copy of the review. He has been denied a copy.

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Mr. Miller.

Thank you very much for your attention to this matter. Please respond to me at the Sunbury Office: 106 Arch Street, Sunbury, PA 17801, (570) 988-7801.

Sincerely yours,

Lou Barletta

Lou Barletta
Member of Congress

LB/pr

LOUIS J. BARLETTA
11th District, Pennsylvania

PEGGY L. REICHENBACH
CASEWORKER/FIELD REPRESENTATIVE

LOUIS J. BARLETTA
MEMBER OF CONGRESS
11TH DISTRICT OF PENNSYLVANIA

106 ARCH STREET
SCRANTON, PA 17801
(570) 969-7801
PEGGY.REICHENBACH@MAIL.HOUSE.GOV

UNITED STATES
HOUSE OF REPRESENTATIVES

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: Mr. / Mrs. / Ms. / Miss Ronald Miller, Executive Director

Address: Shamokin Housing Authority
3 East Independence Street

City, State, ZIP Code: Shamokin, PA 17872

Email: sha2@ptd.net

Telephone: **Home:** **Work:** (570) 644-0431 x6

Social Security Number: (b)(6) **Date of Birth:** (b)(6)

Passport/Alien Number *(if this is an immigration case)*:

Claim, File or Case Number: **Filing Date:**

Federal Agency involved in your case: HUD Philadelphia Office

Which other offices have you contacted? Senator Toomey

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document. Use additional paper if necessary.)

1. Formation of Policy and Standard Operating Procedure for HUD Performance Reviews.
2. Copy of DEC Review conducted at Shamokin Housing Authority in September 2013.
3. Release of Capital Fund money being held from Shamokin Housing Authority.

PLEASE SEE ATTACHED INFORMATION

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and his staff.

11 45 21 2014-07-02 Eastern

June 10, 2014

Shamokin Housing Authority has been stonewalled by the Philadelphia State Office and the Central Office of the Department of Housing & Urban Development in regards to issues that have been ongoing for over two years. For this reason, we are requesting that you contact Senator Toomey in order to put forth a joint cooperative effort to address the following issues.

The formation of a Policy and Standard Operating Procedure for Performance Reviews is a necessity. Currently, these reviews are being conducted in an inconsistent and unprofessional manner that allows HUD offices to "pick and choose" how they treat an Authority during a review. We are inundated with the demands from HUD for policies for all aspects of our operations. Yet, they declare themselves exempt from policies utilizing the excuse they are following regulations. A HUD formulated policy on Performance Reviews should define procedures for conducting the review, site applicable regulations, and define the inspection criteria that will be used. All aspects of the Performance Review should be provided with written documentation and a sign off sheet signed and dated by all individuals participating in a policy regulated review. This will insure all parties involved will have a copy of issues prior to HUD personnel leaving the site.

As a result of the lack of written policies referenced above, Shamokin Housing Authority was reviewed by the Departmental Enforcement Center of HUD. Dennis Bellingtier, Director of the Philadelphia State Office, attempted to change the results of the DEC review, which was performed by more competent and professional reviewers and overturned many of the citations issued by Division Director, Judith Axler.
As of the above date, we have been unable to receive a copy of the DEC reviewer's report and we should have been issued a copy immediately upon completion. We are requesting assistance to obtain a copy of the report and accompanying worksheets from the review. This is public information to which we are entitled and have been refused a copy.

Finally, in keeping with their administrative line of abuses, the Philadelphia State Office is refusing to release Capital Fund monies to renovate emergency fire and safety systems for which they have no regulatory right to withhold.

In closing, being that these issues are of such a critical and important nature, and due to the reluctance of the Philadelphia State Office to perform its designated duties, we are demanding these issues be submitted to the Secretary of the Department of Housing & Urban Development for immediate review and determination.

Due to the volume of information and correspondence on these issues, we will not submit copies, but will be available to answer any questions on the issues and supply documentation necessary in support of these issues.

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

CHAIRMAN
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY MANAGEMENT

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515–3811

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CARLISLE, PA OFFICE:
59 WEST LOUTHER STREET
CARLISLE, PA 17013
(717) 249–0190 PHONE
(717) 218–0190 FAX

HARRISBURG, PA OFFICE
4813 JONESTOWN ROAD, SUITE 101
HARRISBURG, PA 17109
(717) 525–7002 PHONE
(717) 686–8794 FAX

March 26, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
Us Department Of Housing And Urban Development
451 Seventh St. Sw, Room 10148
Washington, DC 20410-0001

Dear Mr. Fulton:

The enclosed information concerning my constituent, Mr (b)(6) P (b)(6) is submitted for your consideration. Mr. (b)(6) has requested my assistance regarding an issue obtaining a HAMP mortgage modification due to income restrictions and disaster classification, despite receiving FEMA funding as a result of 2011 funding. The constituent is seeking any opportunity and information to refinance his mortgage to establish an affordable monthly payment under reduced terms.

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Mr (b)(6)

Thank you very much for your attention to this matter. Please respond to me at the Harrisburg Office: 4813 Jonestown Road Suite 101, Harrisburg, PA 17109, (717) 525-7002.

Very truly yours,

Lou Barletta

Lou Barletta
Member of Congress

LB/bk

LOUIS J. BARLETTA
11th District, Pennsylvania

Hazleton District Office
1 S. Church St., Suite 100
HAZLETON, PA 18201
TEL: (570) 751-0050
FAX: (570) 751-0054
Sunbury District Office
106 Arch Street
Sunbury, PA 17801
Tel:(570)988-7801

UNITED STATES
HOUSE OF REPRESENTATIVES

Harrisburg District Office
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Tel: (717)-525-7002
Fax: (717)695-6794
Carlisle District Office
59 W. Louther Street
Carlisle, PA 17013
Tel:(717)249-0190

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: (Mr.) Mrs. / Ms. / Miss (b)(6)

Address: (b)(6)

City, State, ZIP Code: (b)(6)

Email: (b)(6)

Telephone: **Home:** (b)(6) **Work:**

Social Security Number: (b)(6) **Date of Birth:** (b)(6)

Passport/Alien Number *(if this is an immigration case)*:

Claim, File or Case Number: **Filing Date:**

Federal Agency involved in your case:

Which other offices have you contacted?

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document. Use additional paper if necessary.)

See attached

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and his staff.

Signed: (b)(6) **Date:** 3/25/15

Representative Barletta,
I'm not sure if you will be able to help me, but I'd still like to make you aware of my situation on Joyce Ln.

As I'm sure you recall, Tropical Storm Lee devastated the area in September 2011. I had 61" of water in my first floor and the basement was full. Exacerbating my individual situation was that I had just resigned from my salary job at UPS in order to pursue a new career in financial advising, working on commission.

I have been making less money over the past 3.5 years in this business, but I essentially make more money every day, and soon I will turn the corner. I love this job and want it to be my career for the rest of my life. However, in the meantime, I have been accumulating debt, and I've been looking for some relief through various avenues. If I don't get some sort of help, I may be forced back into taking salary job within a year or so. Not the end of the world, but it is not what I want to do.

One of the avenues I've been exploring is to refinance my mortgage and lower my monthly payment

I applied for a traditional refinance to take my mortgage out another 30 years and lower my payment, but I was denied due to my lower income. I then applied for a HAMP modification, and they have deemed that I make enough money to afford my payments (I am still current on my mortgage debts), and that the flood does not qualify me for a disaster loss since I did not apply for the modification it within their requisite amount of time - I never thought to apply sooner because I was thinking my business would grow at a faster rate than it has.

So basically, a traditional refinance says I do not make enough money and a HAMP modification says I do make enough, and also that I did not suffer a qualifying hardship I am stuck in no-mans land. So far I have paid $500 for a home inspection and $500 for an attorney to draft a letter to petition the HAMP denial, both to no avail. I estimate a refinance will reduce my monthly expenses by at least $400 a month, which will make a huge difference to my bottom line.

My home was purchased in 2005 for $134k and the most recent appraisal was $96k - and that drop is nearly all attributable to the flood.

I'm not looking for a handout, but it seems ridiculous that I can't take advantage of lower mortgage interest rates and LOWER my monthly payments given my payment history. Current legislation and industry standards are preventing me from doing this.

Some positives were that FEMA did step in and give me funds, but those were used in re-construction of the home, and that my local taxes have been drastically reduced since the flood.

Again I just wanted to make you aware of my case, I'm sure I'm not the only one who

has suffered the loss of equity and has been adversely affected by it. If you have any questions or would like some more information I'd be happy to chat with you on the phone or in person.

Thanks for your time,

(b)(6)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Louis J. Barletta
Member, United States
House of Representatives
4813 Jonestown Road, Suite 101
Harrisburg, PA 17109-1700

APR 17 2015

Dear Representative Barletta,

Thank you for your recent letter on behalf of your constituent, Mr. (b)(6) P (b)(6) who is requesting assistance with his mortgage loan. This information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

While the Department is sympathetic to the difficulties that Mr. (b)(6) is experiencing, a search of HUD records revealed that he does not have a mortgage insured by the Federal Housing Administration (FHA), which those are the only mortgages over which HUD has direct jurisdiction. Therefore, the Department cannot intervene directly with the mortgage company on Mr. (b)(6) behalf. However, HUD and the Obama Administration have developed a number of programs, described below that may be helpful in this case. For borrowers who have experienced difficulties with the Administration's Making Home Affordable (MHA) program, there is information at the following url: www.makinghomeaffordable.gov on how to seek additional assistance.

MHA is an important part of the Administration's comprehensive strategy to assist distressed homeowners and get the housing market back on track. It includes two key components The Home Affordable Refinance Program (HARP) provides homeowners who are current on loans owned or guaranteed by Fannie Mae or Freddie Mac an opportunity to take advantage of today's low interest rates and refinance into more affordable monthly payments. In addition, under the Home Affordable Modification Program (HAMP), millions of American families who are in default or in imminent risk of default may be eligible to modify their loans to monthly payments that are affordable and sustainable. Under this program, over 1.7 million borrowers have already transitioned into more affordable temporary mortgage modifications, saving them an average of $526 a month with nearly 857,000 borrowers having received permanent loan modifications. Additional information is available on the program's website listed above, or by calling the help line (888-995-HOPE).

Assistance for HAMP Applicants

Homeowners who have already sought assistance with their mortgage, and believe they were improperly denied a HAMP loan modification, or borrowers who have not received an adequate response from loan servicers that are participating in HAMP, have the opportunity to continue pursuing a modification through a process known as "escalation." The help line mentioned above (888-995-HOPE) includes dedicated MHA help desk representatives to work with borrowers directly on escalations. Borrowers who were unsuccessful in their initial HAMP applications are encouraged to consider escalation.

The Administration has also increased opportunities for borrowers to have their cases escalated. Fannie Mae counselors are available via a hotline (866-939-4469) to review file documentation, review decisions, and connect with servicers to re-evaluate HAMP applications. Hotline staff may refer cases to the compliance team or the Treasury Department to report program violations and further escalate cases. Treasury also collects data from the call center to monitor case response times, common problems, and other aspects of the program's effectiveness. It is also possible to seek an escalation by email: escalations@hmpadmin.com.

HAMP applicants may also wish to contact HUD-approved counseling agencies. These agencies usually provide services at little or no cost to the homeowner, and may be able to assist clients by contacting the parties involved in the financial transaction. A counselor may also be able to recommend other organizations that can be of assistance. This option may be pursued online at: http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm, or by telephone at 1-800-569-4287 (weekdays from 9:00 AM to 5:00 PM).

As mentioned above, the Administration is aware that some borrowers continue to experience difficulties with servicers participating in HAMP, and we are working diligently to improve servicer responsiveness and execution under the program Among the steps that have been taken in this direction is the "second look" process in which, following reviews of servicer performance, the Administration may pose substantial sanctions, including financial penalties for non-compliance. In addition, there are required time limits with which servicers must comply. For example, within ten days of receipt of financial information through a completed Request for Modification Affidavit, a servicer must acknowledge the borrower's request for HAMP participation in writing and within 30 calendar days following the servicer's receipt of all required documentation, the servicer must complete its evaluation of a borrower's eligibility and notify the borrower of its determination in writing

In addition, servicers must send written Borrower Notices to borrowers and the Treasury Department identifying the reasons for a modification denial. Servicers are required to use specified reasonable borrower outreach techniques and are prohibited from approving foreclosures for borrowers who may be eligible for HAMP, unless the borrower is not responsive to the servicer's outreach, was not approved for HAMP, or failed to make trial modification payments on time. Servicers must also certify to their foreclosure attorneys that a borrower is not eligible for HAMP prior to a foreclosure sale being conducted. Again, any borrowers who believe their servicers did not appropriately follow these requirements are encouraged to utilize the various contact options provided above

Recent Reports on Foreclosure Processing Problems

Many homeowners who have applied for a HAMP modification may be concerned that they have been impacted by improper foreclosure processing that has taken place within the mortgage industry. As former Secretary Donovan stated, the notion that some of the same institutions that helped cause the housing crisis may be making it worse through sloppy or otherwise flawed processing of foreclosures is both frustrating and shameful No one should lose their home as a result of a mistake of this kind by a bank or loan servicing company. That is why the Obama Administration and key independent financial regulators are conducting a comprehensive review of the procedures that are being used by these companies, and will respond with the full force of the law where problems are found.

While it is too soon to gauge the full extent of the problem, any borrowers who believe they may have been subjected to any sort of improper foreclosure processing may wish to take one of the following actions:

1. Call the MHA help line (888-995-HOPE), which was mentioned above. This hotline can be a valuable initial step for borrowers who believe their lenders may have used faulty foreclosure procedures.

2. Contact a HUD-approved counseling agency, for which the contact information was also provided above; or

3. Contact the Attorney General's office for their state since laws applicable to the foreclosure process vary from state to state. The contact information for your State's Attorney General is:

Attorney General Kathleen G. Kane
Strawberry Square, 16th Floor
Harrisburg, PA 17120
Telephone: 717-787-3391
Fax: 717-787-8242

Assistance for Unemployed and Underwater Borrowers

The Obama Administration continues to explore additional ways of providing greater help to homeowners in these challenging times. As the nature of the crisis has to some extent shifted away from a focus on subprime borrowers who are unable to afford their mortgage payments, HUD and the Treasury Department have announced several enhancements to FHA loss mitigation, mortgage refinance, and HAMP programs that will provide new forms of assistance to borrowers who owe more on their homes than they are worth, and to those who are struggling with unemployment. These enhancements are described below.

FHA Short Refinance Program. In an effort to help responsible homeowners who owe more on their mortgage than the value of their property, HUD recently released details of this program, which will begin providing an additional refinancing option for underwater borrowers. Specifically, the program will offer certain underwater non-FHA borrowers, who are current on their existing mortgage and whose lien holders agree to write off at least ten percent of the unpaid principal balance of the first mortgage, the opportunity to qualify for a new FHA-insured mortgage. To be eligible for a new loan, homeowners must owe more on their mortgage than their home is worth and be current on their existing mortgage. The homeowner must qualify for the new loan under standard FHA underwriting requirements and the property must be the homeowner's primary residence. Homeowners interested in this program can obtain additional information at http://www.hud.gov/offices/adm/hudclips/letters/mortgagee/files/10-23ml.pdf.

Fund for Hardest Hit Housing Markets: The Treasury Department has provided funding to State Housing Finance Agencies (HFAs) in 18 states and the District of Columbia to assist underwater borrowers and unemployed homeowners. Information on HFAs with Hardest Hit Funds is available at www.makinghomeaffordable.gov.

I hope this information is helpful. Please be assured that providing help to Americans struggling to stay in their homes, where at all possible, including working to make sure that borrowers are treated fairly and legally by loan servicers, is a top priority for HUD and the Obama Administration. If I can be of further assistance, please let me know

Sincerely,



Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

LOUIS J. BARLETTA
11th District, Pennsylvania

Hazleton District Office
1 S. Church St., Suite 100
HAZLETON, PA 18201
TEL: (570) 751-0050
FAX: (570) 751-0054
Sunbury District Office
106 Arch Street
Sunbury, PA 17801
Tel:(570)988-7801

UNITED STATES
HOUSE OF REPRESENTATIVES

Harrisburg District Office
4313 Jonestown Road Suite 101
Harrisburg, PA 17109
Tel: (717)-525-7002
Fax: (717)695-6794
Carlisle District Office
59 W. Louther Street
Carlisle, PA 17013
Tel:(717)249-0190

CONGRESSIONAL CASEWORK AUTHORIZATION FORM

Name: (Mr.) / Mrs. / Ms. / Miss (b)(6)

Address: (b)(6)

City, State, ZIP Code: (b)(6)

Email: (b)(6)

Telephone: Home: (b)(6) Work:

Social Security Number: (b)(6) Date of Birth: (b)(6)

Passport/Alien Number *(if this is an immigration case)*:

Claim, File or Case Number: Filing Date:

Federal Agency involved in your case: HUD

Which other offices have you contacted? HUD DOJ

I request the assistance of Congressman Lou Barletta and his staff in the following federal matter: (Please provide a brief explanation of your problem and attach copies of any relevant document. Use additional paper if necessary.)

ON 5-29-2016 I GOT A SERVICE DOG FOR MY SON WHO IS AUTISTIC (NON VERBAL) NOTIFIED LANDLORD AND WAS TOLD TAKE MY SON HIS SERVICE DOG AND GET OUT WE ARE EVICTED, ALL HIS OTHER TENANT'S OWN DOG'S SAME OWN 2. ALSO FILED HUD COMPLAINT ON 6-2-2016

In accordance with the Privacy Act of 1974, I hereby authorize Congressman Lou Barletta and his staff to make the necessary inquiry on my behalf regarding the problem described above. I give my consent for the information concerning me and this problem to be furnished to Congressman Lou Barletta and his staff.

Signed: (b)(6) Date: 6-10-2016

LOU BARLETTA
11TH DISTRICT, PENNSYLVANIA

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE
CHAIRMAN
SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

EDUCATION AND THE WORKFORCE COMMITTEE

HOMELAND SECURITY COMMITTEE



Congress of the United States
House of Representatives
115 Cannon House Office Building
Washington, DC 20515–3811
TOLL-FREE (855) 241-5144
202) 225–6511

DISTRICT OFFICES

1 SOUTH CHURCH STREET, SUITE 100
HAZLETON, PA 18201
(570) 751–0050 PHONE

108 ARCH STREET
SUNBURY, PA 17801
(570) 988–7801 PHONE

58 WEST LOUTHER STREET
CARLISLE, PA 17013
(717) 249–0190 PHONE

4813 JONESTOWN ROAD, SUITE 401
HARRISBURG, PA 17109
(717) 626–7002 PHONE

July 6, 2016

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
Us Department Of Housing And Urban Development
451 Seventh St. Sw, Room 10148
Washington, DC 20410-0001

Dear Mr. Fulton:

The enclosed information concerning my constituent, Mr. (b)(6) (b)(6) is submitted for your consideration. Mr. (b)(6) has requested my assistance regarding housing issues Mr. (b)(6) stated he is facing eviction, on short notice, because of his son's service dog. He stated he feels his rights as a tenant are being violated and has reported this incident to HUD for review

I would greatly appreciate your assistance in investigating this matter and informing me of your findings and of any action you are able to take on behalf of Mr. (b)(6)

Thank you very much for your attention to this matter. Please respond to me at the Hazleton Office: 1 South Church Street, Suite 100, Hazleton, PA 18201, (570) 751-0050.

All my best,

Lou Barletta

Lou Barletta
Member of Congress

LB\ms

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

AUG 1 9 2016

The Honorable Louis Barletta
Member, United States
House of Representatives
1 South Church Street, Suite 100
Hazelton, PA 18201-6200

Dear Representative Barletta:

Thank you for your letter on behalf of your constituent, (b)(6) (b)(6) of Weatherly, Pennsylvania, about the fair housing complaint that he filed with the Department of Housing and Urban Development (HUD). The following information is from HUD's Office of Fair Housing and Equal Opportunity (FHEO).

HUD's records indicate that Mr. (b)(6) filed the complaint with HUD's Region III Office of FHEO in Philadelphia, Pennsylvania on June 21, 2016 (Complaint # 03-16-4335-8) and (FHAP Case #201505378). Mr. (b)(6) alleged that the Respondent (Kamila Farm, LLC) subjected him to discriminatory terms and conditions, privileges, or services and facilities in violation of the *Fair Housing Act*.

Under Section 810(f) of the *Fair Housing Act*, HUD must refer housing discrimination complaints that it receives to state and local agencies that: 1) have jurisdiction to investigate such complaints under state or local fair housing laws; and 2) HUD has certified as enforcing a law that it has deemed to be "substantially equivalent" to the *Fair Housing Act* because it provides rights, procedures, remedies, and judicial review provisions that are substantially equivalent to those provided by the *Fair Housing Act*. In accordance with the *Fair Housing Act*, the Department's Region III FHEO referred Mr. (b)(6) complaint to the Pennsylvania Human Relations Commission, a substantially equivalent agency, for investigation. According to the *Fair Housing Act*, once it refers a complaint under the *Fair Housing Act* to a substantially equivalent agency for processing, HUD may take no further action with respect to that complaint unless the agency explicitly waives its jurisdiction to investigate the complaint or fails to conduct an investigation.

As of June 21, 2016, the Pennsylvania Human Relations Commission has initiated the complaint and started the investigation process. The investigation is ongoing and Mr. (b)(6) will be notified of the outcome.

I hope the information provided is helpful in responding to your constituent. Please let me know if I can be of further assistance.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Date: **03/13/2015**

Agency involved: **HUD**

Numbers Identifying Case (VA claim, Alien number, tax ID, etc.): **was, Loan No.** (b)(6) **new FOIA in reference to previous: RE: SR Number 2015-10114998; Fwd: SR Number 2015-10104487**

Name: (b)(6) (b)(6) (b) (b)(6)

Branch of Service (If Applicable): **[branchOfService]**

Military Rank (If Applicable): **[militaryRank]**

Place and Date of Birth: (b)(6)

Social Security # (b)(6)

Street Address: (b)(6)

City, State, Zip Code: (b)(6)

Telephone #: (b)(6)

Email Address: (b)(6) **net**

I, (b)(6) (b)(6) (b) (b)(6) authorize the **HUD** to release personal information to Congressman Luke Messer United States Representative. I authorize Congressman Luke Messer to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

Nature of Problem: **Please do a FOIA request as soon as possible for the following documents as to my FHA loan (ex. number** (b)(6) **FHA Single Family Loan Sales 2014-2 (SFLS 2014-2) Qualification Statement, as filled out by the subsequent purchaser LSF9 Mortgage Holdings LLC 2. Single Family Loan Sale 2014-2 Conveyance, Assignment and Assumption Agreement by and between Secretary of the U.S Department of Housing and Urban Development and LSF9 Mortgage Holdings LLC - Including all attached Exhibits 3. Interim Servicing Agreement for the Single Family Loan Sale 2014 completed by JPMorgan Chase National Association concerning the "601" insurance claim of my FHA Loan. I have previously asked for these materials in a separate FOIA request through Congressman Messer as blank HUD forms and John Hatter and Timothy Hawkins are working on it... yet in process. Previously I asked for materials as to my loan in a**

Alejandra Aviles

Luke Messer
6th District, Indiana

Republican Policy Committee
Chairman

Committee on Financial Services

Committee on Education
and the Workforce

Deputy Whip

Congress of the United States
House of Representatives
Washington, DC 20515

Washington Office:

508 Cannon House Office Building
Washington, DC 20515
(202) 225-3021

District Offices

2 Public Square
Shelbyville, IN 46176
(317) 421-0704
(855) 341-8196

107 West Charles Street
Muncie, IN 47305
(765) 747-5566

50 North 5th Street, 2nd Floor
Richmond, IN 47374
(765) 962-2883

May 21, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-1000

Dear Mr. Fulton:

I am writing to express my interest on behalf of (b)(6) (b)(6) (b) (b)(6) Please review and extend every consideration to (b)(6) request. I would also like to be kept advised of the progress and resolution of this case.

Original written authorization on file.

Please send written response to:

Congressman Luke Messer
Attn: Tim Hawkins
2 Public Square
Shelbyville, IN 46176
(317) 421-0704
timothy.hawkins@mail.house.gov

Sincerely,

Luke Messer

Luke Messer
Member of Congress

LM/th

202-708-3794

Thanks!

56 33 2015-05-21 Eastern

separate FOIA request through Congressman Messer for general information, Kim Bennett completed this. I need these as soon as possible to present before the Ind. Court of Appeals in my case as impeachment evidence.

(b)(6)

PLEASE NOTE:

The Privacy Act of 1974 requires that Members of Congress or their staff have written authorization before they can obtain information about an individual's case. We must have your signature to proceed with a casework inquiry.

Signature: (b)(6)

Date: 13 March 2015

Print, and then mail or fax your request to Congressman Luke Messer at the following address.

Please mail your form to:

Office of Congressman Luke Messer

Attn: Constituent Services

508 Cannon House Office Building

Washington, DC 20515

Phone: 202-225-3021

Return to the previous page.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Luke Messer
Member, United States
House of Representatives
2 Public Square
Shelbyville, IN 46176

NOV 03 2015

Dear Representative Messer:

Thank you for your correspondence on behalf of your constituent, Mr. (b)(6) (b)(6) (b)(6) (b)(6) about documents related to his Federal Housing Administration loan number. The following information is the Department of Housing and Urban Development's (HUD) Office of the Chief of Human Capital Officer.

Enclosed are copies of HUD's replies to Mr. Scarr, dated July 28, 2015, and September 21, 2015

I hope the information provided is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
And Intergovernmental Relations

Enclosures

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF ADMINISTRATION

September 21, 2015

Mr (b)(6) (b)(6) (b)(6) (b)(6)
(b)(6)

RE Freedom of Information Act Request
FOIA Control No. 15-FI-HQ-01423

Dear Mr (b)(6)

This is a final response to your request dated March 13, 2015, pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552. You asked for documents pertaining to Federal Housing Administration (FHA) loan number (b)(6) specifically

1. The FHA Single Family Loan Sales (SFLS) 2014-2 Qualification Statement, as filled out by the subsequent purchaser, LSF9 Mortgage Holdings LLC.
2. The SFLS 2014-2 Conveyance, Assignment and Assumption Agreement by and between the Secretary of the Department of Housing and Urban Development and LSF9 Mortgage Holdings LLC, including all attached exhibits.
3. The Interim Servicing Agreement for SFLS 2014 completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan
4. The Participating Servicer Agreement for SFLS 2014 completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan.
5. The Single-Family Application for Insurance Benefits, form HUD-27011, completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan.

On July 28, 2015, you received documents responsive to items 2 through 5 Enclosed are documents responsive to item 1.

On August 4 and August 10, 2015, you asked for a range of additional information, including exhibits referenced in the documents you received in a reply dated July 28, 2015. Additionally, you also asked for HUD to provide you with documents that reflect changes to the versions you received of the Interim Servicing Agreement for SFLS 2014 that you received from JP Morgan Chase, as well as the table referenced on page 4, in the table of contents Finally, you asked for pages that are subject to release under the April 5, 2012, Department of Justice settlement agreement with the participating servicer.

Your revised request is granted in part Enclosed are copies of the requested information I am withholding private financial information under Exemption 4 of the FOIA. Exemption 4 protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential

The exhibits cannot be provided because HUD doesn't maintain this information. As far as the documents related to the 2012 Department of Justice settlement agreement, HUD does not have them They can be requested from the Department of Justice at the following location.

Office of Information Policy (OIP)
U.S. Department of Justice
Suite 11050
1425 New York Avenue, NW
Washington, DC 20530
Fax Number: (202) 514-1009
Email Address: DOJ OIP.FOIA@usdoj.gov

I am the official responsible for this determination based on information provided by the Office of Housing. You may appeal this determination within 30 days from the date of this letter. If you decide to appeal, your appeal should include copies of your original request and this response, as well as a discussion of the reasons supporting your appeal. The envelope should be plainly marked to indicate that it contains a FOIA appeal and be addressed to.

U.S. Department of Housing and Urban Development
Attention: FOIA Appeals
Office of Ethics, Appeals and Personnel Law
Ethics and Appeals Law Division
451 Seventh Street, SW, Suite 2130
Washington, DC 20410

Telephone (202) 708-3815

For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests. In responding to these requests, the Department does not release personal information, such as home address, telephone number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions regarding this request, please contact Howard Rosenberg at (202) 402-5507 Thank you for your interest in the Department's policies and programs.

Sincerely,

Vicky J. Lewis
Acting Director, Office
of the Executive Secretariat

Enclosure

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-3000

OFFICE OF ADMINISTRATION

July 28, 2015

Mr. (b)(6) (b)(6) (b) (b)(6)
(b)(6)

RE Freedom of Information Act Request
FOIA Control No. 15-FI-HQ-01423

Dear Mr (b)(6)

This in an interim response to your request dated March 13, 2015, pursuant to the Freedom of Information Act (FOIA), 5 U S.C. § 552. You asked for documents pertaining to Federal Housing Administration (FHA) loan number (b)(6) specifically

1 The FHA Single Family Loan Sales (SFLS) 2014-2 Qualification Statement, as filled out by the subsequent purchaser, LSF9 Mortgage Holdings LLC.
2 The SFLS 2014-2 Conveyance, Assignment and Assumption Agreement by and between the Secretary of HUD and LSF9 Mortgage Holdings LLC, including all attached exhibits.
3 The Interim Servicing Agreement for SFLS 2014 completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan.
4 The Participating Servicer Agreement for SFLS 2014 completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan
5 The Single-Family Application for Insurance Benefits, form HUD-27011, completed by JP Morgan Chase National Association concerning the "601" claim on this FHA loan.

When responding to a FOIA request, HUD searches for responsive documents existing up to the date that the request is received in the Department's FOIA Branch. Your request was received on May 27, 2015

Your request is granted in part. Enclosed are documents that are responsive to items 2 through 5 of your request. In response to item 1 of your request, per your email to Howard Rosenberg of my staff on July 9, 2015, you agreed to potentially release the FHA SFLS 2014-2 Qualification Statement at a later date. Regarding item 5, enclosed is all the data that appears on parts A and B of the form HUD-27011, as completed by JP Morgan Chase National Association, but not the form HUD-27011 per se HUD receives the actual HUD-27011 only if the claim suspends upon submission, and since this claim paid upon submission, HUD does not have it

I am withholding FHA case numbers under FOIA Exemption 6. Exemption 6 protects information that would constitute an unwarranted invasion of personal privacy. The interest of the general public in reviewing these portions of government documents does not outweigh the individuals' right to privacy. Appeal rights will be provided to you in the Department's final response letter.

For your information, your FOIA request, including your identity and any information made available, is releasable to the public under subsequent FOIA requests. In responding to these requests, the Department does not release personal information, such as home address, telephone number, or Social Security number, all of which are protected from disclosure under FOIA Exemption 6.

If you have any questions regarding this request, please contact Howard Rosenberg at (202) 402-5507. Thank you for your interest in the Department's policies and programs.

Sincerely,

Vicky J. Lewis
Acting Director, Office
of the Executive Secretariat

Enclosures

Luke Messer
6th District, Indiana

Republican Policy Committee
Chairman

Committee on Financial Services

Committee on Education
and the Workforce

Deputy Whip

Congress of the United States
House of Representatives
Washington, DC 20515

Washington Office:

509 Cannon House Office Building
Washington, DC 20515
(202) 225-3021

District Offices:

2 Public Square
Shelbyville, IN 46176
(317) 421-0704
(855) 341-8196

107 West Charles Street
Muncie, IN 47305
(765) 747-5566

50 North 5th Street, 2nd Floor
Richmond, IN 47374
(765) 962-2883

August 28, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-1000

Dear Mr. Fulton:

I am writing to express my interest on behalf of (b)(6) Please review and extend every consideration to (b)(6) request. I would also like to be kept advised of the progress and resolution of this case.

Original written authorization on file.

Please send written response to:

Congressman Luke Messer
Attn: Tim Hawkins
2 Public Square
Shelbyville, IN 46176
(317) 421-0704
timothy.hawkins@mail.house.gov

Sincerely,

Luke Messer
Member of Congress

LM/th

Luke Messer
Sixth District, Indiana
Committee on Financial Services
Committee on Education and the Workforce
Chairman of the House Republican Policy Committee

Congress
of the United States
House of Representatives
Washington, DC 20515

Washington Office
308 Cannon House Office Building
Washington, DC 20515
(202) 225-3021
(202) 225-3382

District Offices
107 W. Charles Street
Muncie, IN 47305
(765) 747-5566
Toll Free 855-341-8190
Fax (765) 747-5586

50 North 5th Street
Richmond, IN 47374
(765) 962-2885
Fax (765) 962-3229

2 Public Square
Shelbyville, IN 46176
(317) 421-0704
Fax (317) 421-0739

Authorization in Accordance with the 1974 Privacy Act

Name: (b)(6) Date of Birth: (b)(6)

Address:

City: State: (b)(6) Zip: (b)(6)

Home Ph Work Phone: RETIRED TEACHER

Social Security #: (b)(6) Claim #: —

Attorney: MR. HUNTER Attorney Phone#: 765-288-5035

Sign up for the E-Newsletter: ☑ Yes ☐ No Email Address: (b)(6)

Please describe the specific information you are requesting or the exact nature of the problem you are experiencing. Send copies of any relevant information (DO NOT SEND ORIGINALS). Please indicate if you have a representative working for you. Use extra paper if necessary.

FHA will not give me my Account of Escrows Analysis shows amount you are charged for Taxes / Insurance 1-800-ASK FHA I would like to have copy my Escrow went from 234-48.31 my payment was $25 now 1089.84

THE PRIVACY ACT OF 1974 PROHIBITS THE GOVERNMENT FROM REVEALING ANY INFORMATION FROM PERSONAL FILES OF INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE PERSON INVOLVED. DISCLOSURE OF PERSONAL RECORDS TO A MEMBER OF CONGRESS WHO IS ACTING ON BEHALF OF THE CONSTITUENT IS PROHIBITED, UNLESS THE INDIVIDUAL TO WHOM THE RECORD PERTAINS HAS CONSENTED

I, the undersigned, hereby authorized the office of U.S. Representative Luke Messer to receive information in my file pertinent to his inquiry on my behalf.

SIGNATURE: (b)(6) Date: 8-28-2015

1-800-225-5342

Escrow Analysis from Lender

- shows amount you are being charged for taxes/insurance.

1-800-call FHA

called they will not tell me my insurance said could double

yearly

ALLSTATE INSURANCE $ 1743.69

Property TAX $ 1,030.53

Min Ldg $ 139.56

PRINCIPAL, Inter $ 589.86

Escrow $ 223.40

Monthly payment $ 813.26

New

$1089.00 + 11.64 - min Ldg payment

$ 1100.00 New

CitiMortgage

July 10, 2015

(b)(6)

Dear CitiMortgage Client(s):

Thank you for your recent inquiry regarding your mortgage account.

Our records reflect that your homeowner's insurance carrier is Allstate Insurance Company with an annual premium of $1,743.69 and scheduled for renewal on 06/24/16 and your property taxes are $1,030.53 annually.

Per the annual escrow analysis dated 05/18/15. Your new monthly mortgage payment effective 07/01/15 is $1,089.84, which includes an escrow payment of $488.35 and optional insurance payment of $11.63. Please be aware, this new payment amount is only in effect until your next escrow analysis.

Your Escrow Account Disclosure Statement will be sent to you separately and you should receive it within the next 7-10 business days.

As of today's date, your principal balance is $107,402.09, escrow balance is (-)$1,446.50 and your account is currently paid through 06/01/15.

To contact us visit our website at www.citimortgage.com or access our Automated Account Information Line, which is available 24 hours a day at 1-800-283-7918*. Representatives are available Monday through Friday from 8:00 a.m. to 10:00 p.m., ET, and Saturday from 8:00 a.m. to 6:00 p.m., ET. To access TTY services, dial 711 from the United States or dial 1-866-280-2050 from Puerto Rico. When you contact us, refer to your mortgage account, 1123763766.

We appreciate your business and look forward to continuing to serve you in the future.

Sincerely,

Customer Service Department

Citi is a trademark and service mark of Citigroup Inc., registered and used throughout the world. Citimortgage, Inc. is an Equal Housing Lender. NMLS #1 ... CitiMortgage is a debt collector and any information obtained will be used for that purpose. ... CitiMortgage, Inc. is an Equal Housing Lender.

TRUTH IN LENDING DISCLOSURE STATEMENT
(THIS IS NEITHER A CONTRACT NOR A COMMITMENT TO LEND)

Applicant: (b)(6)

Lender: Citibank, N.A.

Loan No: (b)(6)

Property: (b)(6)

Type of Loan: FHA
Date: October 29, 2013
Disclosure Type: Final

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
5.410 %	$ 108,857.32	$ 109,511.76	$ 218,369.08

INTEREST RATE AND PAYMENT SUMMARY

	Rate & Monthly Payment
Interest Rate	5.000 %
Principal + Interest Payment	$ 589.86
Est. Taxes + Insurance (Escrow) ● Includes Mortgage Insurance	$ 223.40
Total Est. Monthly Payment	$ 813.26

There is no guarantee that you will be able to refinance to lower your rate and payments.

DEMAND FEATURE: [X] This loan does not have a Demand Feature. [ ] This loan has a Demand Feature as follows:

REQUIRED DEPOSIT: [ ] The annual percentage rate does not take into account your required deposit.

VARIABLE RATE FEATURE: [ ] This Loan has a Variable Rate Feature. Variable Rate Disclosures have been provided to you earlier.

SECURITY: You are giving a security interest in the property located at: 9551 S. COUNTY ROAD 200 E.
MUNCIE, IN 47302-8347

ASSUMPTION: Someone buying this property [ ] cannot assume the remainder of the mortgage on the original terms
[X] may assume, subject to conditions, the remainder of the mortgage on the original terms.

NON-FILING INSURANCE: $ N/A

PROPERTY INSURANCE: [X] Homeowner's insurance, or fire and extended coverage, is a required condition of this loan. Also, if the property securing this loan is located in a flood hazard area, you will be required to obtain flood insurance. Borrower may purchase this insurance from any insurance company acceptable to lender.

LATE CHARGES: If a payment is more than 15 days late, you will be charged a late charge of 4.000 % of the payment.

PREPAYMENT: If you pay off your loan early, you

[ ] may [X] will not have to pay a prepayment penalty.

[ ] may [X] will not have to pay a minimum finance charge.

[X] may [ ] will not be entitled to a refund of part of the finance charge.

You are not required to complete this agreement merely because you have received these disclosures or signed a loan application.
See your contract documents for any additional information about non-payment, default, any required repayment in full before the scheduled date, and prepayment refunds and penalties.

I/We hereby acknowledge reading and receiving a complete copy of this disclosure.

BORROWER/DATE

WILLIAM (b)(6) WYATT. BORROWER/DATE

BORROWER/DATE

JUDY KAY WYATT BORROWER/DATE

TAXES went DOWN IN 2015

DELAWARE COUNTY, INDIANA | Logout

Log In: kbennett (0)

Quick Search BM

- Parcel Search
- -Parcel Info
- -Owners
- -Sales
- -Tax Display
- -Error Correction
- -Photos
- -Flags
- -Judgment Info
- -Property Listing
- -Surplus
- -AV Change
- Owner Search
- Apply Payment
- Cash Drawers
- Payment Search
- New Bankruptcy
- Bill Codes
- Parcel Groups
- Pending Corrections
- Reports
- TaxSale Info
- Clerk Judgment
- Admin
- Help

eAssessor eAuditor eTreasurer eOffice

15-11-400-009.000-012 2014 (b)(6) WILLIAM EDWARD AND JUDY KAY 9551 S CR 200E RESIDENTIAL : 511

Current Tax Season 2014 Payable 2015

Tax Information

Tax Summary

Type	Unpaid
14/15 Spring Tax	$0.00
14/15 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$0.00
Spring SA Base: SW15041309	$0.00
14/15 Fall Tax	$498.36
Current Due:	$498.36
Total Due:	$498.36

Payment History

Type	Charge	Paid	AC	Unpaid
14/15 Spring Tax	$498.36	$498.36	$0.00	$0.00
14/15 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$10.00	$10.00	$0.00	$0.00
Spring SA Base: SW15041309	$11.40	$11.40	$0.00	$0.00
14/15 Fall Tax	$498.36	$0.00	$0.00	$498.36
Total:	$1,014.12	$517.76	$0.00	$498.36

Penalty Option

Do Not Calculate Penalty:

Parcel and Map Information

Parcel and Map Information

Parcel Number: 15-11-400-009.000-012 Plat Bk Page:

Property Class: Status:

Sub Class:

Legal: PT SE QTR SE QTR S11 T19 R10 4.900 AC

Notes

Note: PINK FORM DONE

PRC Note

Created By: Created On: 3/28/2011

Parcel Location

Full Address 1: (b)(6)

Full Address 2:

City: State:

Zip: Address Form:

Tax District

DELAWARE COUNTY, INDIANA | Logout

Log In: kbennett (8)

Quick Search GM

- Parcel Search
- -Parcel Info
- --Owners
- --Sales
- --Tax Display
- --Error Correction
- --Photos
- --Flags
- --Judgment Info
- --Property Listing
- --Surplus
- --AV Change
- Owner Search
- Apply Payment
- Cash Drawers
- Payment Search
- New Bankruptcy
- Bill Codes
- Parcel Groups
- Pending Corrections
- Reports
- Tax Sale Info
- Clerk Judgment
- Adhoc
- Help

eAssessor eAuditor eTreasurer eOffice

15-11-400-009.000-012 2013 (b)(6) 9351 S CR 200E RESIDENTIAL : 511

Current Tax Season 2013 Payable 2014

Tax Information

Tax Summary

Type	Unpaid
CONVERTED 13/14 Spring Tax	$0.00
CONVERTED 13/14 Spring Ditch: 097 - WHITE RIVER SO	$0.00
CONVERTED 13/14 SABase Amount: SW14460393	$0.00
CONVERTED 13/14 Fall Tax	$0.00
Current Due:	$0.00
Total Due:	$0.00

Payment History

Type	Charge	Paid	AC	Unpaid
CONVERTED 13/14 Spring Tax	$512.77	$512.77	$0.00	$0.00
CONVERTED 13/14 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$10.00	$10.00	$0.00	$0.00
CONVERTED 13/14 SABase Amount: SW14460393	$11.40	$11.40	$0.00	$0.00
CONVERTED 13/14 Fall Tax	$512.77	$512.77	$0.00	$0.00
Total:	$1,046.94	$1,046.94	$0.00	$0.00

Penalty Option

Do Not Calculate Penalty:

Parcel and Map Information

Parcel and Map Information

Parcel Number: 15-11-400-009.000-012 Plat Bk Page:

Property Class: Status:

Sub Class:

Legal: PT SE QTR SE QTR

Notes

Note: PINK FORM DONE

PRC Note

Created By: Created On: 3/28/2011

Parcel Location

Full Address 1: (b)(6)

Full Address 2:

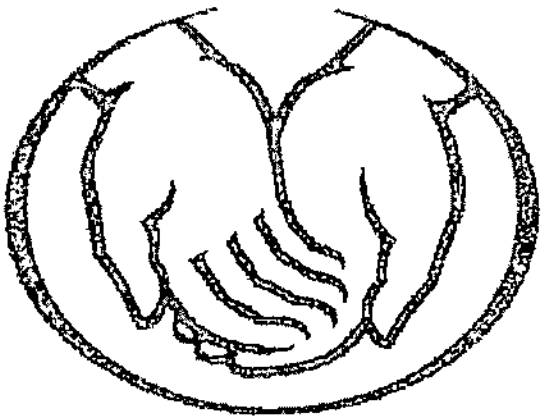
City:

Zip:

State:

Address Form:

Justin Sorensen
Sorensen Insurance Agency
Allstate Insurance
320 E McGalliard
Muncie, IN 47303
Phone: 765.288.2880
Fax: 765.288.2898



(b)(6)

8/25/2015

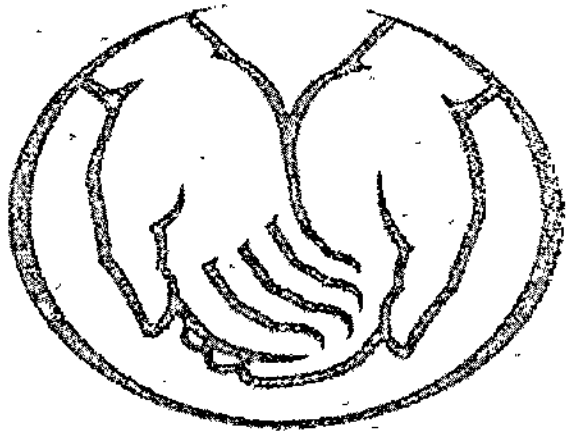
Policy Number: (b)(6)
Policy Type: **Homeowners**
Effective Dates: **06/24/2015 – 06/24/2016**

Payments: $1,743.69 PAID ON 06/08/2015

Mortgagee: CITIMORTGAGE INC ITS SUCCESSORS &/OR ASSIGNS
PO BOX 7706
SPRINGFIELD, OH 45501

Signature: Justin Kelly

Justin Sorensen
Sorensen Insurance Agency
Allstate Insurance
320 E McGalliard
Muncie, IN 47303
Phone: 765.288.2880
Fax: 765.288.2898



(b)(6)

8/25/2015

Policy Number: (b)(6)
Policy Type: **Homeowners**
Effective Dates: **06/24/2014 – 06/24/2015**

Payments: $2,036.93 PAID ON 6/19/2014
Refund check in the amount of $197.37 issued on 8/16/2014 to Mr. (b)(6) due to a policy change on 7/7/2014

Mortgagee: CITIMORTGAGE INC ITS SUCCESSORS &/OR ASSIGNS
PO BOX 7706
SPRINGFIELD, OH 45501

Signature: Carrie Kelly

CitiMortgage

July 10, 2015

(b)(6)

Dear CitiMortgage Client(s):

Thank you for your recent inquiry regarding your mortgage account.

Our records reflect that your homeowner's insurance carrier is Allstate Insurance Company with an annual premium of $1,743.69 and scheduled for renewal on 06/24/16 and your property taxes are $1,030.53 annually.

Per the annual escrow analysis dated 05/18/15. Your new monthly mortgage payment effective 07/01/15 is $1,089.84, which includes an escrow payment of $488.35 and optional insurance payment of $11.63. Please be aware, this new payment amount is only in effect until your next escrow analysis.

Your Escrow Account Disclosure Statement will be sent to you separately and you should receive it within the next 7-10 business days.

As of today's date, your principal balance is $107,402.09, escrow balance is (-)$1,446.50 and your account is currently paid through 06/01/15.

To contact us visit our website at www.citimortgage.com or access our Automated Account Information Line, which is available 24 hours a day at 1-800-283-7918*. Representatives are available Monday through Friday from 8:00 a.m. to 10:00 p.m., ET, and Saturday from 8:00 a.m. to 6:00 p.m., ET. To access TTY services, dial 711 from the United States or dial 1-866-280-2050 from Puerto Rico. When you contact us, refer to your mortgage account, 1123763766.

We appreciate your business and look forward to continuing to serve you in the future.

Sincerely,

Customer Service Department

*Calls are randomly monitored and recorded for quality assurance. CitiMortgage is a debt collector and any information obtained will be used for that purpose
©2013 CitiMortgage, Inc. CitiMortgage, Inc. is an equal housing lender.

TRUTH IN LENDING DISCLOSURE STATEMENT
(THIS IS NEITHER A CONTRACT NOR A COMMITMENT TO LEND)

Applicant: (b)(6)

Lender: Citibank, N.A.

Loan No: (b)(6)

Property: (b)(6)

Type of Loan: FHA
Date: October 29, 2013
Disclosure Type: Final

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
5.410 %	$ 108,857.32	$ 109,511.76	$ 218,369.08

INTEREST RATE AND PAYMENT SUMMARY

	Rate & Monthly Payment
Interest Rate	5.000 %
Principal + Interest Payment	$ 589.86
Est. Taxes + Insurance (Escrow) ● Includes Mortgage Insurance	$ 223.40
Total Est. Monthly Payment	$ 813.26

There is no guarantee that you will be able to refinance to lower your rate and payments.

DEMAND FEATURE: [X] This loan does not have a Demand Feature. [ ] This loan has a Demand Feature as follows:

REQUIRED DEPOSIT: [ ] The annual percentage rate does not take into account your required deposit.

VARIABLE RATE FEATURE: [ ] This Loan has a Variable Rate Feature. Variable Rate Disclosures have been provided to you earlier.

SECURITY: You are giving a security interest in the property located at: 9551 S. COUNTY ROAD 200 E.
MUNCIE, IN 47302-8347

ASSUMPTION: Someone buying this property [ ] cannot assume the remainder of the mortgage on the original terms
[X] may assume, subject to conditions, the remainder of the mortgage on the original terms.

NON-FILING INSURANCE: $ N/A

PROPERTY INSURANCE: [X] Homeowner's insurance, or fire and extended coverage, is a required condition of this loan. Also, if the property securing this loan is located in a flood hazard area, you will be required to obtain flood insurance. Borrower may purchase this insurance from any insurance company acceptable to lender.

LATE CHARGES: If a payment is more than 15 days late, you will be charged a late charge of 4.000 % of the payment.

PREPAYMENT: If you pay off your loan early, you

[ ] may	[X] will not	have to pay a prepayment penalty.
[ ] may	[X] will not	have to pay a minimum finance charge.
[X] may	[ ] will not	be entitled to a refund of part of the finance charge.

You are not required to complete this agreement merely because you have received these disclosures or signed a loan application.
See your contract documents for any additional information about non-payment, default, any required repayment in full before the scheduled date, and prepayment refunds and penalties.

I/We hereby acknowledge reading and receiving a complete copy of this disclosure.

BORROWER/DATE

WILLIAM EDWARD WYATT, BORROWER/DATE

BORROWER/DATE

JUDY KAY WYATT BORROWER/DATE

TAXES WENT DOWN IN 2015

DELAWARE COUNTY, INDIANA | Logout

Log In: kbennett (0)

Quick Search

- Parcel Search
- -Parcel Info
- --Owners
- --Sales
- --Tax Display
- --Error Correction
- --Photos
- --Flags
- --Judgment Info
- --Property Listing
- --Surplus
- --AV Change
- Owner Search
- Apply Payment
- Cash Drawers
- Payment Search
- New Bankruptcy
- Bill Codes
- Parcel Groups
- Pending Corrections
- Reports
- TaxSale Info
- Clerk Judgment
- Adhoc
- Help

eAssessor eAuditor eTreasurer eOffice

18-11-400-009.000-012 2014 (b)(6) 9551 S CR 200E RESIDENTIAL : 511

Current Tax Season 2014 Payable 2015

Tax Information

Tax Summary

Type	Unpaid
14/15 Spring Tax	$0.00
14/15 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$0.00
Spring SA Base: SWIS041309	$0.00
14/15 Fall Tax	$498.38
Current Due:	$498.38
Total Due:	$498.38

Payment History

Type	Charge	Paid	AC	Unpaid
14/15 Spring Tax	$498.38	$498.38	$0.00	$0.00
14/15 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$10.00	$10.00	$0.00	$0.00
Spring SA Base: SWIS041309	$11.40	$11.40	$0.00	$0.00
14/15 Fall Tax	$498.38	$0.00	$0.00	$498.38
Total:	$1,014.12	$517.78	$0.00	$498.38

Penalty Option

Do Not Calculate Penalty ☐

Parcel and Map Information

Parcel and Map Information

Parcel Number: 18-11-400-009.000-012 Plat Bk Page:

Property Class: Status:

Sub Class:

Legal: PT SE QTR SE QTR S11 T19 R10 4.900 AC

Notes

Note: PINK FORM DONE

☐ PRC Note

Created By: Created On: 3/28/2011

Parcel Location

Full Address 1: (b)(6)

Full Address 2:

City:

Zip:

State:

Address Form:

Tax District

DELAWARE COUNTY, INDIANA | Logout

Log In: kbennett (0)

Quick Search | BH

Parcel Search
-Parcel Info
-Owners
-Sales
-Tax Display
-Error Correction
-Photos
-Flags
-Judgment Info
-Property Listing
-Surplus
-AV Change
Owner Search
Apply Payment
Cash Drawers
Payment Search
New Bankruptcy
Bill Codes
Parcel Groups
Pending Corrections
Reports
TaxSale Info
Clerk Judgment
Adhoc
Help

eAssessor eAuditor eTreasurer eOffice

15-11-400-009.000-012 2013 (b)(6) 9551 S CR 200E RESIDENTIAL : 511

Current Tax Season 2013 Payable 2014

Tax Information

Tax Summary

Type	Unpaid
CONVERTED 13/14 Spring Tax	$0.00
CONVERTED 13/14 Spring Ditch: 097 - WHITE RIVER SO	$0.00
CONVERTED 13/14 SABase Amount: SW14460393	$0.00
CONVERTED 13/14 Fall Tax	$0.00
Current Due:	$0.00
Total Due:	$0.00

Payment History

Type	Charge	Paid	AC	Unpaid
CONVERTED 13/14 Spring Tax	$512.77	$512.77	$0.00	$0.00
CONVERTED 13/14 Spring Ditch: 097 - WHITE RIVER SOUTHWEST	$10.00	$10.00	$0.00	$0.00
CONVERTED 13/14 SABase Amount: SW14460393	$11.40	$11.40	$0.00	$0.00
CONVERTED 13/14 Fall Tax	$512.77	$512.77	$0.00	$0.00
Total:	$1,046.94	$1,046.94	$0.00	$0.00

Penalty Option

Do Not Calculate Penalty: ☐

Parcel and Map Information

Parcel and Map Information

Parcel Number: 15-11-400-009.000-012 Plat Bk Page:

Property Class: Status:

Sub Class:

Legal: PT SE QTR SE QTR

Notes

Note: PINK FORM DONE

☐ PRC Note

Created By: Created On: 3/28/2011

Parcel Location

Full Address 1: (b)(6)

Full Address 2:

City:

Zip:

State:

Address Form:

Justin Sorensen
Sorensen Insurance Agency
Allstate Insurance
320 E McGalliard
Muncie, IN 47303
Phone: 765.288.2880
Fax: 765.288.2898

(b)(6)

8/25/2015

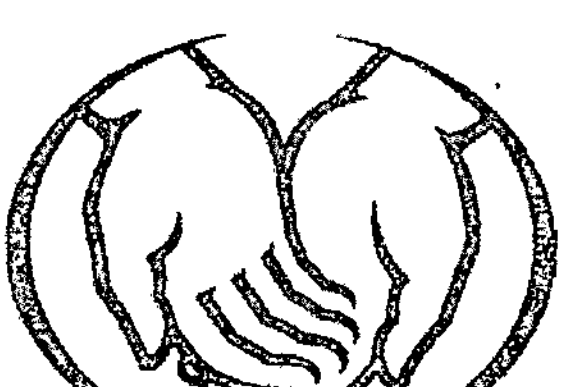
Policy Number: (b)(6)
Policy Type: Homeowners
Effective Dates: 06/24/2015 – 06/24/2016

Payments: $1,743.69 PAID ON 06/08/2015 .

Mortgagee: CITIMORTGAGE INC ITS SUCCESSORS &/OR ASSIGNS
PO BOX 7706
SPRINGFIELD, OH 45501

Signature: Cassie Kelley

Justin Sorensen
Sorensen Insurance Agency
Allstate Insurance
320 E McGalliard
Muncie, IN 47303
Phone: 765.288.2880
Fax: 765.288.2898



(b)(6)

8/25/2015

Policy Number: (b)(6)
Policy Type: **Homeowners**
Effective Dates: **06/24/2014 – 06/24/2015**

Payments: $2,036.93 PAID ON 6/19/2014
Refund check in the amount of $197.37 issued on 8/16/2014 to Mr. (b)(6) due to a policy change on 7/7/2014

Mortgagee: CITIMORTGAGE INC ITS SUCCESSORS &/OR ASSIGNS
PO BOX 7706
SPRINGFIELD, OH 45501

Signature: Cassie Kelly

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

OCT 05 2015

The Honorable Luke Messer
Member, United States
House of Representatives
2 Public Square
Shelbyville, IN 46176-1545

Dear Representative Messer:

Thank you for your letter on behalf of your constituent (b)(6) about his escrow charges for property and insurance on the home located at 9551 South County Road, 200 East, Muncie, Indiana. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

An extensive search of HUD's records revealed that the above-listed property is under Federal Housing Administration (FHA) Refinanced Case #156-1936311. The lender, CitiMortgage, Inc., must be the one to provide the escrow analysis. Enclosed is a letter, dated July 10, 2015 that CitiMortgage sent to Mr. (b)(6) which explained the escrow charges. Escrow payments consist of taxes, homeowners insurance, and Mortgage Insurance Premium (MIP). Mr (b)(6) current MIP payment is $48.46

Should Mr. (b)(6) have any further questions, he may contact CitiMortgage Customer Service Department at 1-800-283-7918.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Enclosure

CitiMortgage

July 10, 2015

(b)(6)

Dear CitiMortgage Client(s):

Thank you for your recent inquiry regarding your mortgage account.

Our records reflect that your homeowner's insurance carrier is Allstate Insurance Company with an annual premium of $1,743.69 and scheduled for renewal on 06/24/16 and your property taxes are $1,030.53 annually.

Per the annual escrow analysis dated 05/18/15. Your new monthly mortgage payment effective 07/01/15 is $1,089.84, which includes an escrow payment of $488.35 and optional insurance payment of $11 63. Please be aware, this new payment amount is only in effect until your next escrow analysis.

Your Escrow Account Disclosure Statement will be sent to you separately and you should receive it within the next 7-10 business days

As of today's date, your principal balance is $107,402 09, escrow balance is (-)$1,446.50 and your account is currently paid through 06/01/15.

To contact us visit our website at www.citimortgage.com or access our Automated Account Information Line, which is available 24 hours a day at 1-800-283-7918*. Representatives are available Monday through Friday from 8:00 a.m. to 10:00 p.m., ET, and Saturday from 8:00 a.m. to 6.00 p.m., ET. To access TTY services, dial 711 from the United States or dial 1-866-280-2050 from Puerto Rico. When you contact us, refer to your mortgage account, 1123763766.

We appreciate your business and look forward to continuing to serve you in the future.

Sincerely,

Customer Service Department

Congress of the United States
Washington, DC 20515

December 21, 2015

The Honorable Julian Castro
Secretary
U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410

RE: Rulemaking Process for Amending 24 CFR Section 3280.8(g)

Dear Secretary Castro,

We are writing regarding a Notice of Proposed Rulemaking that HUD has apparently drafted addressing the Office of Manufactured Housing's (OMH) definition of a recreational vehicle (RV). Due to our concerns with delays in your department, we urge you to immediately publish this regulation for public notice and comment, and promptly complete a final regulation.

As you are aware, your own Manufactured Housing Consensus Committee (MHCC) voted in December 2014 to clarify the RV definition in a new regulation. Since there appears to be agreement among key stakeholders on the major definition points recommended by the MHCC, we expected the Notice of Proposed Rulemaking would have been issued by now

It came as welcomed news in January 2015 that, pending the outcome of this formal rulemaking process, OMH clarified it would not take enforcement action against park model recreational vehicle (RV) manufacturers. The Program Memorandum from HUD's Office of Manufactured Housing Programs provided short-term clarity for some jurisdictions that were confusing larger RVs with manufactured housing when setting tax and zoning regulations at campgrounds where RV products are used.

However, the continued lack of clarity on OMH's final definition of a recreational vehicle is disrupting an American industry that is still rebounding from the economic downturn. An update of this policy, originally set in the early 1980s, will provide certainty and guidance for RV manufacturers, consumers and campgrounds. Given the industry consensus, we see no reason for these stakeholders to wait any longer.

Please inform us immediately when you intend to publish the Notice of Proposed Rulemaking that seeks to codify the MHCC recommendation. We understood this Proposed Rule was a high priority for HUD and OMH. If this is the case, the Notice of Proposed Regulation should be issued immediately.

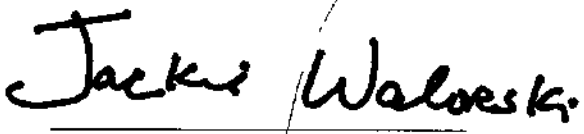
Thank you in advance for your cooperation. We look forward to hearing from you about HUD's plans for publishing the Notice of Proposed Rulemaking and producing a final regulation.

PRINTED ON RECYCLED PAPER

Sincerely,



Marlin Stutzman
Member of Congress



Jackie Walorski
Member of Congress



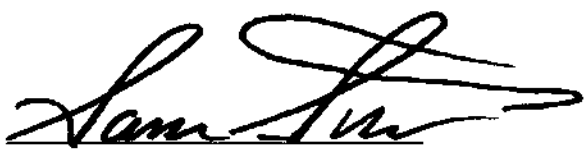
Todd Rokita
Member of Congress



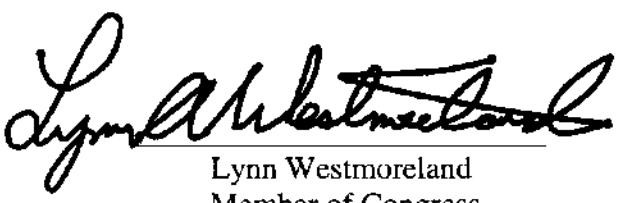
Kristi Noem
Member of Congress



Luke Messer
Member of Congress



Sam Graves
Member of Congress



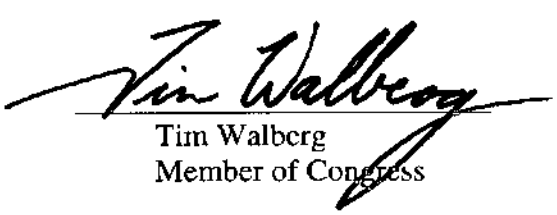
Lynn Westmoreland
Member of Congress



Glenn Grothman
Member of Congress



Mike Kelly
Member of Congress



Tim Walberg
Member of Congress



Susan Brooks
Member of Congress

Todd Young
Member of Congress

Larry Bucshon
Member of Congress

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Luke Messer
U.S. House of Representatives
Washington, DC 20515-0001

FEB - 8 2016

Dear Representative Messer:

On behalf of Secretary Julián Castro, thank you for your letter urging the Department of Housing and Urban Development (HUD) to expeditiously publish for public notice and comment, a proposed rulemaking to update the Office of Manufactured Housing Program's definition of a recreational vehicle (RV). The following information is from HUD's Office of Housing

As stated in your letter, HUD brought this matter before its Manufactured Housing Consensus Committee (MHCC) in December 2014 The MHCC recommended that HUD clarify the current RV regulatory exemption and definition in HUD's Manufactured Home Procedural and Enforcement Regulations (Part 3282 of Title 24 of the Code of Federal Regulations). As also stated in your letter, HUD issued a memorandum in January 2015 that extended the date for compliance with an earlier October 1, 2014 memorandum, until a final rule concerning and clarifying the current RV exemption could be published.

HUD's Fall 2015 Semiannual Agenda, posted at *www reginfo gov*, lists its agenda of regulations that HUD is working on and expects to issue during the next several months Proposed regulation to revise the exemption for recreational vehicles is included in HUD's Agenda

Specifically, HUD's proposed rule would revise the current exemption by defining a recreational vehicle as a factory built vehicular structure, not certified as a manufactured home, designed only for recreational use and not as a primary residence or for permanent occupancy, and built and certified in accordance with either the National Fire Protection Association 1192-2015 (Standard for Recreational Vehicles) or the American National Standards Institute A119.5-15 (Recreational Park Trailer Standard).

In addition, HUD's proposed rule would require that units claiming the RV exemption display a notice that identifies the standards used to construct the unit and states that the unit is designed only for recreational use, and not for use as a primary residence or permanent dwelling. The target date for publication of the proposed rule is the week of February 8, 2016 HUD is working toward meeting this goal.

I hope this information is helpful. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States
Washington, DC 20515

June 13, 2017

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development
451 7th Street S W
Washington, DC 20410

Dear Secretary Carson:

We are writing to you to express our concerns about current U.S. Housing and Urban Development (HUD) policies and priorities regarding homelessness assistance. It has come to our attention that HUD's current procedures in administering such assistance have put homeless families, youth, and children at risk, in addition to jeopardizing holistic-based programs that work to alleviate the effects of poverty by supporting sobriety, work, and accountability.

As you know, in recent competitions for the Continuum of Care program, one of the program priorities articulated by HUD has been the "Housing First" approach, which focuses on providing immediate access to housing, prioritizing providers that offer services to clients on a voluntary basis, rather than those programs that require sobriety or participation in education, work, training, or service programs. Under this policy, HUD now gives considerable preference based on a program's commitment to using the Housing First model, placing programs that do not use that model at a severe disadvantage in receiving financial assistance

By implementing its preference for the Housing First model, HUD has removed any incentive for independent housing programs to operate under a model that includes mandatory services, accountability, or sobriety. In doing this, the Department has effectively used its administrative and regulatory power to impose national priorities on communities, forcing communities and providers to maximize services for certain populations – chronically homeless adults – at the expense of other equally worthy populations – families, youth, and children – and particular program models, regardless of local circumstances, needs, or a program's effectiveness to lift participants out of poverty. Communities as a whole, which benefit from having these programs, are now unfortunately and unfairly penalized by the elimination or decline of such programs.

We strongly urge you to thoroughly review the Department's procedures with respect to providing assistance to programs combatting homelessness and to appropriately exercise your authority in providing support for these types of programs that include families, youth, and children and the community-based program models that serve them well by enabling them to increase their incomes and educational attainment, maintain sobriety, and acquire permanent life skills that will help prevent them from returning to a life of homelessness.

In order to support these families and their children, we also urge you to end the recommended scoring guidelines that currently punish programs that prioritize work, education, and sobriety. We believe that families have the best opportunity to escape dependence on public assistance when they are supported in their recovery and given education, training and work opportunities

We look forward to working with you to break the intergenerational cycle of family homelessness by promoting programs that serve families and provide safe and drug free housing. Should you have any questions, please feel free to contact Robert Rische in Congressman Issa's office at (202) 225-3906 or robert.rische@mail.house.gov

Sincerely,

Darrell Issa (CA-49)
Member of Congress

Don Bacon (NE-02)
Member of Congress

Andy Barr (KY-06)
Member of Congress

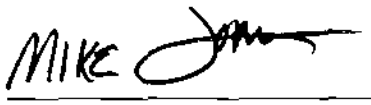
Mike Conaway (TX-11)
Member of Congress

Scott DesJarlais (TN-04)
Member of Congress

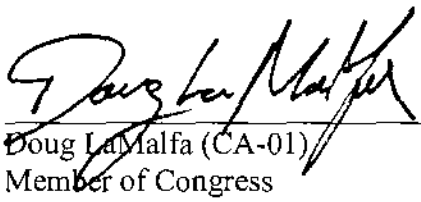
Trent Franks (AZ-08)
Member of Congress

Glenn Grothman (WI-06)
Member of Congress

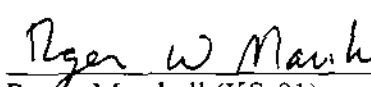
Randy Hultgren (IL-14)
Member of Congress



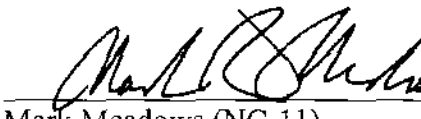
Mike Johnson (LA-04)
Member of Congress



Doug LaMalfa (CA-01)
Member of Congress



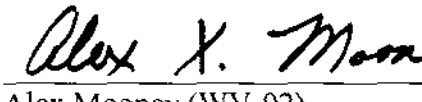
Roger Marshall (KS-01)
Member of Congress



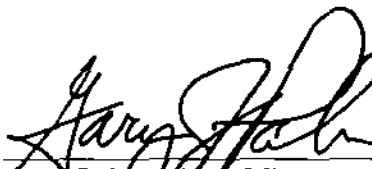
Mark Meadows (NC-11)
Member of Congress



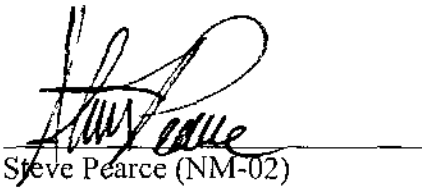
Luke Messer (IN-06)
Member of Congress



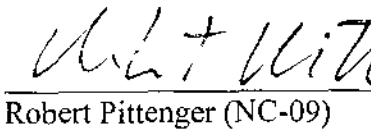
Alex Mooney (WV-02)
Member of Congress



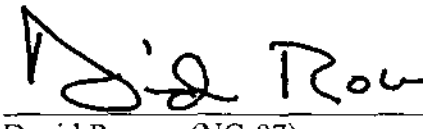
Gary Palmer (AL-06)
Member of Congress



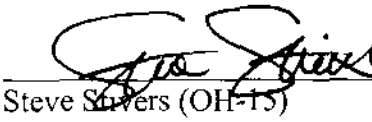
Steve Pearce (NM-02)
Member of Congress



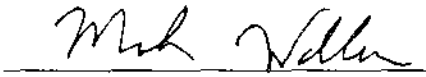
Robert Pittenger (NC-09)
Member of Congress



David Rouzer (NC-07)
Member of Congress



Steve Stivers (OH-15)
Member of Congress



Mark Walker (NC-06)
Member of Congress

Joe Wilson (SC-02)
Member of Congress

Ted Yoho (FL-03)
Member of Congress

Ted Budd (NC-13)
Member of Congress

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Luke Messer
U S House of Representatives
Washington, DC 20515-0549

Dear Representative Messer:

On behalf of Secretary Benjamin S. Carson, Sr., thank you for your letter concerning the Department of Housing and Urban Development's (HUD) homelessness policies, specifically the Department's continued emphasis on Housing First. The following information is from HUD's Office of Community Planning and Development.

Ending homelessness requires a robust partnership between private and public stakeholders at the local and federal levels. Local governments and faith-based and nonprofit organizations understand their communities and create the innovation needed to move the homeless assistance field forward. While HUD plays an important role in promoting good performance, best practices, and fiscal responsibility, it can only do so in conjunction with its local partners. With its Continuum of Care (CoC) program, the Department leaves the most important decisions about providing homeless assistance to its local partners, while also ensuring that taxpayer resources are used as efficiently and effectively as possible.

Local Control

In the CoC Program Competition, HUD gives communities flexibility to determine how projects are prioritized for funding. The Department expects communities to prioritize their projects based on performance, but allows communities to determine what their local rating criteria will be and how to apply it. Projects that are ranked highly by communities are awarded funding by HUD, provided they meet basic eligibility and project quality requirements. In the Fiscal Year 2017 competition, HUD allows communities to rank up to 94 percent of their funding in this high priority category. Projects that are ranked lower by communities compete against other lower priority project applications across the country. All of these lower priority projects compete based mostly on the overall performance of the community, but also the degree to which they use Housing First approaches.

The Department's CoC Program Competition is structured so that a community with an effective project could continue funding that project, regardless of whether it uses a Housing First model. When rating the overall performance of a community, HUD bases a small part of a community's overall score on their adoption of Housing First models. However, there is no expectation or incentive for communities to only use Housing First models. With the CoC Program, the Department is committed to continuous improvement. As communities continue to innovate and study new approaches to homelessness, HUD will promote the projects and strategies that are most efficient and effective at ending homelessness. For example, last year the Department published a Recovery Housing Brief that describes how programs can effectively use sober living environments to help people recover from drug and alcohol addictions.[1]

[1] https://www.hudexchange.info/resource/4852/recovery-housing-policy-brief/

Commitment to Innovation and High Quality

Housing First models help people move quickly from homelessness to permanent housing, and then leverage the housing to serve as a platform for meeting other goals such as education, employment, and recovery. The combination of housing stability and a robust set of consumer driven services help people improve their self-sufficiency and well-being. The services can include employment, education and career development, mental health, and substance abuse treatment and recovery supports.

The Department has numerous ways of ensuring that all projects, including those using a Housing First approach, have high quality. HUD's field office staff monitor projects throughout the year to ensure that they are performing well. The Department and other federal partners also provide tools that communities can use to evaluate whether the projects in their areas are properly using Housing First practices. For example, in the coming months HUD will release a Housing First checklist to help communities and projects quickly assess the quality of their Housing First activities.

The CoC Program is, and will always be, a community driven program guided by performance. HUD will continue to explore and promote best practices supported by evidence of their success. As the research on Housing First and other program models evolves, the Department will apply those lessons in partnership with the local stakeholders that have proven so critical to our success.

Fiscal Responsibility

HUD strives to make homeless assistance as efficient and effective as possible. The CoC Program promotes high performance, cost effectiveness, and evidence-based practices. This is consistent with Congressional direction to the Department to make its CoC Program more competitive and to eliminate less efficient and lower performing projects. "Holding projects accountable to their ability to demonstrate effectiveness through performance data is essential to getting the most out of limited federal resources. The recommendation continues language which directs the Secretary to award an increasing share of [homeless assistance grants] funding on the basis of system performance." (House Report 114-606). Housing First models have proven to be more cost effective than other approaches. For example,

- In a randomized trial study in Chicago, there was a significant decrease in hospitalizations, hospital days, and emergency department visits for people enrolled in Housing First programs [2]
- An evaluation of Denver's Housing First programs found that there was an average savings in emergency cost of $31,545 per person [3]
- A study in King County evaluated persons who incurred high costs in public institutions, including hospitals, jails, and substance abuse treatment centers [4] The study showed that

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[2] Sadowski, L., Kee, R., & VanderWeele, T. Effect of Housing and Case Management Program on Emergency Department Visits and Hospitalizations Among Chronically Ill Homeless Adults. 2009. https://www.ncbi.nlm.nih.gov/pubmed/19417194

[3] Perlman, J. & Parvensky, J. Denver Housing First Collaborative: Cost Benefit Analysis and Program Outcomes Report. 2006. https://shnny.org/uploads/Supportive_Housing_in_Denver.pdf

[4] Larimer, M., Malone, D., & Garner, M. Health Care and Public Service Use and Costs Before and After Provision of Housing for Chronically Homeless Persons with Severe Alcohol Problems. 2009. http://jamanetwork.com/journals/jama/fullarticle/183666

> participants in Housing First projects accrued approximately 53 percent less costs over the first 6 months of the study relative to those receiving usual care. After 12 months, just looking at 95 participants, the county reduced the total cost to the larger service system by more than $4 million compared to the previous year.

Studies also show that rapid re-housing, a shorter-term Housing First program, reduces costs while achieving high outcomes. HUD's Family Options Study, a large and rigorous study of the impact of various housing and service interventions for homeless families, showed that families assigned to receive rapid re-housing received assistance at a lower cost than any other intervention.[5] Compared to usual care, rapid re-housing resulted in a net reduction in homeless assistance spending of over $4,000 per family over 37 months. In contrast, transitional housing programs cost over $9,700 more per family than rapid re-housing. Furthermore, rapid re-housing generally resulted in better outcomes, including in reducing drug and alcohol dependence and reduced behavioral problems among children.

High Performance

Housing First is the most rigorously studied homelessness intervention and has consistently demonstrated better outcomes than other models. A recent study looked at the results of persons with severe mental illness who were randomly selected for a Housing First model or usual care in five Canadian cities.[6] After a year of enrollment in the programs, "Housing First participants were more likely to be housed, had spent a much greater proportion of time stably housed, reported greater gains in quality of life, and demonstrated greater improvements in community functioning compared with participants in treatment as usual."

Housing First leads to greater housing stability and focuses on client choice. In a study of the Pathways to Housing program, researchers found that nearly double the number of people in the program remained housed after 5 years relative to residents in the city's residential treatment system.[7] Similar improvements in housing stability were experienced when Housing First approaches were implemented in suburban areas.[8] In another study about Pathways to Housing, researchers found that clients felt they had more choice which may have contributed to the increased housing stability and willingness to participate in treatment.[9] The study further found that increased client choice did not result in increased use of alcohol or drugs in Pathways to Housing residents compared to residents receiving normal care. Studies demonstrate that Housing First works across homeless populations, including individuals, families, veterans, survivors of domestic violence, persons with severe mental

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[5] U.S. Department of Housing and Urban Development. Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families. 2016.
https://www.huduser.gov/portal/pdredge/pdr-edge-research-110716.html

[6] Aubry, T., Tsemberis, S., Adair, C., Veldhuizen, S., Streiner, D., Latimer, E., Sareen, J., Patterson, M., McGarvey, K., Kopp, B., Hume, C., & Goering, P. One-Year Outcomes of a Randomized Controlled Trial of Housing First with ACT in Five Canadian Cities. 2015.
http://ps.psychiatryonline.org/doi/abs/10.1176/appi.ps.201400167

[7] Tsemberis, S., & Eisenberg, R. Pathways to Housing: Supported Housing for Street-Dwelling Homeless Individuals with Psychiatric Disabilities. 2000.
https://www.ncbi.nlm.nih.gov/pubmed/10737824

[8] Tsemberis, S., & Stefancic, A. Housing First for Long-Term Shelter Dwellers with Psychiatric Disabilities in a Suburban County: A Four-Year Study of Housing Access and Retention. 2007.
https://www.ncbi.nlm.nih.gov/pubmed/17592778

[9] Tsemberis, S., Gulcur, L., & Nakae, M. Housing First, Consumer Choice, and Harm Reduction for Homeless Individuals with a Dual Diagnosis. 2004.
https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1448313/

illness, and persons with substance abuse issues. For example,

- Many studies have demonstrated the effectiveness of Housing First for persons with disabilities, including studies in San Diego.[10] Charlotte, [11] and urban and rural areas in Maine.[12]
- The Department of Veterans Affairs (VA) analyzed the impact of Housing First on veterans in HUD-Veterans Affairs Supportive Housing programs and found large decreases in emergency room visits and acute inpatient hospitalizations, including a decrease in the average length of hospitalization stays per veteran from 17 days to 5 days.[13]
- A study of Housing First for families with children in Los Angeles, demonstrated that families experienced increased residential stability, children experienced better health and more regular school attendance, and parents increased skills, including employment, vocational, educational, and life skills.[14]
- Washington state evaluated the impact of 9 of its agencies that adopted Housing First to address the needs of survivors of domestic violence. The results of this analysis revealed that participants experienced high housing retention, felt more safe as a result of the program, experienced improved health and well-being as individuals and as a family unit, and expressed that the availability of immediate housing allowed them to better focus on stabilizing other aspects of their lives, including work for parents and school for kids.[15]

In addition to HUD, other federal agencies, including the VA, Health and Human Services, and Justice also promote Housing First models in their programs. These models have helped reduce homelessness, particularly among veterans, which has declined by nearly half since 2010.

Community Driven

Housing First approaches are widely promoted in the homeless assistance field, with many existing programs changing their program models, and most new homeless programs using Housing First approaches. While the Department has helped, most of the adoption of Housing First models is a

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[10] Fermanian Business and Economic Institute at PLNU Project 25 Housing the Most Frequent Users of Public Services among the Homeless 2015
https //uwsd org/files/galleries/Project_25_Report pdt
[11] Thomas, L , Shears, J , Pate, M , & Priester, M Moore Place Permanent Supportive Housing Evaluation Study Year 1 Report 2014
https //shnny org/images/uploads/Charlotte-Moore-Place-Study pdt
[12] Mondelo, M , McLaughlin, T , Bradley, J The Effectiveness of Permanent Supportive Housing in Maine 2009
https //www mainehousing org/docs/default-source/housing-reports/the-effectiveness-of-permanent-supportive-housing-in-maine-10-2009 pdf?sfvrsn=8
[13] Montgomery, A E , Hill, L , Culhane, D , & Kane, V Housing Chronically Homeless Veterans Evaluating the Efficacy of a Housing First Approach to HUD-VASH 2013
https //works bepress com/dennis_culhane/127/
[14] Finbinder, S & Tull, T The Housing First Program for Homeless Families Empirical Evidence of Long-Term Efficacy to End and Prevent Family Homelessness 2005
http //partnering-for-change org/wp-content/uploads/2011/07/Seaver_PolicyBriefExpandedPolicyImplications4 27 09 pdt
[15] Mbilinyi, L The Washington State Domestic Violence Housing First Program Cohort 2 Agencies Final Evaluation Report 2015
https //wscadv org/resources/the-washington-state-domestic-violence-housing-first program-cohort-2-agencies-final-evaluation-report september-2011-september-2014/

result of communities seeking better performance and reduced homelessness. Most community plans to end homelessness are based on using Housing First approaches.

HUD measures performance based on reductions in homelessness and improvements in housing stability and income. Communities have other goals as well, including improving people's well-being, reducing incarceration, and reducing the public costs that result from homelessness. Housing First has consistently demonstrated success at improving performance on all of these dimensions

Thank you for your interest in HUD's homeless assistance programs. We value your insight to help improve our programs. We look forward to a continuing dialogue with you and other congressional members on this very important matter of ending homelessness. Please let me know if I can be of further assistance

Sincerely.

Seth D. Appleton
Acting Assistant Secretary for Congressiona
and Intergovernmental Relations



AHm
John Hatter
317 421-0704
FAX 317 421-0739

Sign up to receive Messer updates

Email Address SUBMIT

Help with a Federal Agency - Print Form

Congressman Luke Messer

Please print, sign and mail/fax to my office.

Date: **09/17/2014**

Agency involved: **HUD**

Numbers Identifying Case (VA claim, Alien number, tax ID, etc.): **FHA case no.** (b)(6)

Name: (b)(6)

Branch of Service (If Applicable): **[branchOfService]**

Military Rank (If Applicable): **[militaryRank]**

Place and Date of Birth: (b)(6)

Social Securit (b)(6)

Street Address: (b)(6)
City, State, Zip Code (b)(6)

Telephone #: (b)(6)

Email Address: (b)(6)

I, (b)(6) authorize the HUD to release personal information to Congressman Luke Messer United States Representative. I authorize Congressman Luke

HOW CAN I HELP

- Submit Your Ideas
- Art Competition
- Congressional Commendations
- Flags
- Help with a Federal Agency
- Internships
- Passports
- Military Academy Nominations
- Presidential Greetings
- Tours and Tickets
- Washington DC Visitors
- Veterans' Resources
- Senior Citizens' Resources
- Additional Services and Resources



Messer to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

Nature of Problem: I need certifications or affidavits for use in Court as to a single family home mortgage recently sold through HUD's Asset Management and Disposition Department. This is my home loan made through FHA program in 2008. This was a FHA home loan that was turned in by JP Morgan Chase Bank National Association to the HUD's asset management program sometime this year 2014. The loan was sold at one of the 2014 auctions and acquired by LSF9 Mortgage Holdings LLC a Delaware company. I believe this was sold at either the June 11 or June 25, 2014 auction. I need for Court appearance by 05 Oct. 2014 some information and certification of that by the USGovernment. I understand the loan is no longer an FHA and it is now a conventional loan. The loan is supposed to be held for a minimum of 6 months moratorium on foreclosure. However, the original owner and servicer 2008-2014 is still foreclosing in court in Indiana. I need the following: 1. Date loan turned into HUD asset management program. 2. FHA insurance payout amount and date to JP Morgan Chase Bank National Association 3. Date of Auction the mortgage loan was sold by HUD 4. Auction number or identifier 5. Lot number of auction the mortgage was sold in. 6. The Percentage loan to Sale value received. 7. The Winning bidder and his information supplied, including name, address and contact for the auction property acquisition. 8. The Date the loan when from FHA to Conventional. The office in charge at HUD Director is Thomas Kumi of the Asset Management and Disposition Dept in HUD. The phone is 202-708-1672... they may try to hand you off to various other areas and 800 or 887 numbers these are not worth the time... talk direct to Mr. Kumi I have spoken to Presselyne Abraham at the 202-708-1672 number.

(b)(6)

PLEASE NOTE:
The Privacy Act of 1974 requires that Members of Congress or their staff have written authorization before they can obtain information about an individual's case. We must have your signature to proceed with a casework inquiry.

Signature: (b)(6)

(b)(6)

Date: 12 September 2014

Print, and then mail or fax your request to Congressman Luke Messer at the following address.

Please mail your form to:
Office of Congressman Luke Messer
Attn: Constituent Services
508 Cannon House Office Building
Washington, DC 20515
Phone: 202-225-3021

3 page Affidavit
4. Notice of Ownership
6. Chase Note
c. Mortgage FHA First Page

Return to the previous page.

OFFICES

Washington, DC Office

[illegible] Cannon House Office Building
Washington, DC 20515

Phone: 202 225-3021
Hours: M-F 9-5:30pm

Muncie Office

[illegible] W. Charles St.
Muncie, IN 47305

Phone: 765-747-5566
Fax: 765-747-5566
Hours: M-F 9:30-5:30pm

Richmond Office

Richmond Municipal Building
[illegible] S. 5th Street
Richmond, IN 47374

Phone: 765-962-2801
Fax: 765-962-4215
Hours: M-F, 9:30-5:30pm

Shelbyville Office

7 Public Square
Shelbyville, IN 46176

Phone: 317-421-0704
Toll Free: 855-341-8156
Fax: 317-421-0739
Hours: M-F 8:30-5:30pm

CALIBER HOME LOANS

RETURN SERVICE ONLY
Please do not send mail to this address
P O Box 619063
Dallas TX 75261-9063

August 27 2014

A-7549-581962-0000238-001-1-000-000-000-000

(b)(6)

NOTICE OF SALE OF OWNERSHIP OF MORTGAGE LOAN

Under federal law, borrowers are required to be notified in writing whenever ownership of a mortgage loan secured by their principal dwelling is sold, transferred or assigned (collectively, "sold") to a new owner. This Notice is to inform you that the prior owner has sold your loan (described below) to LSF9 Mortgage Holdings, LLC, the new owner on August 15, 2014. The assignment, sale or transfer of the mortgage loan does not affect any term or condition of the mortgage instruments or the servicing of your mortgage loan.

NOTE: While LSF9 Mortgage Holdings, LLC now owns your loan, it is not the servicer of your loan. The servicer (identified below) acts on the new owner's behalf to handle the ongoing administration of your loan, including the collection of mortgage payments. Please continue to send your mortgage payments as directed by the servicer, and NOT to the new owner. Payments sent to the new owner and not to the servicer may result in late charges and your account becoming past due. Neither the new owner nor the servicer is responsible for late charges or other consequences of any misdirected payment. If the servicing of your mortgage loan is transferred, you will receive a separate notice as required by law.

Should you have any questions regarding your loan, please contact the servicer using the contact information below. The servicer is authorized to handle routine inquiries and requests regarding your loan and, if necessary, to inform us of your request and communicate to you any decision with respect to such request.

LOAN INFORMATION
Date of Loan: October 01, 2008
Account Number: 9803646315
Original Amount of Loan: $196,222.00
Date Your Loan was Sold to the New Owner: August 15, 2014
Address of Mortgaged Property: 328 N COURTNEY DR, CONNERSVILLE IN 47331

SERVICER INFORMATION
Name: Caliber Home Loans, Inc
Payment Mailing Address: P.O. Box 650836, Dallas, TX 75265
Correspondence Address: 13801 Wireless Way, Oklahoma City, OK 73134
Telephone Number (Toll free): 1-800-401-6587
Business Hours: 8:00 a.m. - 7:00 p.m., Central Time, Monday through Friday
Website: www.caliberhomeloans.com

NEW OWNER INFORMATION
Name: LSF9 Mortgage Holdings, LLC
Mailing Address (not for payments): c/o Caliber Home Loans, Inc., as Servicer, 13801 Wireless Way, Oklahoma City, OK 73134
Telephone Number (Toll free): 1-888-248-5075

The transfer of the lien associated with your loan is currently recorded, or in the future may be recorded, in the public records of the local County Recorder's office for the county where your property is located. If checked ☒, ownership of your loan may also be recorded on the registry of the Mortgage Electronic Registrations System at 1818 Library Street, Suite 300, Reston, VA 20190.

Chase
P O. Box 469030
Glendale, CO 80246-9030

CHASE

August 26, 2014

000849 - 1 of 1 NSPOF IA-ZI 000000/000000
(b)(6)

Your new dedicated Customer Assistance Specialist
Account:
Property Address: (b)(6)

Dear (b)(6)

I am writing to let you know that I will serve as your new dedicated Customer Assistance Specialist. I will help with whatever you need as we work on finding the best option for your mortgage.

Call me any time you have questions or concerns. I am here to make things as easy as possible for you and answer any questions you may have. In addition, I will be in touch with you from time to time to provide updates and remind you about important deadlines.

Here is my contact information:

- **Direct toll-free telephone number:** 877-496-3138 ext. 3284355
- **TTY Text number:** (800) 582-0542
  Mail: Chase
  P.O. Box 469030
  Glendale, CO 80246-9030
- **Fax documents to:** (866) 282-5682

An important note: If you are not fully satisfied with any aspect of the service you receive from us, please let me know right away. If I am not able to address your concerns, I will put you directly in touch with a supervisor on our team.

I look forward to working with you. In the meantime, please let me know if you have any questions.

Sincerely,

Ethel Morgan
Customer Assistance Specialist
Chase
877-496-3138 ext. 3284355
800-582-0542 TTY
www.chase.com

3.2013CR5930
LM988

200800003130
Filed for Record in
FAYETTE COUNTY, IN
MELINDA SUDHOFF
09-04-2008 At 02:10 pm.
MORTGAGE 30.00
OR Book 77 Page 744 - 752

FILE COPY

Return To:
SurePoint Lending abn First Residential Mortgage Network, Inc.
9721 Ormsby Station Road, Suite 107
Louisville, KENTUCKY 40223
Attn.:

[Space Above This Line For Recording Data]

State of Indiana

MORTGAGE

FHA Case No.
(b)(6)

MIN: 1002756-0020056490-7
MERS TELEPHONE: (888) 679-6377

THIS MORTGAGE ("Security Instrument") is given on August 26, 2008. The Mortgagor is (b)(6) (b)(6) ("Borrower"). This Security Instrument is given to Mortgage Electronic Registration Systems, Inc. ("MERS"), (solely as nominee for Lender, as hereinafter defined, and Lender's successors and assigns), as mortgagee. MERS is organized and existing under the laws of Delaware, and has a street address of P.O. Box 2026, Flint, MI 48501-2026; a street address of 3300 S.W. 34th Avenue, Suite 101, Ocala, FL 34474; and a telephone number of (888) 679-MERS. SurePoint Lending abn First Residential Mortgage Network, Inc., ("Lender") is organized and existing under the laws of the State of KENTUCKY, and has an address of 9721 Ormsby Station Road, Suite 107, Louisville, KENTUCKY 40223. Borrower owes Lender the principal sum of One Hundred Ninety Six Thousand Two Hundred Twenty Two And 00/100 Dollars (U.S. $196,222.00). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on September 1, 2038. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to MERS (solely as nominee for Lender and Lender's successors and assigns) and to the successors and assigns to MERS, the following described property located in FAYETTE County, Indiana:

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

OCT - 6 2014

The Honorable Luke Messer
Member, United States
House of Representatives
107 W. Charles Street
Muncie, IN 47305

Dear Representative Messer:

Thank you for your email dated September 19, 2014, about the Freedom of Information Act request of your constituent, (b)(6), requesting information pertaining to his single family home loan. (b)(6) was sent a letter dated October 2, 2014, along with documents responsive to his request.

I hope the information provided is helpful. If I can be of further assistance, please let me know. Thank you for your interest in the Department's programs.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Luke Messer
6th District, Indiana

Committee on the Budget

Committee on Education and the Workforce

Committee on Foreign Affairs

Freshman Class President

Assistant Republican Whip

Congress of the United States
House of Representatives
Washington, DC 20515

Alejandro Washington Office
508 Cannon House Office Building
Washington, DC 20515
(202) 225-3021

District Offices

2 Public Square
Shelbyville IN 46176
(317) 421-0704
(855) 341-8196

107 West Charles Street
Muncie, IN 47305
(765) 747-5566

50 North 5th Street 2nd Floor
Richmond, IN 47374
(765) 962-2883

March 4, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-1000

Dear Mr. Fulton:

I am writing to express my interest on behalf of (b)(6) Please review and extend every consideration to (b)(6) (b)(6) request. I would also like to be kept advised of the progress and resolution of this case.

Original written authorization on file.

Please send written response to:

Congressman Luke Messer
Attn: Tim Hawkins
2 Public Square
Shelbyville, IN 46176
(317) 421-0704
timothy.hawkins@mail.house.gov

Sincerely,

Luke Messer

Luke Messer
Member of Congress

LM/th

fax: 202.708.3794
Please call to confirm receipt!
Please Rush!



Attention
John Hutz
From Rusty Scott

Sign up to receive Messer updates

Email Address SUBMIT

Help with a Federal Agency - Print Form

Congressman Luke Messer

Please print, sign and mail/fax to my office.

Date: 01/26/2015

Agency involved: HUD

Numbers identifying Case (VA claim, Alien number, tax ID, etc.): None

Name (b)(6)

Branch of Service (If Applicable): [branchOfService]

Military Rank (If Applicable): [militaryRank]

Place and Date of Birth: (b)(6)

Social Security # (b)(6)

Street Address: (b)(6)

City, State, Zip Code: (b)(6)

Telephone # (b)(6)

Email Address: (b)(6)

(b)(6) authorize the HUD to release personal information to Congressman Luke Messer United States Representative. I authorize Congressman Luke

Messer to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

Nature of Problem: **Refer John Hatter, John I need another FOIA for HUD as HUD has basically refused to supply some "blank forms" they used in there Distressed Asset Sale Program "DASP" to me. These are publicly available but not really. Finally after several runarounds in HUD the Director of HUD's John Lacy asset management programs emailed me and suggested I have my Congressman again ask. The forms I need are blank standard contracts used with with the DASP specifically for the SFLS 2014 of 11 June 2014, SFLS 2014-2 as to the June 11 Auction the titles are: 1. "SINGLE FAMILY LOAN SALE 2014-4 CONVEYANCE, ASSIGNMENT AND ASSUMPTION AGREEMENT BY AND BETWEEN SECRETARY OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND _____ organized under the laws of the State of _____ (—Purchaser])". 2. "FHA SINGLE FAMILY LOAN SALES 2014-2 (SFLS 2014-2) QUALIFICATION STATEMENT. 3. "SINGLE FAMILY LOAN SALES 2014-2, PART 1 DISTRESSED ASSET STABILIZATION PROGRAM NEIGHBORHOOD STABILIZATION OUTCOME POOL QUALIFICATION STATEMENT" 4.Single Family Participating Servicer Training for the SFLS - 2 5. Participating Servicer Agreement for the SFLS -2 Contract.**

(b)(6)

PLEASE NOTE:
The Privacy Act of 1974 requires that Members of Congress or their staff have written authorization before they can obtain information about an individual's case. We must have your signature to proceed with a casework inquiry.

Signature (b)(6)

Date: 26 January 2015

Print, and then mail or fax your request to Congressman Luke Messer at the following address.

Please mail your form to:
Office of Congressman Luke Messer
Attn: Constituent Services
508 Cannon House Office Building
Washington, DC 20515
Phone: 202-225-3021

FAX - 317-421-0739

Return to the previous page.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

APR 17 2015

The Honorable Luke Messer
Member, United States
House of Representatives
2 Public Square
Shelbyville, IN 46176-1545

Dear Representative Messer:

Thank you for your letter on behalf of your constituent, Mr. (b)(6) (b)(6) who is requesting documents related to the Distressed Asset Stabilization Program (DASP). The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

Enclosed are blank copies of the standard versions of the Single Family Loan Sale Conveyance, Assignment and Assumption Agreement; the Single Family Loan Sale Qualification Statement; the Single Family Loan Sale Neighborhood Stabilization Outcome Pool Qualification Statement; the Single Family Participating Servicer Training; and the Participating Servicer Agreement.

If Mr. (b)(6) has additional questions, he may contact John Lucey, Director, HUD's Office of Asset Sales at 202-402-3570. Mr Lucey and his staff have worked with Mr. (b)(6) in the past, and remain available to assist Mr (b)(6) with anything else that he may need.

I hope the information provided is helpful in responding to your constituent If I can be of further assistance, please let me know

Sincerely,

Erika I. Moritsugu
Assistant Secretary for Congressional and
Intergovernmental Relations

Enclosures

317-421-0739

13:38:24 04-24-2015

Alejandro

Luke Messer
6th District, Indiana

Republican Policy Committee
Chairman

Committee on Financial Services

Committee on Education
and the Workforce

Deputy Whip

Congress of the United States
House of Representatives
Washington, DC 20515

Washington Office
508 Cannon House Office Building
Washington, DC 20515
(202) 225-3021

District Offices

2 Public Square
Shelbyville, IN 46176
(317) 421-0704
(855) 341-8196

107 West Charles Street
Muncie, IN 47305
(765) 747-5588

50 North 5th Street, 2nd Floor
Richmond, IN 47374
(765) 962-2883

April 24, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-1000

Dear Mr. Fulton:

I am writing to express my interest on behalf of Mark J. Klosterkemper. Please review and extend every consideration to Mark J. Klosterkemper's request. I would also like to be kept advised of the progress and resolution of this case.

Original written authorization on file.

Please send written response to:

Congressman Luke Messer
Attn: Tim Hawkins
2 Public Square
Shelbyville, IN 46176
(317) 421-0704
timothy.hawkins@mail.house.gov

Sincerely,

Luke Messer

Luke Messer
Member of Congress

LM/th

202-708 3794

Thanks!

Date: 04/16/2015

Agency involved: Unites States Department of Housing and Urban Development

Numbers Identifying Case (VA claim, Alien number, tax ID, etc.): Unable to obtain

Name: (b)(6)

Branch of Service (If Applicable): [branchOfService]

Military Rank (If Applicable): [militaryRank]

Place and Date of Birth: (b)(6)

Social Security #: (b)(6)

Street Address: (b)(6)
City, State, Zip Code: (b)(6)

Telephone #: (b)(6)

Email Address: mklosterkemper@cityofgreensburg.com

I, Mark J. (b)(6) authorize the Unites States Department of Housing and Urban Development to release personal information to Congressman Luke Messer United States Representative. I authorize Congressman Luke Messer to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

Nature of Problem: The property on the attached information sheets has sat vacant within the city for the last 18 months and is a reasonably nice home. It has deteriorated over this time with tarps, placed and replaced on the roof. Neighbors have complained to the city and I have tried every means to gather information from Wells Fargo Bank and HUD. Numerous phone conversations, emails and web searches have gotten me nowhere. It is frustrating to see these properties deteriorate as they set vacant to everyone and especially adjoining property owners. This particular property has taken on a personal interest besides a professional interest as I serve as the city street commissioner. I would be very interested in acquiring this property as my personal residence. Any

assistance you could provide in getting this property to being available for purchase would be appreciated. It's a crime to see it fall into a state of neglect! Thank you.

Mark J. Klosterkemper

PLEASE NOTE:

The Privacy Act of 1974 requires that Members of Congress or their staff have written authorization before they can obtain information about an individual's case. We must have your signature to proceed with a casework inquiry.

Signature: Mark J. Klosterkemper

Date: 4-16-15

Print, and then mail or fax your request to Congressman Luke Messer at the following address.

Please mail your form to:
Office of Congressman Luke Messer
Attn: Constituent Services
508 Cannon House Office Building
Washington, DC 20515
Phone: 202-225-3021

Living Rooms: 0
Dining Rooms: 0
Family Rooms: 0
Finished Rooms: 0

Floor	Construction	Base	Finish
1	5/6 Masonry	1890	1890
C		1890	0

Features	Area
Patio, Concrete	224

	#	TP
Full Baths	2	6
Half Baths	0	0
Kitchen Sinks	1	1
Water Heaters	1	1
Add Fixtures	0	0

Improvements

Descr	PC	Grade	Year Built	Eff Year	Eff Year	Cond	LCM	Size	Nbhd Factor	Mrkt Factor
Single-Family R 01	100	C	1994	1994	1994	A	1.03	1890	1	1.05
Utility Shed R 01	100	D	1994	1994	1994	F	1.01	80	1	1

Transfer History

Date	New Owner	Doc ID	Book/Page	Sale Price
8/11/2014	WELLS FARGO BANK N A	0	2014/2434	$0.00
7/10/2014	THE SECRETARY OF HOUSING & URBAN DEVELOPMENT	1-1	2014/0599	$106,500.00
3/10/2014	WELLS FARGO BANK N A	1-3	2014/0588	$106,500.00
12/1/2003	JONES JOHN K & PAT L		2003/07490	$137,000.00
5/19/1997	GIBBS BETTIE J	0	166/530	$115,000.00
10/5/1993	HERRMANN ROBERT O & ROSA	0		$0.00
8/5/1993	ROBERT O. & ROSA HERRMANN	0		$0.00
4/23/1991	CHARLES E. SHIRK TO ROBERT O. & ROSA	0		$0.00
1/1/1900	CHARLES E. SHIRK TO CHARLES E. SHIRK	0		$0.00
1/1/1900	HERRMANN	0		$0.00

Valuation

Assessment Year	2014	2013	2012	2011	2010
Reason	Annual Adjustment	Annual Adjustment	GENERAL REVALUATION	Annual Adjustment	MISCELLANEOUS
As Of Date	7/8/2014	7/9/2013	9/25/2012	8/15/2011	3/1/2010
Land	$20,100	$20,100	$20,100	$18,600	$17,800
Land Res (1)	$20,100	$20,100	$20,100	$18,600	$0
Land Non Res (2)	$0	$0	$0	$0	$0
Land Non Res (3)	$0	$0	$0	$0	$0
Improvement	$115,100	$119,000	$113,100	$124,500	$119,600
Imp Res (1)	$115,000	$118,500	$112,600	$123,400	$0
Imp Non Res (2)	$0	$0	$0	$0	$0
Imp Non Res (3)	$500	$500	$500	$1,100	$0
Total	$135,200	$139,100	$133,200	$143,100	$137,400
Total Res (1)	$135,100	$138,600	$132,700	$142,000	$0
Total Non Res (2)	$0	$0	$0	$0	$0
Total Non Res (3)	$500	$500	$500	$1,100	$0

Exemptions

Type	Description	2014 Pay 2015	2013 Pay 2014	2012 Pay 2013	2011 Pay 2012

Decatur County, IN

beacon™

Date Created 4/16/2015

Summary

Parcel ID	16-11-01-230-028.000-016
Alternate ID	011-19072-18
Property Address	(b)(6)
Brief Tax Description	
Class	



Click to Enlarge

Owner

WELLS FARGO BANK N A → STATED HOD SURRENDERABLE PROPERTY.
1 HOME CAMPUS
DES MOINES, IA 50328

Site Description

Topography:	Flat
Public Utilities:	All
Street or Road:	Paved
Area Quality	Static
Parcel Acreage:	

Taxing District

County:	Decatur
Township:	WASHINGTON TOWNSHIP
State District:	016 GREENSBURG CITY
Local District:	016
School Corp:	GREENSBURG COMMUNITY
Neighborhood:	1501612-016 Greensburg Addn's "C"

Land

Land Type	Soil ID	Act Front	Eff. Depth	Size	Rate	Adj. Rate	Ext. Value	Infl. %	Value
(F) FRONT LOT		85	138	85x138	$325.00	$315.00	$26,775.00	($25.00)	$20,080.00

Residential Dwellings

Description	Single-Family R 01
Story Height	1
Style	41 1 Story Newer = 1965
Finished Area	1890
# Fireplaces	1
Heat Type	Central Warm Air
Air Cond	1890
Accommodations	

Bedrooms: 0

13:38:24 04-24-2015 1/5

317-421-0739

Luke Messer
6th District, Indiana

Republican Policy Committee Chairman

Committee on Financial Services

Committee on Education and the Workforce

Deputy Whip

Alejandro

Congress of the United States
House of Representatives
Washington, DC 20515

Washington Office
508 Cannon House Office Building
Washington, DC 20515
(202) 225-3021

District Offices

2 Public Square
Shelbyville, IN 46176
(317) 421-0704
(855) 341-8198

107 West Charles Street
Muncie, IN 47305
(765) 747-5586

50 North 5th Street, 2nd Floor
Richmond, IN 47374
(765) 962-2883

April 24, 2015

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-1000

Dear Mr. Fulton:

I am writing to express my interest on behalf of Mark J. Klosterkemper. Please review and extend every consideration to Mark J. Klosterkemper's request. I would also like to be kept advised of the progress and resolution of this case.

Original written authorization on file.

Please send written response to:

Congressman Luke Messer
Attn: Tim Hawkins
2 Public Square
Shelbyville, IN 46176
(317) 421-0704
timothy.hawkins@mail.house.gov

Sincerely,

Luke Messer

Luke Messer
Member of Congress

LM/th

202.708.3794

Thanks!

317-421-0739

13:38:46 04-24-2015

Date: 04/16/2015

Agency involved: Unites States Department of Housing and Urban Development

Numbers Identifying Case (VA claim, Alien number, tax ID, etc.): Unable to obtain

Name: Mark J. Klosterkemper

Branch of Service (If Applicable): [branchOfService]

Military Rank (If Applicable): [militaryRank]

Place and Date of Birth (b)(6)

Social Security # (b)(6)

Street Address (b)(6)

City, State, Zip Code: (b)(6)

Telephone # (b)(6)

Email Address: mklosterkemper@cityofgreensburg.com

I, Mark J. Klosterkemper, authorize the Unites States Department of Housing and Urban Development to release personal information to Congressman Luke Messer United States Representative. I authorize Congressman Luke Messer to request and have access to all records and reports pertinent to my request for his assistance in the following matter:

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Mark J. Klosterkemper

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Signature: Mark J. Klosterkemper

Date: 4-16-15

Print, and then mail or fax your request to Congressman Luke Messer at the following address.

Please mail your form to:
Office of Congressman Luke Messer
Attn: Constituent Services
508 Cannon House Office Building
Washington, DC 20515
Phone: 202-225-3021

317-421-0739

13:39:20 04-24-2015

Living Rooms: 0
Dining Rooms: 0
Family Rooms: 0
Finished Rooms: 0

Floor	Construction	Base	Finish
1	S/S Masonry	1890	1890
C		1890	0

Features	Area
Patio, Concrete	224

	#	TF
Full Baths	2	6
Half Baths	0	0
Kitchen Sinks	1	1
Water Heaters	1	1
Add Fixtures	0	0

Improvements

Descr	PC	Grade	Year Built	Eff Year	Eff Year	Cond	LCM	Size	Nbhd Factor	Misc Factor
Single-Family R 01	100	C	1994	1994	1994	A	1.03	1890	1	1.05
Utility Shed R 01	100	D	1994	1994	1994	F	1.01	80	1	1

Transfer History

Date	New Owner	Doc ID	Book/Page	Sale Price
8/11/2014	WELLS FARGO BANK N A	0	2014/2434	$0.00
3/10/2014	THE SECRETARY OF HOUSING & URBAN DEVELOPMENT	1-1	2014/0599	$106,500.00
3/10/2014	WELLS FARGO BANK N A	1-3	2014/0598	$106,500.00
12/1/2003	JONES JOHN K & PAT L		1003/07490	$137,000.00
5/19/1997	GIBBS BETTIE J	0	166/532	$115,000.00
10/5/1993	HERRMANN ROBERT O & ROSA	0		$0.00
8/5/1993	ROBERT O. & ROSA HERRMANN	0		$0.00
4/23/1981	CHARLES E. SHIRK TO ROBERT O. & ROSA	0		$0.00
1/1/1900	CHARLES E. SHIRK TO CHARLES E. SHIRK	0		$0.00
1/1/1900	HERRMANN	0		$0.00

Valuation

Assessment Year	2014	2013	2012	2011	2010
Reason	Annual Adjustment	Annual Adjustment	GENERAL REVALUATION	Annual Adjustment	MISCELLANEOUS
As Of Date	7/8/2014	7/9/2013	9/25/2012	8/15/2011	3/1/2010
Land	$20,100	$20,100	$20,100	$18,600	$17,800
Land Res (1)	$20,100	$20,100	$20,100	$18,600	$0
Land Non Res (2)	$0	$0	$0	$0	$0
Land Non Res (3)	$0	$0	$0	$0	$0
Improvement	$116,100	$119,000	$113,100	$124,500	$119,600
Imp Res (1)	$115,600	$118,500	$112,600	$123,400	$0
Imp Non Res (2)	$0	$0	$0	$0	$0
Imp Non Res (3)	$500	$500	$500	$1,100	$0
Total	$136,200	$139,100	$133,200	$143,100	$137,400
Total Res (1)	$135,700	$138,600	$132,700	$142,000	$0
Total Non Res (2)	$0	$0	$0	$0	$0
Total Non Res (3)	$500	$500	$500	$1,100	$0

Exemptions

Type	Description	2014 Pay 2015	2013 Pay 2014	2012 Pay 2013	2011 Pay 2012

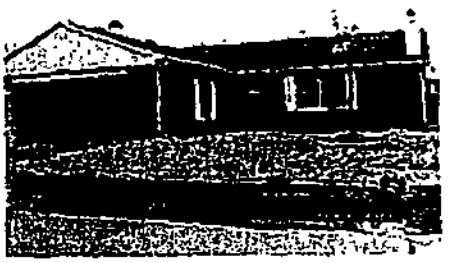
Decatur County, IN

beacon™

Date Created: 4/15/2015

Summary

Parcel ID	16-11-01-230-028.000-016
Alternate ID	011-19072-18
Property Address	(b)(6)
Brief Tax Description	
Class	



Click to Enlarge

Owner

WELLS FARGO BANK N A → STATED HOD SURRENDERABLE - PROPERTY.
1 HOME CAMPUS
DES MOINES, IA 50328

Site Description

Topography:	Flat
Public Utilities:	All
Street or Road:	Paved
Area Quality:	Static
Parcel Acreage:	

Taxing District

County:	Decatur
Township:	WASHINGTON TOWNSHIP
State District:	016 GREENSBURG CITY
Local District:	016
School Corp:	GREENSBURG COMMUNITY
Neighborhood:	1601622-016 Greensburg Addn's "C"

Land

Land Type	Soil ID	Act Front.	Eff. Depth	Size	Rate	Adj. Rate	Ext. Value	Infl. %	Value
(F) FRONT LOT		85	138	85x138	$325.00	$315.00	$26,775.00	($25.00)	$20,080.00

Residential Dwellings

Description	Single-Family R 01
Story Height	1
Style	41 1 Story Newer = 1965
Finished Area	1890
# Fireplaces	1
Heat Type	Central Warm Air
Air Cond	1890
Accommodations	
	Bedrooms: 0

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

MAY 07 2015

The Honorable Luke Messer
Member, United States
House of Representatives
2 Public Square
Shelbyville, IN 46176-1545

Dear Representative Messer:

Thank you for your letter on behalf of your constituent Mark J. Klosterkemper, about a property that he would like to purchase.

The Department is reviewing this matter. Upon completion of the review, a response will be provided.

Thank you for your interest in the Department's programs.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUN 17 2015

The Honorable Luke Messer
Member, United States
House of Representatives
2 Public Square
Shelbyville, IN 46176-1545

Dear Representative Messer

Thank you for your letter on behalf of your constituent, Mr. Mark J. Klosterkemper, about his interest in purchasing a property located at (b)(6) The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

An extensive search of HUD's records revealed that the above-listed property is not a HUD or Federal Housing Administration property. In addition, an online check of the multiple listing service reflects that this property is not currently listed for sale. Mr. Klosterkemper may wish to conduct a public records title search at his local courthouse in order to determine the current ownership of this property. All HUD-owned properties that are eligible for sale are listed for sale at: *www.hudhomestore.com*.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

RICK SCOTT
GOVERNOR

November 30, 2015

Secretary Julián Castro
U.S. Department of Housing and Urban Development
451 7th Street Southwest
Washington, DC 20410

Dear Secretary Castro:

This is to inform you that the State of Florida intends to become a grantee for funding from the Housing Trust Fund (HTF) created by the Housing and Economic Recovery Act of 2008. Florida Housing Finance Corporation (Florida Housing) is the State-Designated Entity (SDE) that will administer Florida's HTF funds, per 24 CFR 93.100.

The contact information for Florida Housing is:

Stephen P Auger, Executive Director
Florida Housing Finance Corporation
227 North Bronough Street, Suite 5000
Tallahassee, Florida 32301

Phone (850) 488-4197
Steve.Auger@floridahousing.org

Attached please find a copy of the designation of Florida Housing Finance Corporation as the SDE for the State of Florida

Sincerely,

Rick Scott
Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399 • (850) 488-2272 • FAX (850) 922-4292

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of **SENATOR TED CRUZ** to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) HUD, Wells Fargo. In addition, the office of **SENATOR CRUZ** is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: (b)(6)

EMAIL ADDRESS: (b)(6)

HOME PHONE #:

WORK PHONE #: (____)_____

CELL PHONE #: (____)_____

MAILING ADDRESS: (b)(6)

HOME OF RECORD (service members only):

DATE OF BIRTH: (b)(6) mm/dd/yyyy)

VA CLAIM # (if applicable):

PASSPORT # (if applicable):

ALIEN REGISTRATION # (if applicable):

OTHER ID #: (b)(6) (if applicable, please indicate tax year(s) and form #)

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response? HUD Secretary Julian Castro not yet responded.

(b)(6)

(Signature) 4/15/16 (Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You may submit your completed form and any other pertinent attachments by.

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839
casework@cruz.senate.gov

04/15/2016

Dear Senator Ted Cruz,

I pray this email reaches someone willing or able to help me

I tried to get a modification done about a year ago and it took a long time so I fell even more behind in my finances, and had to sell my home On closing day, the partial claim finally went through, and my closing was halted In the meantime, my new file seems to be in limbo, and the affordable housing I painstakingly searched for and found is slipping away, as I need the little bit of money I will get from the sell to use as a deposit, and first month's rent (Affordable housing is so hard to find around here)

Independence Title Company is needing a payout confirmation in order to proceed, and complete the sell. I was wondering if there was a way to do this manually? Or perhaps you could work with Wells Fargo Home Mortgage to obtain the payout over the phone? I have done exactly that and have spoken to Angela Burt, Home Preservation Specialist 877-458-8417, and I have obtained a payout amount of $23,000 139 74 However, in order for the title company to proceed it must come directly from HUD The last representative I spoke with, Jonathan at the HUD: Loan Servicing department (877-622-8525) said that the loan information is not showing up in "neighborhood watch"

You would be saving my children and I if you could help me get this resolved If you need more, or need/ want to speak to the title company please contact Asten Mull 713-316-0226 or via email· amull@independencetitle com, Via Fax 713-316-0800

Thank you so much for your help

Regards,

(b)(6)

FHA Case Number (b)(6)

(b)(6)

PARTIAL CLAIMS PROMISSORY NOTE

FEBRUARY 25, 2016 (b)(6)
[Effective Date] [City] [State]

(b)(6)
[Property Address]

1. PARTIES.

"Borrower" means each person signing at the end of this Note, and the person's successors and assigns "Secretary" or "Lender" means the Secretary of Housing and Urban Development and its successors and assigns

2. BORROWER'S PROMISE TO PAY

In return for a loan received from Lender, Borrower promises to pay the principal sum of **TWENTY-THREE THOUSAND ONE HUNDRED THIRTY-NINE DOLLARS AND 74 CENTS** (U S $23,139.74), to the order of Lender Due and payable upon one of the following events below

3. MANNER OF PAYMENT

(A) Time.

On **APRIL 1, 2046** or, if earlier, when the first of the following events occurs

(i) The Borrower has paid in full all amounts due under the primary Note and related mortgage, deed of trust or similar Security Instruments insured by the Secretary or

(ii) The maturity date of the primary Note has been accelerated, or

(iii) The Note and related mortgage deed of trust or similar Security Instrument are no longer insured by the Secretary, or

(iv) The property is not occupied by the purchaser as his or her principal residence

(B) Place.

Payment shall be made at the following address

U.S. Department of HUD
c/o Novad Management Consulting,
Shepard's Mall
2401 NW 23rd St, Suite 1A1
Oklahoma City, OK 73107
Toll-Free: (877)-622 8525
Fax Number (800) 489 1733

or any such other place as Lender may designate in writing by notice to Borrower

4. BORROWER'S RIGHT TO PREPAY

Borrower has the right to pay the debt evidenced by this Note, in whole or in part, without charge or penalty If Borrower makes a partial prepayment, there will be no changes in the due date or in the amount of the monthly payment unless Lender agrees in writing to those changes

5. WAIVERS

Borrower and any other person who has obligations under this Note waive the rights of presentment and notice of dishonor "Presentment means the right to require Lender to demand payment of amounts due "Notice of dishonor" means the right to require Lender to give notice to other persons that amounts due have not been paid

6. OBLIGATIONS OF PERSONS UNDER THIS NOTE

03/22/2016 9:21AM (GMT-05:00)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

MAY 5 2016

The Honorable Ted Cruz
United States Senator
961 J.J. Pickle Federal Building
300 East 8th Street
Austin, TX 78701-3207

Dear Senator Cruz

Thank you for your letter on behalf of your constituent, Ms. (b)(6) (b)(6) about her request for assistance with resolving a Federal Housing Administration (FHA) loan modification issue. Specifically, Ms (b)(6) asked for help with obtaining a payoff confirmation from the Department of Housing and Urban Development (HUD) so that the title company, Independence Title Company, can complete and close her FHA Home Affordable Modification Program (FHA-HAMP) application. Ms (b)(6) mortgage is secured by the property located at 18003 Brooknoll Drive in Houston, Texas. The following information is from the HUD's Office of Housing.

A review conducted by HUD's staff has confirmed that Ms. (b)(6) FHA-HAMP application has been completed. The FHA-HAMP claim must be filed prior to NOVAD, the Department's contractor, being able to issue the payoff confirmation.

Wells Fargo filed its HAMP claim with FHA on Friday, April 30, 2016. Until that claim has been paid and HUD's system of record has verified the transaction, no payoff amount can be determined. On April 28, 2016, the Department's staff spoke with Ms (b)(6) and provided her with direct instructions as to how to instruct her title company to proceed with her closing.

If Ms. (b)(6) has further questions on this matter, she may contact Ms. Keri Fullbright, a Housing Program Specialist at HUD's National Servicing Center at 1-866-449-1661, extension 8507.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States

Washington, DC 20510

September 21, 2017

The Honorable Ben Carson
Secretary
U S Department of Housing and Urban Development
451 7th Street S W
Washington, DC 20410

Dear Secretary Carson:

We write today to request that the Department of Housing and Urban Development (HUD), in coordination with the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA), expeditiously allocate the $7.4 billion in Community Development Block Grant Disaster Relief (CDBG-DR) funds appropriated by H.R 601, the Continuing Appropriations Act of 2018 We also ask that HUD, as quickly as possible thereafter, issue the notice providing clarifying guidance, waivers and alternative requirements for these CDBG-DR funds, so that the State of Texas may begin to use this federal aid and accelerate the recovery process

As you know, estimates and figures from Hurricane Harvey continue to roll in and are quickly revealing that this Hurricane will likely be the most expensive storm in our nation's history Hurricane Harvey drenched the State of Texas, with certain areas receiving over fifty inches of rainfall Early estimates from the University of Texas put the number of homes affected by the storm at 1 2 million, and as many as one million vehicles were destroyed. The sheer scale of Americans displaced from their homes is unlike anything our country has ever seen.

In response to this catastrophic event, Congress moved on H.R. 601 with a high sense of urgency, in an effort to make sure that the State of Texas and local governments received aid as quickly as possible. Unfortunately, Congress' quick action can easily be undone by unnecessary delays at the agency level In order to ensure this does not occur, we request that HUD consider the following actions.

- **Allocate the CDBG-DR Funds that Congress Intended for Harvey Immediately:** Our constituents in Texas have been suffering from the consequences of Hurricane Harvey for nearly a month The State of Texas and local governments are eager to begin the rebuilding and recovery process. While it is possible that Congress may take action on another disaster supplemental in the future, it is important the funds appropriated in H R 601 be disbursed as soon as possible

- **Lower the Requirement for Benefit to Low to Moderate Income:** The Housing and Community Development Act statutes governing CDBG dollars require that 70% of all

expenditures benefit Low to Moderate Income (LMI) persons. As you know, the HUD Secretary is granted the authority with CDBG-DR funds to waive the 70% requirement and lower the threshold to 50%. We respectfully request that you use this authority and decrease the percentage requirement for LMI as to give the grantees maximum flexibility

- **Authorize Maximum Flexibility for Grantees:** In the past, accompanying guidance for CDBG-DR allocations has specified percentages of funds that may be spent on housing, infrastructure or mitigation measures. To ensure the fullest possible recovery and resiliency, grantees must be given the broadest flexibility to spend appropriated dollars not just on housing, but on the infrastructure necessary to defend against future catastrophic events. Arbitrary percentages and requirements are a major setback to the recovery process While some restrictions are necessary, overburdensome restrictions stifle the ability of the state and local governments to apply funds to areas efficiently and realize the most benefit to long-term recovery. We firmly believe that the state and local authorities are in the best position to make such determinations

- **Limit the Comment Period:** Typically, HUD provides a thirty-day window to solicit public comments for disaster appropriations. Given the magnitude of Harvey and the number of lives disrupted and lost by this event, a thirty-day comment period is simply too long We request that HUD consider shortening the comment period from thirty days to seven days.

Thank you for your agency's efforts on behalf of the people of Texas and for your prompt consideration of these requests. We trust that HUD will give full consideration to the intent of Congress' in appropriating these CDBG-DR funds and avoid burdensome artificial restrictions. If you have any questions or concerns, please do not hesitate to contact Madison Smith in Senator Cornyn's office at (202) 224-2934

Respectfully,

JOHN CORNYN
United States Senator

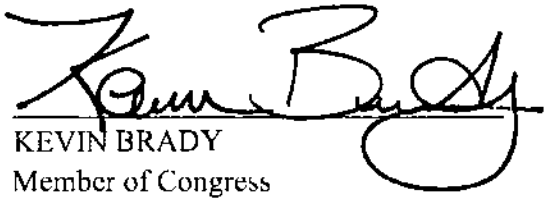
TED CRUZ
United States Senator



BRIAN BABIN, D D.S.
Member of Congress



JOE BARTON
Member of Congress



KEVIN BRADY
Member of Congress



MICHAEL C. BURGESS, M.D
Member of Congress



JOHN CARTER
Member of Congress



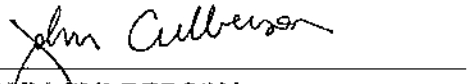
JOAQUIN CASTRO
Member of Congress



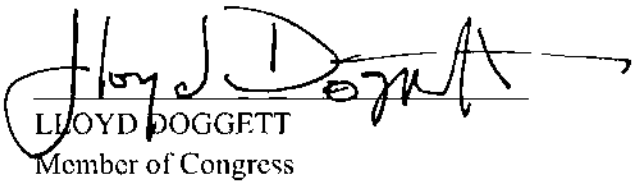
K. MICHAEL CONAWAY
Member of Congress



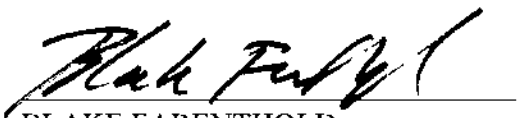
HENRY CUELLAR
Member of Congress



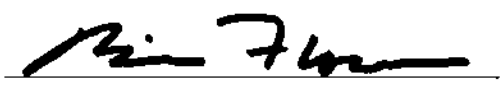
JOHN CULBERSON
Member of Congress



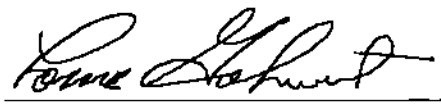
LLOYD DOGGETT
Member of Congress



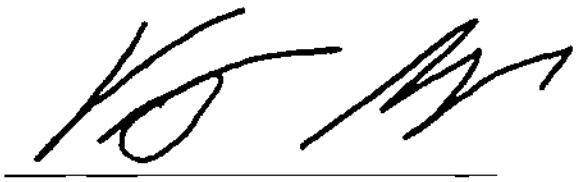
BLAKE FARENTHOLD
Member of Congress



BILL FLORES
Member of Congress



LOUIE GOHMERT
Member of Congress



VICENTE GONZALEZ
Member of Congress



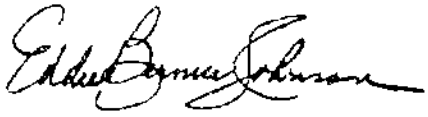
KAY GRANGER
Member of Congress



WILL HURD
Member of Congress



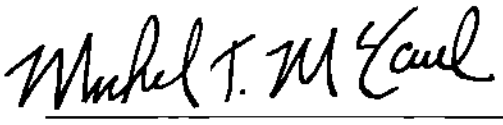
SHEILA JACKSON LEE
Member of Congress



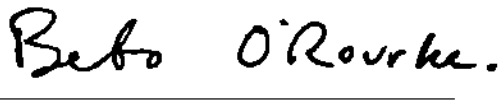
EDDIE BERNICE JOHNSON
Member of Congress



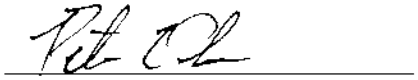
SAM JOHNSON
Member of Congress



MICHAEL MCCAUL
Member of Congress



BETO O'ROURKE
Member of Congress



PETE OLSON
Member of Congress



TED POE
Member of Congress



JOHN RATCLIFFE
Member of Congress

PETE SESSIONS
Member of Congress

LAMAR SMITH
Member of Congress

MAC THORNBERRY
Member of Congress

MARC VEASEY
Member of Congress

FILEMON VELA
Member of Congress

RANDY WEBER
Member of Congress

ROGER WILLIAMS
Member of Congress

KENNY MARCHANT
Member of Congress

TED CRUZ
TEXAS

COMMITTEES
AGING
ARMED SERVICES
COMMERCE
JUDICIARY
RULES AND ADMINISTRATION

United States Senate

September 19, 2017

RESPECTFULLY REFERRED:

U.S. Department of Housing and Urban Development
451 7th St SW Rm 10148
Washington, DC 20410-1000

Dear Sir/Madam:

The attached communication was forwarded to my Senate office by a constituent concerned about a matter that falls within your agency's jurisdiction. We would appreciate it if appropriate inquiries could be initiated on their behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my office at 512.916.5834 or by fax at 512.916.5839.

Thank you for your attention to this request.

PLEASE REPLY TO:

Office of Senator Ted Cruz
Attention: Joel Garcia
300 E 8th St Ste 961
Austin, Texas 78701-3226
512 916.5834
512 916.5839

Enclosure(s)

SUITE 961
300 E. 8TH STREET
AUSTIN, TX 78701
(512) 916-5834

SUITE 410
2626 NORTH HALL STREET
DALLAS, TX 75219
(214) 599-8749

SUITE 1420
808 TRAVIS STREET
HOUSTON, TX 77002
(713) 718-3057

SUITE 1603
200 SOUTH 10TH STREET
MCALLEN, TX 78501
(956) 686-7339

SUITE 950
9901 IH-10 WEST
SAN ANTONIO, TX 78230
(210) 340-2885

SUITE 501
305 SOUTH BROADWAY
TYLER, TX 75702
(903) 593-5130

SUITE SD-185
DIRKSEN BUILDING
WASHINGTON, DC 20510
(202) 224-5922

4524 59 2017-09-21 Letter

(b)(6)

August 12, 2017

Office of Senator Ted Cruz
Attention: Constituent Services
961 J. J. Pickle Federal Building
300 East Eighth Street
Austin, Texas 78701
FAX: 515-916-5839
casework@cruz.senate.gov

Dear Senator Cruz;

Please find enclosed completed Information and Privacy Act Form.

I have enclosed my two original letters to your Tyler and DC offices for points of reference. My documentation is in two 3-inch binders. I have letters in my email. It would be easier to drive to Austin than to attach it. I am so frustrated that NO ONE will give me time to begin to understand. You cannot briefly understand this because it is so drawn out.

Neither the Fort Worth nor the DC HUD offices EVER listened.

Let me give you a brief bulleted rundown of my life since September 10th of 2016:

- September 10 my marriage
- September 27 my father's death
- January 13, 2017 our son (my stepson's) murder
- June 1, 2017 my husband's surgery
- July 2, 2017 our daughter-in-law and one-year old grandson hit by hit and run driver
- July 31 thru August 3, 2017 murder trial for son's murder

In between these times, I received the emails from Terry German.

My husband has been off work. He is probably facing more surgery. Our savings are slowly dwindling, so please forgive me if I don't seem the most patient person when you ask me to briefly explain a period of time when I was put through hell and every lawyer in the State of Texas that I went to said that these people weren't breaking the law because it isn't against the law for a black person to discriminate against a white person.

I do not know if you received my original letters. If so, it would be helpful to know. Otherwise, I would appreciate the opportunity to speak with someone who would try to understand that this is not something that can be put in a thimble or on a sheet of paper to understand.

Major laws have been broken and they are being overlooked.

Thank you for your time and once again please forgive me for my impatience.

Please feel free to contact me at the number above. I will be happy to drive to Austin or meet you halfway.

Sincerely,

(b)(6)

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of **SENATOR TED CRUZ** to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) United States Department of Housing and Urban Development. In addition, the office of **SENATOR CRUZ** is also authorized to see any materials that may be disclosed pertinent to that request. Fort Worth, Tx and Washington, DC

NAME: (*print*) (b)(6)

EMAIL ADDRESS: (b)(6)

HOME PHONE #: ( ) N/A

WORK PHONE #: ( ) N/A

CELL PHONE #: (b)(6)

MAILING ADDRESS

HOME OF RECORD (service members only):

DATE OF BIRTH: (b)(6) (mm/dd/yyyy)

SOC SEC #: (b)(6)

VA CLAIM # (if applicable): N/A

PASSPORT # (if applicable):

ALIEN REGISTRATION # (if applicable):

OTHER ID #: N/A (if applicable, please indicate tax year(s) and form #)

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response? yes, US Representative Jeb Hensarling an absolute No

(b)(6)

(b)(6)

(Signature) 8/11/2017 (Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

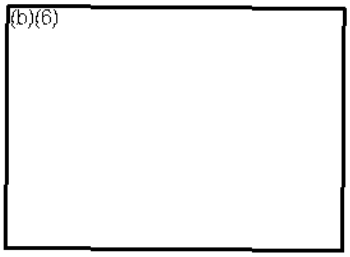
Note: Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You may submit your completed form and any other pertinent attachments by:

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839
casework@cruz.senate.gov

My documentation is in two (2) 3 inch binders How can I briefly explain it?



April 24, 2017

Senator Ted Cruz
United States Senate
East Texas Office
305 S Broadway
Suite 501
Tyler, TX 75702

Dear Senator Cruz;

Please accept this letter requesting assistance regarding the Fair Housing Division of the United States Department of Housing and Urban Development in Fort Worth, Texas.

Pencil, paper, hamburger.

Those words maybe meaningless to most people, but last Thursday, April 20, 2017, they became precious to me. A Humana physician came to examine me for my yearly well check for my insurance. I had no problem remembering the words.

Four years ago, when my psychiatrist asked me to remember three words I couldn't do so. I ended up in tears almost hysterical because I was under such emotional stress due to the constant harassment and abuse I was experiencing from the Executive Director and the chairman of the Board of Commissioners of the Malakoff Housing Authority.

I was being harassed so severely that I could hardly function. After a farcical investigation, in which none of the documentation I presented was considered, my complaint was deemed to have no merit.

None of my issues were addressed. I wasn't being denied housing. There was no issue with the racial ratio of the residents of the Malakoff Housing Authority. I was being harassed because I was white and because of my disability—Post-Traumatic Stress Disorder.

The false Adult Protective Service report that was made against me was not addressed. I was told that it was because of the likelihood of people not making reports if there are punishments for unfounded reports. I can understand that if a report is made because of an innocent mistake, but as you will see in

the enclosed copy (with my hand-written notes) the report on me was strictly made out of malicious intent to target me and cause me duress and humiliation.

NOW: I come to the reason I've written this letter for your assistance.

The Civil Rights Analyst, Terry "Deke" German, who investigated my case—an African-American was constantly ill. There were constant delays and postponements. I was always told that my case was not as important as others. There were always others that were more significant than mine.

Recently, and since I had come to believe that no one would listen or care—I have received two emails that make me believe that Mr. German was biased in his judgment of my case. I believe that I did not get a fair and impartial proceeding. The content of one is about a Civil Rights Activist (an African-American) who sued and won against an airline. The other was about President Trump being mentally ill, that I felt was a personal slight thrown at me because of my disabilities of PTSD and Major Depressive Disorder. I contacted him after the first and he told me the email was sent by mistake; however, I believe it still shows his bias and inability to fairly investigate my claim.

Mr. German promised on several occasions to visit personally so that I could present all the documentation. It never happened. The Federal HUD office automatically assumed the Executive Director of The Malakoff Housing Authority was telling the truth and I was accused of retaliation. I only wanted a fair hearing. Please allow me the opportunity to do so.

I am enclosing a copy of the APS report and copies of the emails for your perusal. This is nowhere near all the documentation that I have. I can't even begin to tell you this entire awful story. This is nowhere near all the trauma, terror, humiliation and more that you can ever imagine that I went through, but I would appreciate that opportunity. I sought assistance from Jeb Hensarling's office and numerous other officials. I was treated like a second thought. No one felt I was important enough because of my reactions. No one cared to research the nature of PTSD to understand these reactions. I feel I was not treated equably. No one understands how it feels to flinch when clouds in front of the sun and casts a shadow. Why do their black lives matter, but my white one does not?

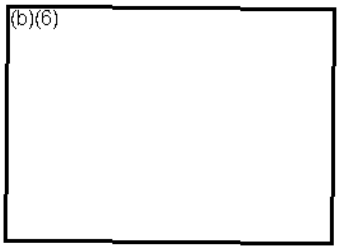
Now that we have a new administration in Washington DC, that seeks fairness and justice, I plead your help.

Please feel free to contact me in any way that is convenient to you.

I look forward to your response.

Sincerely,

(b)(6)



June 19, 2017

Senator Ted Cruz
United States Senate
Washington DC Office
Russell Senate Office Bldg 404
Washington, DC 20510

Dear Senator Cruz;

Please accept this letter requesting assistance regarding the Fair Housing Division of the United States Department of Housing and Urban Development in Fort Worth, Texas.

Please note that I have married and all of the investigation will be under the name (b)(6) Rainwater-Kinabrew.

I am enclosing the sealed envelope that I mailed to your Tyler, Texas office with my letter and enclosed documentation dated April 24, 2017 that was never accepted. It will be best to open it to help explain the issue.

Also enclosed is an additional email I received on 6/2/2017 from Terry German that further documents contact that is unwanted and that I consider further harassment. I don't quite know how to voice how I feel about this email except that it is inappropriate for him to send to me. It is unfortunate that any group have difficulty with housing, however; this does not concern or effect me and I have no interest in it since the trauma I suffered from the administration of the Malakoff Housing Authority and the total lack of concern from the US Department of Housing and Urban Development and the Fair Housing Division.

Please help me. I have felt abandoned by every agency I've turned to because it appears that the authorities simply take the word of the Malakoff Housing Authority and let the issue drop. I am not crazy—but wounded. That is the definition of PTSD. It is an injury.

Thank you for your time, representation, and assistance in advance. I look forward to your response.

Sincerely,

(b)(6) (b)(6)

Congress of the United States

Washington, DC 20510

July 14, 2017

The Honorable Benjamin Carson Sr.
Secretary
United States Department of Housing and Urban Development
451 7th Street SW
Washington, D.C., 20410

Dear Secretary Carson,

Congratulations on your confirmation as Secretary of Housing and Urban Development. We look forward to working with you to develop new solutions to the many challenges facing our country's housing sector.

As you know, the Department of Housing and Urban Development (HUD) issued compliance guidance in July 2015 on the Fair Housing Act (Title XIII of the 1968 Civil Rights Act). This "Affirmatively Furthering Fair Housing (AFFH) Final Rule," requires HUD grant recipients to examine their planning practices in an effort to curtail discrimination, and sets up a new database within HUD to collect regional and local demographic data on race, class, and English language proficiency, among other measures.

Under the AFFH rule, state and local governments may not receive federal grant money, including Community Development Block Grants (CDBGs), unless they *voluntarily* change their zoning laws to "affirmatively further fair housing." HUD will make discretionary judgments about whether jurisdictions have achieved this objective using data collected through a new mapping tool.

The rule would give jurisdictions roughly five years to remedy these so-called imbalances discovered by HUD. However, not all proposals will be approved to receive funding. The department may withhold federal funding from jurisdictions whose housing plans do not conform to "disparate impact theory." Under this theory, communities could be sued for illegal discrimination, with racial disparity statistics admissible as evidence.

We stand with you in opposing any and all instances of discrimination, but this rule does not actually help in that effort. Instead, it would extend reach of the federal government beyond its authority and could take away state and local governments' ability to make local zoning decisions.

Rather than undermining the autonomy of local housing authorities, we believe the federal government must empower local communities to tackle their own unique challenges, in compliance with the Fair Housing Act, without the threat of a new arbitrary federal mandate.

As we have already witnessed, this rule disproportionally places a heavier burden on smaller communities who could be denied funds unless they make radical, sweeping changes to their well-established zoning laws that are compliant with the Fair Housing Act. This rule simply represents a continuation of the previous administration's radical pursuit of using disparate impact theory to punish communities that are not as demographically diverse as they would have wished.

In a July 2015 *Washington* Times article, you rightfully stated that HUD was attempting to "legislate racial equality create consequences that often make matters worse," We share your perspective. Although the Supreme Court narrowly upheld disparate impact theory in *Texas Department of Housing and Community Affairs v Inclusive Communities Project, et al* (2015), we agree with you that "as with other mandated social-engineering schemes, the sort of unintended consequences Justice Samuel Alito alluded to in his dissent lurk in the shadows "

Moving forward, we respectfully ask that you use your authority to rescind the AFFH rule in its entirety. It is critical that we pursue real, sensible reforms to reduce poverty and improve the opportunities available to lower-income citizens at the local level.

We look forward to partnering with you to ensure justice and opportunity are preserved in every neighborhood across our great land

Sincerely,

Michael S. Lee
United States Senate

Paul A. Gosar, D D S
U S. House of Representatives

Richard Shelby
United States Senate

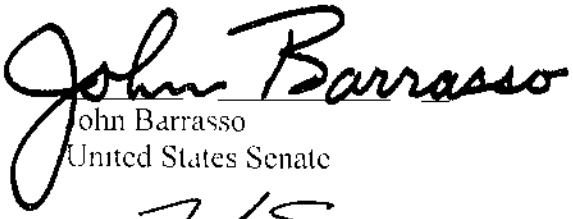
Brian Babin
U.S. House of Representatives

Tom Cotton
United States Senate

Andy Biggs
U S. House of Representatives

M Michael Rounds
United States Senate

Rod Blum
U.S. House of Representatives



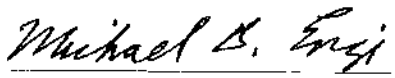
John Barrasso
United States Senate



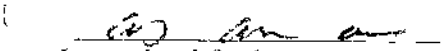
Ted Cruz
United States Senate



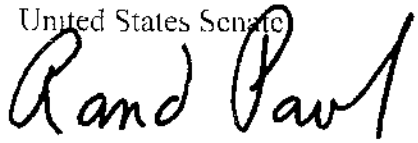
Steve Daines
United States Senate



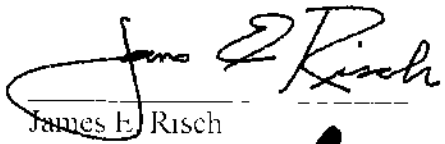
Michael B. Enzi
United States Senate



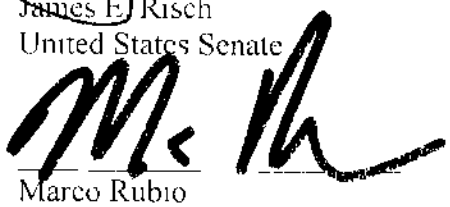
James Lankford
United States Senate



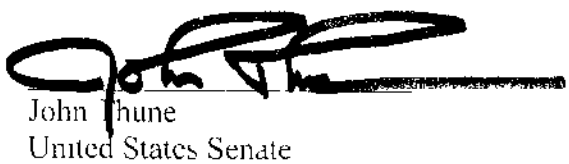
Rand Paul, M.D
United States Senate



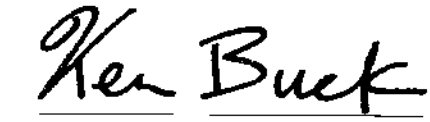
James E. Risch
United States Senate



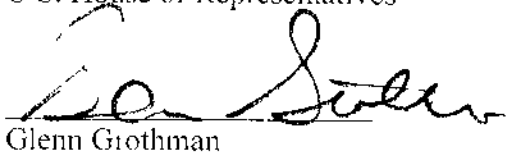
Marco Rubio
United States Senate



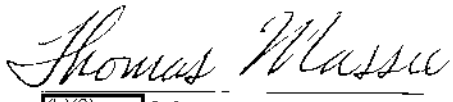
John Thune
United States Senate



Ken Buck
U S. House of Representatives



Glenn Grothman
U.S House of Representatives



(b)(6) Massie
U S House of Representatives

TED CRUZ
TEXAS

Alejandro

United States Senate

WASHINGTON DC 20510

COMMITTEES
COMMERCE
JUDICIARY
ARMED SERVICES
RULES AND ADMINISTRATION
AGING

June 27, 2013

RESPECTFULLY REFERRED:

U S. Department of Housing and Urban Development
451 Seventh Street SW Room 10148
Washington, DC 20410-1000

Dear Sir/Madam:

The attached communication was forwarded to my Senate office by a constituent concerned about a matter that falls within your agency's jurisdiction We would appreciate it if appropriate inquiries could be initiated on their behalf, and if a full response could be prepared for me to report to the constituent

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my office at 512.916.5834 or by fax at 512.916.5839

Thank you for your attention to this request.

PLEASE REPLY TO:

Office of Senator Ted Cruz
Attention: Willie Walker
Office of Senator Ted Cruz
300 E 8th St Ste 961
Austin, Texas 78701-3226
512 916 5834
512 916.5839

Enclosure(s)

300 EAST 8TH STREET
SUITE 961
AUSTIN TX 78701
512-916-5834

10440 NORTH CENTRAL EXPRESSWAY
SUITE 1160
DALLAS TX 75231
214 361 3500

1919 SMITH STREET
SUITE 800
HOUSTON TX 77002
713 651 3456

3133 GENERAL HUDNELL DRIVE
SUITE 120
SAN ANTONIO TX 78226
210-340 2885

DIRKSEN SENATE OFFICE BUILDING
SUITE SD 8408
WASHINGTON DC 20510
202 224 5922

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of **SENATOR TED CRUZ** to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) F.B.I. and HUD/OIG. In addition, the office of **SENATOR CRUZ** is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: GEORGE L. ALEJOS

MAILING ADDRESS:

(b)(6)

HOME OF RECORD (service members only):

HOME PHONE #: (b)(6)

WORK PHONE #: (210) 825-6200

SOC SEC #: (b)(6)

VA CLAIM # (if applicable):

PASSPORT # (if applicable):

ALIEN REGISTRATION # (if applicable):

OTHER ID #: _____ (if applicable, please indicate tax year(s) and form #)

DATE OF BIRTH: (b)(6) (mm/dd/yyyy)

***Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response?**

SENATOR JOHN CORNYN
HAVE YET TO RECEIVE RESPONSE
(PENDING)

Sergye A. Alejos
(Signature) (Date) 5/24/13

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note: Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You can either mail or FAX this completed form, your brief letter, and any other pertinent attachments to:

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839

LEAGUE OF UNITED LATIN AMERICAN CITIZENS
DISTRICT XV
OFFICE OF AFFORDABLE HOUSING
9811 RAMBLIN RIVER DRIVE
SAN ANTONIO, TEXAS 78251
(210) 825-6200

May 23, 2013

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701

RE: Abuse of Power by Federal Agencies

Dear Senator Cruz:

The news of your election as our new State Senator was well received by Texans and others throughout the country and it ensured that Texas' fortunes and future continue to remain in good hands. Your election also went a long way towards assuaging the fears and anxieties that many Texans are experiencing about today's economy and the volatile conditions throughout our country.

It is for that reason that LULAC is compelled to make you aware of the egregious conduct being carried out by the San Antonio offices of the Federal Bureau of Investigations and Department of Housing and Urban Development Office of the Inspector General. Like the IRS and CIA, Federal agencies currently experiencing criticism and negative publicity for their despicable actions, the San Antonio FBI and HUD OIG offices should also be investigated for what LULAC has reason to believe is a diabolical scheme that the two agencies have conducted for almost a year now.

We have reason to believe that the witch hunt was requested by the San Antonio Housing Authority as retaliation for my continued advocacy for the disadvantaged and low-income families whom I have assisted throughout the years and continue to assist as LULAC's District XV Affordable Housing Director. What is so egregious is that the FBI's and HUD OIG's investigation involves some rather simple evictions and other matters that I have participated in over the past years, some going as far back as 2006. As previously mentioned, the investigation came at the behest of SAHA and we have reason to believe the investigation is not only retaliatory in nature but discriminatory as well.

Senator Cruz, the question that needs to be answered is why have the FBI and HUD OIG taken such an interest in simple eviction cases and other insignificant issues. Their conduct is nothing more than a sheer waste of precious and valuable government resources. One would think that the FBI and HUD OIG would be more concerned and interested in channeling its time and resources on more meaningful and deserving matters such as the Boston Marathon bombing and other similar tragedies that have

befallen our nation. Please allow me to explain why LULAC feels an investigation into the conduct of the FBI and HUD OIG is warranted.

About a year ago, the FBI and HUD OIG launched an investigation into a couple of evictions and other matters that I had brought to the attention of the San Antonio Housing Authority and its board of commissioners. Immediately after addressing the board on these matters, the FBI and HUD OIG launched their investigation at the behest of SAHA. Their investigation is approaching its one-year anniversary and one can only imagine the amount of government funds and time that have been wasted on this witch hunt.

It is LULAC's hope that your office will investigate what we have reason to believe is the abuse of power carried out by the FBI and HUD OIG. Just as the American people have been assured that the IRS debacle will not be tolerated, we hope that you will look into the questionable conduct of the FBI and HUD OIG. May our Heavenly Father continue to bless you and your family and may He continue to guide you as you carry out your duties as our United States Senator.

Respectfully yours,

George L. Alejos, Director

GLA/ya

Cc: Business file
Legal

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Ted Cruz
United States Senator
300 East 8th Street
Austin, TX 78701-3233

Dear Senator Cruz:

Thank you for your email of April 15, 2014, on behalf of (b)(6) (b)(6) who is concerned about the placement of public housing in Galveston, Texas. Mr. (b)(6) also transmitted a memorandum entitled "Fair Housing Act Abuses in Galveston," which was written by David Stanowski. The following information is from the Department of Housing and Urban Development's (HUD) Office of Public and Indian Housing.

Please be advised that Mr. Stanowski is the President of the Galveston Open Government Project. This organization is currently suing HUD regarding the placement of public housing in Galveston. Therefore, until this lawsuit is resolved, the Department will be unable to provide any comment regarding this issue.

Thank you for your interest in the Department's programs. If I can be of further assistance, please let me know.

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

Dear Senator Cruz,,
My name is (b)(6) (b)(6) from Galveston,Texas. I have been a steadfast and loyal supporter of yours since you first decided to run for the US Senate. I have supported you financially where I can and verbally to other Americans as I express my total approval of every position you have espoused since being confirmed to your Senate seat , and especially including your great and noble effort to defund ObamaCare. I am so sad and disapointed at the attitude of Republicans who are not really truly conservative thru and thru as you are but only desire to remain in office and will behave in any manner which will, in their opinion, help them get re-elected no matter what, and they will compromise their phony held conservative principals to the maximum degree! Anyway I admire you greatly and hope you remain strong and true no matter what.....I do believe, fervently, that you will always fight with all your ability for conservative principles! That being said, and it is all 1,000 % true, I would nonetheless ask you to do a favor for me. I ask, knowing full well , that you have so many battles to fight (and I support you in each and every one of those battles), that your time is terribly constrained and you have little extra time to just breathe. No matter, if I don't ask, I cannot receive so here goes. The HUD is running rough shod over the City of Galveston Texas and is greatly abusing its federal power to force the City to build new public housing units in locations that do not affirmatively further fair housing , which HUD's own regulations require. So HUD is openly demanding that our City violate HUD,s own regulations. HUD has no shame! Senator Cruz, we need your help to protect us from HUD. I have enclosed *for your and your staff,s review a one page letter (with 4 attachments to explicitly clarify our* position) My prayer is that you will call the author of the letter, David Stanowski at 409-621-2099, and after talking to him and evaluating his position, hopefully do whatever you can to protect us from the unfair, and I believe unlawful , actions of HUD.
Thanking you in advance for your consideration in talking with David Stanowski,
I shall remain a loyal and steadfast supporter of yours no matter what,
for as long as you are willing to serve our country as a conservative Senator,
or hopefully President of the United States

Best regards,
(b)(6)
Galveston Texas

>

David Stanowski

<mailto:dstanowski@att.net> dstanowski@att.net

Office 409-621-2099

Fax 877-727-0823

Fair Housing Act Abuses in Galveston

Based on implementing regulations like CFR 941.202, and the decisions produced by a string of cases since 1966, Public Housing must now be built in census tracts (neighborhoods) that meet three basic criteria, in order to end racial, ethnic and economic segregation:

1. Low levels of poverty (less than 10% of the population living below the poverty level).
2. Low concentrations of minorities (less than 45%).
3. Environmental Conditions comparable to those in a typical White middle class neighborhood.

However, in July 2012, HUD demanded that the City of Galveston rebuild Public Housing in two locations with the following demographics:

Project	City	Census Tract	% Minorities	% Poverty	Cost per Unit
Magnolia Homes	Galveston	7243	50.1%	21.7%	$250,000?
Cedar Terrace	Galveston	7246	90.2%	66.1%	$275,840

Neither location is even close to being acceptable! Dr. Kirk McClure analyzed these sites and told the City that building on them will definitely NOT Affirmatively Further Fair Housing (AFFH).

These sites also have many environmental problems: Extreme wind and flood risk from hurricanes, heavy metal contamination, and they are located in blighted commercial/industrial areas on or near truck and freight rail routes; hardly locations where most White middle-class people would want to live.

However, despite the evidence to the contrary, HUD claimed that these sites do AFFH, and HUD and the GLO threatened to withhold the City's disaster recovery funding if it did not build in these locations, so the City Council quickly capitulated.

In complete opposition to what they demanded in Galveston...

In July of 2013, HUD and the GLO rejected a plan to rebuild a Public Housing project in Beaumont, because the census tract it is in has a very high concentration of minorities and poverty. These government agencies said that building in this location would fail to Affirmatively Further Fair Housing which would violate the Fair Housing Act (FHA).

HUD and the GLO are enforcing the FHA properly in Beaumont, and in Orange and Port Arthur, but they clearly have a completely different agenda in Galveston, as shown by the comparison of the Cedar Terrace and Concord Homes census tracts below. They rejected Concord Homes, but demanded that Cedar Terrace be rebuilt!

Project	City	Census Tract	% Minorities	% Poverty	Cost per Unit
Cedar Terrace	Galveston	7246	90.2%	66.1%	$275,840
Concord Homes	Beaumont	9	95.4%	56.9%	$125,000

It is HUD's and the GLO's responsibility to enforce the FHA strictly and uniformly in BOTH locations. Their demand to maintain racial, ethnic and economic segregation in Galveston has been very harmful to the City.

Written by
David Stanowski (409) 621-2099

TEXAS GENERAL LAND OFFICE
JERRY PATTERSON, COMMISSIONER

July 15, 2013

Mr. Shaun Davis
Executive Director
South East Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, TX 77703

Re: Round 2 Multifamily Application for the Beaumont Housing Authority (BHA)

Dear Shaun:

The Land Office reviewed the additional information submitted for the Beaumont Housing Authority's multifamily application. The review was intended to determine if Saint Helena Square (Concord Homes) is in compliance with fair housing laws, the Round 2 housing program and the Conciliation Agreement. The review included, but was not limited to:

- A map showing the location of the redevelopment project, Saint Helena Square;
- the Median Area Income levels and racial profiles of the census tract where (i) the proposed redevelopment will be located, and (ii) each other BHA project is located;
- the Median Area Income levels and racial profiles of Beaumont as a whole; and
- a list of all environmental or other negative uses within ¼ mile of the proposed redevelopment.

Based on the information provided, we cannot approve the BHA's current application because the proposed project is located in an "impacted" high minority, low income area and it does not appear to affirmatively further fair housing. All except one of Beaumont Housing Authorities' properties are located in concentrated high minority, low income areas of the City. In addition, the census tract in which Saint Helen Square is located has one of the highest concentrations of African American population and lowest income levels in the City.

The Disaster Recovery program has a legal obligation to ensure that all projects assisted with our funds affirmatively further fair housing. South East Texas Regional Planning Commission may appeal this decision to Scott Davis, Director, Disaster Recovery and Special Issues Division, Office of Community Development and Planning, U.S. Department of Housing and Urban Development, 451 7th Street S.W., Washington, DC 20410-7000.

While the proposed project appears to be noncompliant with the Conciliation Agreement, we are available to provide technical assistance and discuss various options on how BHA's proposal could be redesigned in a manner consistent with AFFH requirements and other federal regulations.

Please let me know if you have any questions.

Sincerely,

Javier Perez
Director, Program Oversight
Disaster Recovery Program

Stephen F. Austin Building • 1700 North Congress Avenue • Austin, Texas 78701-14
PO Box 12873 • Austin, Texas 78711-2873
512.463.5001 • 800.998.4GLO
glo.texas.gov

TED CRUZ
TEXAS

United States Senate

COMMITTEES
AGING
ARMED SERVICES
COMMERCE
JUDICIARY
RULES AND ADMINISTRATION

June 27, 2014

RESPECTFULLY REFERRED:

U.S. Department of Housing and Urban Development
451 Seventh Street SW Room 10148
Washington, DC 20410-1000

Dear Sir/Madam:

The attached communication was forwarded to my Senate office by Mrs. (b)(6) (b)(6) concerned about a matter that falls within your agency's jurisdiction. We would appreciate it if appropriate inquiries could be initiated on their behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my office at 512.916.5834 or by fax at 512.916.5839.

Thank you for your attention to this request.

PLEASE REPLY TO:

Office of Senator Ted Cruz
Attention: Susanna Sovran
300 E 8th St Ste 961
Austin, Texas 78701-3226
512.916.5834
512.916.5839

Enclosure(s)

SUITE 961
300 E 8TH STREET
AUSTIN, TX 78701
(512) 916-5834

SUITE 410
3626 NORTH HALL STREET,
DALLAS, TX 75219
(214) 599-8749

SUITE 1420
808 TRAVIS STREET,
HOUSTON TX 77002
(713) 718-3057

SUITE 1603
200 SOUTH 10TH STREET,
MCALLEN, TX 78501
(956) 686-7339

SUITE 950
9901 IH-10 WEST,
SAN ANTONIO TX 78230
(210) 340 2885

SUITE 501
305 SOUTH BROADWAY,
TYLER TX 75702
(903) 593 5130

SUITE SD-185
DIRKSEN BUILDING
WASHINGTON, DC 20510
(202) 224-5922

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of SENATOR TED CRUZ to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) State of Texas Board of Facoaldehyde + Mold. In addition, the office of SENATOR CRUZ is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: (b)(6)

MAILING ADDRESS: (b)(6)

HOME OF RECORD (service members only): _____

HOME PHONE #: (b)(6)

WORK PHONE #: (512) 535-0082 FAX (b)(6)

SOC SEC #: (b)(6)

VA CLAIM # (if applicable): _____

PASSPORT # (if applicable): _____

ALIEN REGISTRATION # (if applicable): _____

OTHER ID #: _____ (if applicable, please indicate tax year(s) and form #)

DATE OF BIRTH: (b)(6) (mm/dd/yyyy)

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response? No

(b)(6)

05-10-14

(Signature) (Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note: Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You can either mail or FAX this completed form, your brief letter, and any other pertinent attachments to:

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839

(b)(6)

June 11, 2014

Senator Ted Cruz,

Please Assure Me You And Your STAFF Are working on My "Double Wide Mobil Home" I Am So pleased with many of your ideas. which is more important than my Mobil House And Factory Exp. * CAVCO AT the Time. I Understand You Are A Very Busy Person And I will do All I CAN To help you SAVE "our Country." The White House is so Bad only A "MAN" + God CAN Save. You don't have To write Back - do what you have To. I will work Texas. And Louisiana for you - Host A Tour Bus And Have 4 to 500 people Monthly Will Meet you some day - Meet your Friend

Sincerely,

(b)(6)

(b)(6)

(b)(6)

G. Lyons, Willard, Mo.

Phone

FAX

May 1, 2014

To: Senator Ted Cruz

The theory of this letter is: I purchase a double wide home new everyone has become very ill grandson 40, baby boy 4 now 5 and daughter 59 died with cancer of liver. Got sick on 9-9-13 died 9-20-13 no warning except every time she went in the house – skin, head, throat, eyes burned and felt bad – said to me. Mom there is same thing bad in this house – someone is going to die in there – and it was her – doctors have made all get out – I cannot make mobile home co, atty, environment – no one will help me. I really respect you as my Senator and predict you will be our next President.

Look forward for an answer – (b)(6)

Double Wide Mobile Home Date of Purchase Feb 27, 2013

May 1,2014

A house I purchased which cannot be lived in because of oders which make home owners very ill.

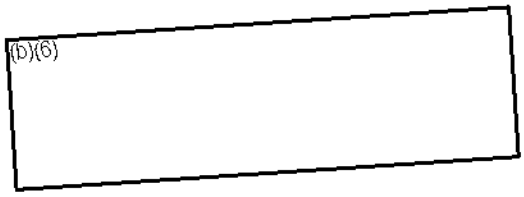
To: Ted Cruz

To: John Cornyn

And TCEQ – Tex Common Inn. Quality

Maybe you cannot help but I have tried to get help.

Sincerely,



(Please read)

This house was only lived in April 4, 2012 till October 14,2012 Cavco Homes will not do environment testing factory expo seguin will do nothing- - but the state of texas told me tear into the floor and wall – the company has it well hide = in old lumber or mold which makes 24 to 36 hours to grow. I am just searching if I would not have paid cash for this house a finance co would help "my mistake" I am going to keep searching someone will come up with an answer – cavco said April 30, 2014 it is to expensive to check but I spend 6,500.00 – cavo did not think that was to much for me – but I will prove them wrong it may take some time – but my daughter is dead forever. If I can help I will save the rest of my family.

(b)(6)

MAY 1, 2014

To: Senator Ted Cruz,

The Theory of this letter is:

I Purchase A Double Wide Home New everyone has become very ill Grandson 4o, Baby Boy 4 Nws And Daughter 59 Died w Cancer Liver. got Sick on 9-9-13 - died 9-20-13 - No WARning except every Time she went in The House - Skin, Head, Throat, eyes Burned And felt Bad - said To Me - Mom There is same thing Bad, in This House - Som(b)(6) one is going To die in There - And IT WAS Her - Doctors have made All get out - I CAN NOT MAke Mobil Home CO, ATTY, Environmentor - No one will Help Me.

I really respect you As my Senator And prideet you will Be our Next President.

Look Forward For An ANSwer —

(b)(6)

Double Wide Mobil Home
Date of Purchase Feb. 27, 2012

MAY 1, 2014

A House I Purchased
Which CANNOT Be lived
in BeCAuse of odores
Which MAKe Home Owners
Very ill.

To: Ted Cruz

To: John Cornyn

And TCEQ - Tex (b)(6) on Inv.
Quality

MAybe you CANNOT Help But I HAVE
Tried To get Help.

Sincerely

(b)(6)

(b)(6)

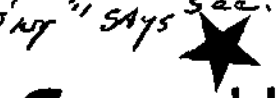
(b)(6)

(Please Read)

This House WAS only lived in Apr. 4, 2012 til Oct 14, 2012 CAVCO Homes will not do enviremen Testing Factory Expo Segwin will do Nothing - But th STATE of Texas Told me Tear into the floor And WALL - the Company has it Well Hide = in the old lumber or Mold which Takes 24 To 36 Hours To grow. I [redacted] just searching - if I would not have paid Cash For this House A Finance Co would Help - "My MisTAke" I AM going TO Keep searching Some one will Come up with AN ANSwer — CAVCO said April 30, 2014 it is To expensive To check But I spent 6,500.00 - CAVCO did NOT think that WAS To much For me - But I will Prove them wrong it may TAKE some Time - But my DAughter is Dead Forever; if I CAN Help I will SAVE The rest of my Family.

[redacted]

Factory Expo! * 830-379-8700
"Guy"
Called 4:20p 7-25-12 "I would Not TALK To me
"In A Meeting" SAYS See.



Cavco Homes
OF TEXAS
2301 N. Highway 46
Seguin, TX. 78155
(830)379-4485

10-16-12
Called - Guy Said
MAN Said will call
Back 12:15pm

RE Serial Number: 10038 Date: 7/20/12

Dear (b)(6),

First, we would like to thank you for allowing us to be part of your new home purchase. It is always our goal to provide a quality affordable home.

Our service contractor has reported that all the items on your cosmetic checklist have been inspected and/or corrected. Our service contractor has also provided me with your "Customer Satisfaction Survey". It has been our pleasure to make your home comfortable and safe for you and your family.

This completes the one time courtesy cosmetic adjustments on your home. Future cosmetic issues will be your responsibility as detailed in your "Homeowners Manual". The warranty for structural, plumbing, heating, and electrical issues remains in effect until the 1- year anniversary date of the purchase of your home, as referenced on pages 5 and 6 of your "Homeowner's Manual". Please refer to your "Homeowner's Manual" frequently for tips on maintenance for you to get the most pleasure out of your new home.

Additionally with your new home you may experience some settling issues. These issues are addressed on page 8 of your "Homeowners Manual" and are not covered under the factory warranty. Please read through your "Homeowners Manual" for all questions and concerns.

Your Appliances - Appliances are covered by warranties from the manufacturers who made them. We have included a copy of the appliance warranty numbers for your convenience.

If you have any questions or concerns please do not hesitate to contact your Service Department at 830-379-4485 or toll free at 1-877-892-2826.

Sincerely,

Kara TALKed

Cavco Customer Service 7-25-12

STATE Advised - I PAying For Home WAS A MISTAK.

Factory Expo
"Factory Direct Value" HOME CENTERS

2075 State Highway 46, North
Seguin, TX 78155
PH: 830-379-8700 FX: 830-379-8708

STATEMENT OF COMPLAINT HEARD

February 20, 2014

Location. Factory Expo Home Center, 2075 State Highway 46 N, Seguin, TX 78155

Subject: To question/complain the presence of formaldehyde in home purchased 12-27-11 located at 2021 CR 112, Burnet, TX 78611, built by Cavco Homes of Texas, sold by Factory Expo Home Center

Present in office: (b)(6) owner of home, (b)(6) her son, (b)(6) Manager Factory Expo Home Center, Bonnie Thompson, Project Supervisor, Factory Expo Home Center and Craig Calkins, General Manager, Cavco Homes of Texas, 2301 North Highway 46, Seguin, TX 78155, 830-379-4485

Emmalea Miller — Date: 2-20-14

Gary Priem — Date: 2-20-14

Luke Gotcher — Date: 2-20-14

Bonnie Thompson — Date: 2-20-14

Craig Calkins — Date: 2/20/14

May 1, 2014

To whom it may concern:

To tell you I am just a working woman at the age of 80 and saved a little money and got took. I care for my grandson who had a stroke from back surgery 12 years ago. I purchase a double wide mobile home cost about 65,000.00 plus septic well spent over 100,000.00. to get this boy next to me (I also care for my husband) with Alzheimer's and COPD since 2002. My hands full – but getting to my problem I cannot get solved – I purchase this double wide – "Had built for handicap" (which was not built for handicap by factor expo) paid at state of building 12-27-11 paid down 5,6000.00 all put on my property 2-27-12 and thought we had a good home paid balance 56,000.00. Move in April 4, 2012 (b)(6) married had a boy which was now 4 years old. May 1,2012 (b)(6) (blind in right eye from stroke – lame in left leg all from stroke began to become very ill- had bad headaches, left eye turned to blood and could not see, throat felt on fire and Luke (4) began coughing till vomit, headache, burning skin, could not breathe – was put under breathing machine and very ill – doctor is constantly saying, you are in something that is making you ill. Doctor was seen at least 4 times a month meditean constant. On Octobter 14, 2012 I took (b)(6) o ER on Sunday A.M. and Dr. Landing advised get (b)(6) out of this house immediately – Dr. said glue, wood, carpet pad has got a bad something make all very ill. (b)(6) aid could we stay till October 16 – his birthday. Doctor said get out today this point hired environmental AEHSINC. San Antonio. TX tested for formaldehyde and other I was advised "ask the dr when you can move in house' cost 6500.00 Paid to AEHSINE "bishop" House aired, fans in windows and we cleaned walls w pinsoil – my sone and (b)(6) tayed April 21, 2014 because ill and doctor and a/c which I had commercial cleaned said get out there is possible corbin max gas from a/c. I now again called (b)(6) with state and she

advised get you an attorney. You cannot do this yourself – this is a bad thing. My daughter (b)(6) was well and had a beauty ship since 1965 she would on occ. Stay with (b)(6) – got sick on Sept 9, 2013 and died with liver cancer Sept 20,2013 never ill till it took her out and (b)(6) kept saying mother there is something bad in Randalls house my body feels like it is on fire. No one wants to help me. I am going to get the men who wear the shoes in our country to help.

"Just add I Emmalea A. Priem (b)(6) was the 1st Peace officer (woman) outside "field deputy" a page signed by Gov Brisco in state of Texas still working at 80 – please help me – sending copies.

Thanks and Sincerely, (b)(6)

May 1, 2014

To Whom May Concern:

To Tell you I am just a working womnn at the age of 80 And saved a little (b)(6) oney And got Took. I Care For my Grandson who had a STroke From Back Surgery 12 yrs Ago. I purchase a Double wide Mobil Home Cost about $65,000.00 Plus Septic, well spent over 100,000.00 To get this Boy next To me (I Also Care For my Husband) w/ Alzheimers & CoPD since 2002. My Hands Full - But getting To my problem I CANNOT get Solved - I purchase this Double Wide - "Had Built For Handicap" (which was By Factory Expo Not Built For Handicap) Paid AT START of Building 12-27-11 Pd. Down $600.00. All put on my property 2-27-12 - And thought we had a Good Home. Pd Bal. $6,000.00 Move in (b)(6) ril 4, 2012, Randall, Grandson Married had a Boy which was now 4 years old. May 1, 2012 Randall (Blind in Right eye From STroke - lame in Left leg All From STroke Began To Become Very ill...

Had Bad Headaches, Left eye Turned To Blood & Could Not see, Throat Felt on Fire And Luke (4) Began Coughing Til Vomit, Headache, Burning skin, Could NOT Breath — was put under Breathing machine And STILL days later under Breathing And Very ill - Doctor is CONSTANTly SAYing, You Are in Something that is MAKing You ill - Doctor was seen at least 4 Times A Month Medication Medivan CONSTANT. On Oct 14, 2013 I Took Randall To ER on Sunday A.M. And Dr Landing Advised get Randall And Luke out of this House immediately - Dr. Said Glue, wood, Carpet, And Mold A Bad Something MAKe All very ill - "Randall said could we stay Til Oct 16 - his BD, Doctor SAid get out TODAY. this Point hired ENVIRMental AEHS, Inc SAN Ant. Tx Tested for Formaldehyde And other - I WAS Advised "Ask the Doctor When you can move in House". Cost $6,800.00 Paid To AEHS, Inc "Bishop" House Aired, Fans in windows And we cleaned WAlls w/ Pinsol - My Son & Luke Stayed April 21, 22, 2014 Became Very ill And Doctor And A/C 'which I had commercial cleaned said Get out there is Possible Carbon MAX Gas from A/C

3.

I Now Again called "Anna Bell Dilliard" with State And she Advised Get you An Atty. [redacted] can't do this yourself - this is a Bad thing.

My Daughter "Karen E. Carlon" was well And had A Beauty shop since 1965 she would on occ. stay with Randall - Got sick on Sept. 9, 2013 And died with liver cancer Sept 20, 2013, Never ill Till it Took her out And Karen Kept saying Mother there is something Bad in Randall's House My Body feels like it is on Fire,

No one wants To help me, I am going To After the men who wear the shoes in our Country To Help [redacted] "Just Add I [redacted] was the 1st Peace Officer (Woman) outside "Field Deputy" A Pay. signed By Gov Briscoe in State of Tex. Still working AT 80 - Please help me - Sending some Copies

Thanks + Sincerely

[redacted]

[redacted]

[redacted]

[redacted]

Factory Expo
"Factory Direct Value" HOME CENTERS
2075 State Highway 46, North
Seguin, TX 78155
PH: 830-379-8700 FX: 830-379-8708

STATEMENT OF COMPLAINT HEARD

February 20, 2014

Location. Factory Expo Home Center, 2075 State Highway 46 N, Seguin, TX 78155

Subject: To question/complain the presence of formaldehyde in home purchased 12-27-11 located at (b)(6) built by Cavco Homes of Texas, sold by Factory Expo Home Center

Present in office: (b)(6) owner of home, Gary Prieu, her son, (b)(6) Manager Factory Expo Home Center, Bonnie Thompson, Project Supervisor, Factory Expo Home Center and Craig Calkins, General Manager, Cavco Homes of Texas, 2301 North Highway 46, Seguin, TX 78155, 830-379-4485

Emmalea Miller — 2-20-14 Date

Gary Prieu — 2-20-14 Date

Luke Gotcher — 2-20-14 Date

Bonnie Thompson — 2-20-14 Date

Craig Calkins — 2/20/14 Date

GREG ABBOTT
Attorney General of Texas

Consumer Complaint Form

File#:

- The information you report on this form will be used to help us investigate violations of consumer laws.
- **The Attorney General's Office does not resolve individual consumer complaints.**
- This complaint and the information you provide are records open to the public under Texas Law.
- We may send a copy of this form to the Business, so **please write legibly and use black ink only.**
- Please attach copies of any documents necessary to explain the transaction but **do not send original documents.**
- The Attorney General's Office will contact you if additional information is needed.

Consumer Information		Business or Individual Complaint is Against
Name	(b)(6)	Name: Factory Expo
Address		Address: 2075 State Hwy 46 North
City		City: Seguin
State		State: Texas Zip: 78155
Home Phone (b)(6)	Work Phone: Retired	Phone: (800) 807-8536
Email address		Person you dealt with: Dave Burck Sales Mgr Steven G Sherman Mgr-Guy. No Mgr.
Age ☐19 & under ☐20-29 ☐30-39 ☐40-49 ☐50-59 ☐60-64 ☐65or over		Website or Email address: FAX 830-379-8788

1. Initial contact between you and the business:
   - ☐ Person came to my home
   - ☑ I went to company's place of business
   - ☐ I received a telephone call from business
   - ☑ I telephoned the business
   - ☑ I received information in the mail
   - ☐ I responded to radio/television ad
   - ☐ I responded to printed advertisement
   - ☐ I responded to a Website or e-mail solicitation
   - ☐ I responded to a solicitation in a language other than English (What language?)_____
   - ☐ Other _____

2. Where did the transaction take place?
   - ☐ At home
   - ☑ At business
   - ☐ By mail
   - ☐ Over the phone
   - ☐ Over the computer
   - ☐ Trade Show or Hotel
   - ☐ Other _____

3. Date(s) of Transaction(s) 12-27-11

4. Did you sign a contract?
   - ☑ Yes (please enclose a copy)
   - ☐ No

5. How much did the company/individual ask you to pay? $5,600.00

6. How much did you actually pay? $5,600.00 ☐ Cash ☐ Credit Card ☐ Loan ☑ Check

   ☐ Bank Account Debit ☐ Wire Transfer ☐ Money Order ☑ Cashiers Check ☐ Debit Card

   Date(s) of Payment: 12-27-11

7. Have you contacted another agency or attorney about this complaint? ☐ Yes ☑ No
If yes, list name and address of the agency or attorney.

8. What action was taken by this agency or attorney?

9. Please describe your complaint in detail (attach extra sheets if necessary).
I Went To Factory Expo - Told Dave and Steven want To Buy Double Wide Home For Handicap Grandson which had 5 Stracks. Looked AT ONE (1) Outside Model Advised by Dave this Home Sold - would Be like the "Sweetwater" Model - I Advised I Did NOT WANT Fire place And Book Shelves in Living TAKE OUT Dave Said it would have 3 Ceiling Fans and rest Living Area's would be Framed out For Ceiling Fans - Need Handicap Shower W/ Hand Rail and Seat All I received was Tall comode For Handicap WANT entry Vinyl No Enter Vinyl to living - No Fans (Ceiling) - No Dishwasher No Micro Wave - No WATER outlet For Ref. - Very cheap Ref. Metal shelves - No ice MAKER - No shower Bench - NO Dish Washer - No elect. Plug For freezer - This is Not what I was Showed in "Display Model - lite switch By Kitchen Back Wall instead of Door - I had "Lone Star Elect." like electricians - And ALL elect Wires NOT Connected Delane "Properly in elect. Panel. Lone Star Elect # 830-693-8932

10. Have you complained to the business? ☐ No ☑ Yes If yes, when? 3-1-13 Called And Mad letter
What was the business' response?
* letter To "Guy" New Mgr Factory Expo. Called "Guy" Numerous Times - Never called Back!
Second Pay off $50,370.00 DATED 2/2/13 PAID in Full Del. 2/27/13 - I WANT the House I Purchased, AND This Home does NOT meet the specifications. WANT To purchase what I paid For.

11. Have you been sued in relation to this transaction?
No

Texas law prohibits us from giving legal advice or opinions or acting as your personal attorney. If you desire legal advice, we suggest you consider contacting a private attorney to discuss your complaint.

In signing this complaint I understand that the Attorney General does not represent private citizens seeking the return of their money or other personal remedies. I am filing this complaint for informational purposes only.
The above statements are true and [illegible] the best of my knowledge.

(b)(6)

Signature

Mar. 26, 2013
Date

Please return this form to: Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

Work in Progress Worksheet — Factory Expo Home Center

Retail Price — Model: Sweetwater	Not Signed	68,062.00
Factory Direct Discount	Sold By Dave Burck	(9,188.00)
	SUB-TOTAL 1	$58,874.00

Addendum "A" Upgrades			1,264.00
Upgrades/Options/Features Miscellaneous		(+/-)	
December Sales Promotion Discount		(+/-)	(12,356.00)
Manager's Discount		(+/-)	(793.00)
Misc #3:		(+/-)	
Misc #4:	(percent)		0.00
Misc #5:	(percent)		0.00
Out of State Tax Credit ☐			
VIP Mult. Discount ☐			0.00
	SUB-TOTAL 2		$46,989.00
VIT	0.1783%		84.00
Document Preparation			395.00
Freight		(+)	2,500.00
Setup (Block, Level, Tie-Down), Trim-Out, 1 Set of Steps		(+/-)	3,500.00
6 Year Extended Service Contract $1995	Not Purchased		0.00
4-Ton 13 Seer Cooling Split System w/ 10-Yr Parts & Labor Warranty		(+/-)	2,530.00
	TOTAL		$55,998.00

Down Payment	(-)	
Additional Payment as Agreed	(-)	
Unpaid Balance		**$55,998.00**

Notations & Remarks

50,370.00
Wire Transfer
Mail Wire Instructions
1-800-807-8536 Donnie

No other representations, inducements, or verbal promises have been made which are not contained in this contract.

X _____ David Burck Factory Expo Representative

X (b)(6) 12-27-11 Date

X _____ Factory Expo General Manager

X _____ Buyer Date

ADDENDUM "A" Factory Expo Home Center

Customer: Model: Sweetwater

Storm Windows	480.00
Hardie Panel Siding	784.00
TOTAL FOR ADDENDUM "A"	$1,264.00

X (b)(6) X DATE: 12-27-11

Please attach a copy of all written notifications, any certified mail receipts, and your contract or purchase agreement.

Section D

Manufacturer:	CAVCO Factory Expo	Width:	14 "	Length:	56 "
Year Model:	CAVCO	Purchase Date:	12-27-11	New (X)	Used ( )

HUD Label or Texas Seal #s: NTA156 3063

Complete Serial #s: NTA156 3063 NTA156 3064

Date Installed:	2/27/12	County where home is located:	Burnet

Physical Address of home: (b)(6)

Address | City (b)(6) | State (b)(6) | ZIP (b)(6)

Was home purchased by itself (as personal property) or with land (as real property)? Personal ( ) Real ( )

Do you have a title or a Statement of Ownership and Location in your name? Yes (X) No ( ) If no, please attach a copy of any of the following documents that you may have: Bill of sale, purchase agreement, any title documents

(b)(6)

Name | Address | City | State | ZIP

Section E

How to locate the HUD label number on the manufactured home.

Back End of Home  Tow Bar End Is Front End

The aluminum HUD label is 2" x 4" and has a three letter prefix, such as TEX0000000. It is generally located on the back end outside of the home in the lower left corner.

Section F

If requesting an inspection, a map and detailed directions to the home must be provided.

Map:

North

West East

South

Written directions:

Attached

Complainant's Signature

Under penalty of perjury, I hereby swear that the matters set forth in this complaint are, to the best of my knowledge, true and correct.

(b)(6)

(Signature of OWNER*)*

3-31-12

(Date)

Dave Burck Never signed -
When I signed He advised he would sign.

Mandatory Document Factory Direct Disclosure Addendum "E"

ADDENDUM "E" FACTORY DIRECT DISCLOSURE

Home is being sold F.O.B. Factory

Buyer is responsible for the following items:

- Basic installation is included as detailed and quoted on your purchase agreement or via signed change order. Buyer understands that unless otherwise stated, the installation price which is quoted and included in this agreement is for basic installation only and my not cover specific site restrictions or needs. Basic installation is defined as basic standard height block & level and wind zone 1 tiedown. Buyer may contract other services. Factory Expo Home Center is not responsible for workmanship of contractors hired by homeowner. Improper repairs or alterations made to your home may void portions of you factory warranty.
- In the event the manufactured homes is equipped with interior drywall Tape and Texture treatment then buyer understands that during transportation and placement on property minor "hairline" cracks may appear, particularly around window and door areas. Buyer is responsible for repairing/filling these areas and completing the "marriage line close-up" at buyer's expense. In the event drywall cracks exceed ½" wide, then these are covered under the manufactured home warranty at no expense to homeowner. However, exceptions to the warranty of ½" cracks include cracks caused by extreme maneuvering of home into position on buyer's property. Sharp turns, rough bumpy terrains, homes craned or use of hellcopters to place, maneuvering into excavated hole, may cause exceptions to the warranty of ½" drywall cracks.
- Buyer understands that the purchased manufactured Home comes with a "Floating Interior Door" system on all doors. The purpose for this system is to allow the adjustment of doors and door frames upon installation of the home. This allows the installer to make sure the interior doors are in a square and even position during the leveling and installation of the manufactured home. Buyer understands that this is not a warranty item and doors must be adjusted and fixed into place at buyer's expense by the home installation contractor or other designated individual.
- Buyer is financially responsible for all aspects of any home-site/land improvements needed including but not limited to septic tanks, well preparation, utility connections, clearing, etc.
- Buyer is responsible for obtaining any permits needed to install home.
- Buyer is responsible for the final cleaning of interior of home and installation/purchase of all light bulbs.
- I/We understand that final funding of home must occur prior to shipment from factory.

X _____
David Burck Factory Expo Representative

X _____
Factory Expo Home Center

X (b)(6)

12-29-16
Date

X _____
Date

SITE PREPARATION: The installer is responsible for proper preparation of the site where a new manufactured home is to be installed. A consumer is responsible for proper preparation of the site where a used manufactured home is to be installed. If you do not think you can prepare your site properly, consider hiring someone else with the right experience and equipment to do it for you. Proper site preparation includes a site for placement of the home that has good drainage so that water will not collect or run under or around the home; and firm compacted soil with no stumps, debris, or other matter. The site that is selected and prepared also needs to meet any setback or other placement requirements and have access to any required water, septic system, and utilities.

PROPER SITE PREPARATION IS ESSENTIAL!

(b)(6)

initials

INSTALLATION: If you are purchasing a NEW manufactured home. Installation must be included. If you are purchasing a USED manufactured home, installation may or may not be included. If installation is not included and you arrange for it yourself, remember, ONLY A LICENSED INSTALLER may install a manufactured home. The installer who actually installs the home must also provide a warranty.

PROPER INSTALLATION BY A LICENSED INSTALLER IS REQUIRED BY LAW IN ORDER FOR A HOME TO BE OCCUPIED.

If you are buying a home that has already been installed, you should ask the selling retailer if they will check the leveling, check for the presence (if required) and condition of any vapor retarder, check anything else regarding the foundation/stabilization system, or provide any other installation-related services.

If you acquire a used manufactured home that is already installed in a Wind Zone II county but the home is a Wind Zone I home, which means that home was not designed or constructed to withstand a hurricane force wind occurring in a Wind Zone II or III area, the home cannot be installed in a Wind Zone II area unless it was constructed before September 1, 1997.

(b)(6)

initials

UPKEEP AND MAINTENANCE: ANY home requires regular upkeep and maintenance – things like periodic checking of and repairs to the roof, keeping vents and filters clear, maintaining septic systems and wells in safe and sanitary working order, caulking to prevent leaks, and periodic painting. Also, depending on the foundation system you choose, a manufactured home may require periodic checking to be sure that it is still level and that the anchors and straps are secure.

(b)(6)

initials

FOUNDATION MAINTENANCE: You must accept all responsibility for maintenance of the site upon closing. These responsibilities include: maintaining good drainage around the home, preventing soil erosion, periodic inspections of foundation supports and anchorage, and any leveling or adjustment that may be required unless contractually agreed otherwise. Homes located in areas that have soils with high clay content that expands and contracts must maintain consistent moisture levels. This may include watering around the foundation during dry summer months and managing the size and proximity of the vegetation near the foundation.

(b)(6)

initials

LOT RENT: If you rent the lot your home is on, in addition to the possibility of rent increases, it is possible that the property owner could decide to change the use of the land and not renew your lease. Although you would be given advance notice, this would mean that you would have to move your home and have it installed somewhere else.

(b)(6)

initials

WATER AND UTILITIES: Be sure that your lot has access to water. If you must drill a well, consider contacting several drillers for bids. If water is available through a municipality, utility district, water district, or cooperative, you should inquire about the rates you will have to pay and the costs necessary to join the water system. Be sure that any utilities you will need are available at your site and, if they are not, find out what will be involved in getting them delivered and connected.

(b)(6)

initials

SEWER CONNECTIONS OR SEPTIC SYSTEMS: If your lot is not serviced by a municipal sewer system or utility district, you will have to install an on-site sewer facility (commonly known as a septic system). There are a number of concerns or restrictions that will determine if your lot is adequate to support a septic system. Check with the local county or a licensed private installer to determine the requirements that apply to your lot and the cost to install such a system.

(b)(6)

initials

HOMEOWNERS ASSOCIATIONS AND FEES: Many subdivisions have mandatory assessments and fees that lot owners must pay. Check with the manager of the subdivision in which your lot is located to determine if any fees apply to your lot.

(b)(6)

initials

Report To Be Read

Limited Indoor Air Quality

2017 County Road 112

Burnet, Texas 78611

Keep For My Record 4-27-14

COPY

for

(b)(6)

Gave Doctor's Copies of Report Doctor's R/C Spec, Advised get out of House

by

AEHS, Inc.
4402 Center Gate
San Antonio, Texas 78217
(210) 656-9300
www.aehs-sa.com

4.7. Formaldehyde.

4.7.1. There are various standards for formaldehyde standards/levels and are depicted in the Table 2, below.

Table 2
Formaldehyde Standards/Levels
Parts Per Billion

Standard Setting Organization	Limit/Level
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Note: *8 hour time weighted average for workers. A rule of thumb for Indoor Air Quality is 1/10 of the worker standard as established by OSHA.

4.7.2. The measured level for formaldehyde is depicted in Table 3, below.

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Parts Per Billion

Master Bedroom	Back Bedroom	Rug Bag
6.5	13	2.3

4.7.3. There is evidence that some people may have a sensitivity to formaldehyde. It has also been shown to cause cancer in animals and may cause cancer in humans. Health effects include eye, nose, and throat irritation; wheezing and coughing; fatigue; skin rash; severe allergic reactions.

4.7.4. As indicated in paragraph 4.0., above, the open windows would have undoubtedly reduced the formaldehyde levels by a small margin.

5.0. Conclusions.

5.1. There does not appear to be a mold issue within the home at this time.

5.2. There are some indications that the heat intrusion is occurring through lack of insulation at specific roof and wall interfaces and wall to wall interfaces.

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for
(b)(6)

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Most Indoor Air Quality issues must be handled on an individual basis and special consideration given to the concerns of the occupants or future occupants. Indoor air quality and microbial growth in buildings (hospitals, businesses, schools, and homes) is not new to the industrial hygiene profession. However, because of the media blitz, high court awards, and an increase in chemical sensitivity among individuals, the issue has become high profile and fear abounds. The mere presence of mold does not mean that it is toxic to building occupants The science is not exact and sampling strategies, assessments, and remediation efforts are not institutionalized. Often, mold and other IAQ issues are emotional and rational thinking is sometimes avoided because of the fear.

In the more recent past, we have seen an increase in complaints within residences (individual houses, apartments, hotels, etc) to include mold growth. This increase can be attributed to many changes in our living environment. The increase in energy costs as well as environmentally conscience individuals have led to the use of double insulated windows, caulking of minute openings, and more insulation – all in an attempt to use less energy. Conversely, the changes in climatic conditions have caused soil to move, houses to develop foundation cracks, roofs to leak, lack of proper drainage away from foundations, and flooding. These latter occurrences may contribute to the infiltration and growth of fungi. Once again, the aforementioned changes coupled with the increased individual sensitivities have seen a rise in IAQ concerns in individual residences.

1.0. Background.

1.1. On 15 October, 2012, Ronald M. Bishop, of AEHS, Inc. was contacted by Ray Medrano of TLI, concerning a manufactured home purchased by (b)(6)

1.1.1. (b)(6) was contacted and her concern discussed as was the previous investigation by TLI.

1.1.2. It was decided that further investigation was warranted.

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1.2.1. Matt Bishop is a Texas Department of State Health Services (TDSHS) licensed Mold Assessment Consultant, Asbestos Inspector/Management Planner, Lead Risk Assessor and Lead Project Designer. Additionally, he is a Certified Healthcare Safety Professional and Certified Environmental and Safety Compliance Officer.

1.2.2. Ron Bishop is a Certified Industrial Hygienist (American Board of Industrial Hygiene), a Registered Environmental Professional, Registered Environmental Manager, a Diplomate in Environmental Health, a Certified Safety Executive, a Certified Environmental and Safety Compliance Officer, and a Green Consultant. Additionally, he is licensed by the TDSHS as an Asbestos Consultant, a Lead Risk Assessor, a Lead Project Designer, and a Mold Assessment Consultant. He has over thirty years of Indoor Air Quality experience and has conducted over 500 mold/IAQ investigations in the past five years. Also, he has a Master of Public Health degree as well as a Master of Military Arts and Science and a Master of Public Administration.

1.3. On 19 October the second phase of the investigation was performed by Ronald M. Bishop and included collection of the dosimeters, ultrafine measurements, and mold sampling.

2.0. General.

2.1. In general, indoor air quality problems can occur in all types and ages of buildings; in newly constructed buildings; in renovated or remodeled buildings; and in old buildings. The buildings may be private residences, multi-storied office buildings, healthcare facilities, schools or industrial complexes. Problems in new, clean buildings are rarely related to microbial growth, since the physical structures are new; however, this may not hold true if the building materials were allowed to be exposed to weather and then not adequately dried prior to installation or the drainage around a new construction is not sufficient. Older buildings that have not been properly maintained and operated may have problems with bioaerosols if parts of the building have been allowed to become reservoirs for microbial growth. Also, if inadequate outside air is present, regardless of the age of the building, chemical and biological contaminants will build up to levels that can cause health effects in some occupants. Often, designs do not consider prevailing winds, sun directions, or slope of the land for proper draining. This lack of consideration may lead to air contamination or water intrusion.

2.2. **Fungi.** Mold is a term that applies to the visible form of fungi growth while mildew is a layperson's term that refers to fungi growing on fabrics, window sills, bathroom tile, and the like. Yeasts are actually fungi that are culturally unicellular. Fungi reproduce both sexually and asexually, simplistically, spores are produced during the reproduction. The spores become airborne and can be trapped. All molds are fungi. They are common throughout the United States and occur in abundance in the outdoors.

2.2.1. Mold spores can be dormant for years and once moisture is encountered, the spores can start renewed growth.

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2.3.1. Culturable samples are those from which microorganism are "grown". The types of culturable samples include: air, swabs, surface direct plating, and settling. All have pro's and con's. The greatest drawback with culturable samples is that microorganisms grow at different rates and are competing for the growth media; therefore, an aggressive organism may overshadow one that grows slower. Another concern associated with culturable samples is the interpretation of the results. There is a tendency to make direct comparisons and try to assess the environment based on the numbers of organisms. Because there are not standardized protocols, no cut off levels, and a variation in the sensitivity of individuals, number comparisons should be used with extreme caution.

2.3.2. Non-culturable methods of sampling include spore trapping and sticky tape surface lifting. These samples are viewed directly under a microscope and characterized based on morphology. The greatest drawbacks of using this method of sampling are that some fungi spores are very small and cannot be seen while others have similar morphologies that do not allow for discernible identification. Once again, comparison of numbers should be used with extreme caution.

2.4 Particulates.

2.4.1. Particles. Particles greater than 1 micron are often the cause of irritation and can exacerbate other problems particularly when associated with low humidities.

2.4.2. Ultrafines. Ultrafines are defined as particles less than 0.1 micron in diameter. The sources of ultrafine particles include building and vehicular exhausts associated with combustion, environmental tobacco smoke, and manufacturing operations. Also, but often overlooked, sources include: cleaning solvents, heater gasket leaks, entrainment of duct linings, and malfunctioning office equipment. The technology of using ultrafines is emerging and consists of detection via a condensation particle counter.

2.4.3. Particle Discrimination/Discernment. Condensation particle counters are also available that differentiate in particle size -- 0.3 micron, 0.5 micron, 1.0 micron, 2.5 microns, 5 microns, and10.0 microns. Of importance in mold evaluation are the sizes at 1 through 10 microns because this is the majority of the size of mold spores. Therefore, a high number of particles in the 2 and 5 micron sizes will normally indicate mold growth. This is especially true when comparing the inside results with the outside measurements.

2.5. Volatile Organic Compounds (VOCs). Many home building products and furnishings contain materials that emit VOCs. The VOCs are a result of the use or manufacturing of building materials and furnishings containing chemicals which off-gas after installed.

2.6. Formaldehyde. Formaldehyde is a colorless, strong smelling gas that is often in an aqueous solution containing between 35 and 40 percent formaldehyde. It is commonly found in many products such as particle board, rugs, glues, permanent press fabrics, paper product coatings, fiberboard, and plywood.

3.0. Methodology. The following depicts the methodology used in this residence.

3.1. A visual evaluation was made of the residence while using a thermal imaging camera to detect difference in temperature which in turn depict moisture and/or microbial action. See photographs at Appendix A.

3.2. Temperature, relative humidity and particle measurements were obtained outside, in the living room, kitchen, master bedroom, kids room, and in the back room bedroom. The measurements were taken using the Lighthouse Handheld Laser Particle Counter (Model 3016, SN 040302023) which was last calibrated May 2012 in accordance with the manufacturers requirement and traceable to the National Institute of Standards and Technology's primary standard. See Appendix B. Additionally, ultrafine measurements were made outside and throughout the home.

3.3. Non-culturable air samples were collected from the outside and in the back bedroom. The analysis was performed by the Environmental Microbiology Laboratory, Inc. an AIHA Environmental Microbiology Accredited Laboratory (EMLAP) and licensed in Texas. Additionally, supplemental analysis were performed to depict pollen, other plant and other animal particles. See Appendix C.

3.5. Moisture measurements were made with surface and penetrating TRAMEX moisture meters.

3.6. VOC were measured using passive dosimeters that were left in place for approximately 24 hours. The passive dosimeters were selected to detect twenty-five analytes (1,1,1-trichloroethane, 1-butanol, 4-phenyl cyclohexene, acetone, benzene, butyl acetate, chloroform, cyclohexanone, ethylacetate, ethyl alcohol, ethylbenzene, heptanes, hexane, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, methyl isobutyl ketone, methyl methacrylate, methylene chloride, perchloroethylene, styrene, tetrahydrofuran, toluene, trichloroethylene, and xylenes). The analytes are specific for chemicals commonly found in building materials and furnishings. One dosimeter was placed in the Master Bedroom, one in the Back Bedroom and one in a bag containing a sample of the Rug and Padding. See Appendix D.

3.7. Formaldehyde measurements were made using passive dosimeters as well and were left in place for approximately 24 hours. One dosimeter was placed in the Master Bedroom, one in the

Back Bedroom and one in a bag containing a sample of the Rug and Padding. See the first three results of Appendix D.

4.0. Finding and Discussions.

The residence of concern was a manufactured home. Upon arrival on the first day, all the windows were found to be open.

4.1. Visual. Visible mold was not present.

4.2. Thermal Imaging. The thermal imaging was unremarkable with respect to moisture intrusion and mold growth; however, their did appear to be heat intrusion in some roof areas and particularly at the corners of the walls and wall to roof interfaces.

4.3. Temperature and Humidity Levels. The temperature and humidity levels were consistent with the normal levels found in homes.

4.4. Moisture Levels. Normal surface moisture levels were throughout the home.

4.5. Microbial Sampling. The total number of organisms found within the inside air was not greater than the out doors and those species found inside and not outside were extremely limited. See Appendix C for the actual laboratory results. A statistical analysis indicates that the outside and inside mold spores are similar which adds credence that no mold is growing indoors.

4.6. Particulates. The actual measurement results are at Appendix B. The particulate levels in the Back Room (Bedroom) was elevated which led to the sampling for mold; however, this can be attributed to the high level of epithelial (skin) cells and cotton fibers as indicated in the other Biological Particles Report. See Appendix C. Ultrafine measurements were unremarkable.

4.7. Volatile Organic Compounds. The VOCs were well below OSHA standards and LEED requirements for new buildings. The LEED® green building certification program through the U.S. Green Building Council (USGBC) is reducing the energy requirements of buildings and homes as well as reducing VOCs. See Appendix D for the laboratory results and the table below for the chemicals that had any detectable level. As indicated in paragraph 4.0., above, the open windows would have undoubtedly reduced the VOC levels by a small margin.

Table 1
Passive Dosimetry VOCs Results ($\mu g/m^3$)

Constituent/Location	Master Bedroom	Back Bedroom	Rug
Acetone	0.029	0.022	-
Ethyl Alcohol	-	0.12	0.014
Isopropyl Alcohol	0.0085	0.011	-
Total	0.0375	0.153	0.014
LEED Limit	500	500	500

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5.5. The particulate levels and the level of skin cells indicated more frequent vacuuming with a HEPA filter equipped vacuum is required.

5.6. Powered exhaust ventilation, as indicated in the CDC study on the FEMA trailers, may be required to keep levels below the FEMA recommended levels for emergency housing. Their recommendation is 300 cubic feet per minute (cfm); however, difficulty will be encountered during the heating season in maintaining adequate heat in the home.

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6.1. Vacuum more frequently with a HEPA filter equipped vaccum.

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6.3. Provide a copy of this report to the occupants' physicians to determine whether continued occupancy is recommended.

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Ronald M. Bishop, MPH, CIH
ABIH Certification No. 814
MAC0106
3 November 2012

Limited Indoor Air Quality Investigation
2017 County Road 112
Burnet, Texas 78611
for
(b)(6)

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Ronald M. Bishop, MPH, CIH
ABIH Certification No. 814
MAC0106
3 November 2012

Factory Expo
"Factory Direct Value" HOME CENTERS
2075 State Highway 46, North
Seguin, TX 78155
PH: 830-379-8700 FX: 830-379-8708

February 6, 2012

NOTES

RECEIPT

DATE 2-6-12 NO. 40198

RECEIVED FROM (b)(6)

ADDRESS (b)(6)

FOR BALANCE ON 2856 LTD home $ 50,370.00

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK		
BALANCE DUE			MONEY ORDER		

BY Bonnie Thompson

©2001 REDFORM @ 8L818

Bonnie Thompson
Project Supervisor
Factory Expo Home Center

NOTES

RECEIPT

DATE 12/27/11 NO. 40181

RECEIVED FROM (b)(6)

ADDRESS (b)(6)

FOR Downpayment on Sweetwater Home $ 5,600 00

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	5600	00
BALANCE DUE			MONEY ORDER		

BY

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U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUL 10 2014

The Honorable Ted Cruz
United States Senator
300 East 8th Street, Suite 961
Austin, TX 78701-3226

Dear Senator Cruz:

Thank you for your letter of June 27, 2014, on behalf of your constituent, (b)(6) concerning her family's health problems since moving into her trailer home in Burnet, Texas.

The Department is currently conducting a review of this matter. Upon completion of the review, a final response will be provided.

Thank you for your interest in the Department's programs.

Sincerely,

for Dominique M. McCoy
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUL 2 4 2014

The Honorable Ted Cruz
United States Senator
300 E. 8th Street, Suite 961
Austin, TX 78701-3226

Dear Senator Cruz:

Thank you for your letter on behalf of your constituent, Mrs. (b)(6) (b)(6) concerning the alleged possible health problems she and her family are experiencing that she claims to have been caused by formaldehyde emissions and mold in her manufactured home. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

The Manufactured Housing Division in the Department of Housing and Community Affairs serves as a State Administrative Agency (SAA), which administers the Federal Manufactured Housing Program in the State of Texas. Mr. Joe Garcia, the Executive Director of the Manufactured Housing Division, contacted Mr. Craig Caulkins, the General Manager of the CAVCO Homes of Texas regarding the issues with Mrs. (b)(6) home.

CAVCO's compliance representatives flew to Texas to inspect the home with a specific focus on mold and formaldehyde levels. Although Mrs. (b)(6) claims that her home was making her family sick, the CAVCO representatives found no non-compliances to support Mrs. (b)(6) complaint. Additionally, Mr. Caulkins informed Mr. Garcia that the CAVCO representatives did not experience any health issues during the course of their investigation.

HUD's Office of Manufactured Housing Programs has contacted the Texas SAA to discuss the issues raised by Mrs. (b)(6). After reviewing Mrs. (b)(6) letter and speaking with the Texas SAA staff, the Department's Manufactured Housing Office has determined that no further assistance can be offered under the Manufactured Home Procedural and Enforcement Regulations, 24 C.F.R. Part 3282.

I hope the information provided is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary for

Please Help. URGENT!!!

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of SENATOR TED CRUZ to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) HUD + MRB. In addition, the office of SENATOR CRUZ is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: Lonnie C. Bradley JR.

EMAIL ADDRESS: Lonnie@RHLending.com

HOME PHONE #: (b)(6)

WORK PHONE #: (817) 756-1200

CELL PHONE #: (b)(6)

MAILING ADDRESS: 6209 Colleyville Blvd.
Colleyville TX 76034

HOME OF RECORD (service members only):

DATE OF BIRTH: (b)(6) (mm/dd/yyyy)

SOC SEC #: (b)(6)

VA CLAIM # (if applicable): N/A

PASSPORT # (if applicable): N/A

ALIEN REGISTRATION # (if applicable): —

OTHER ID #: _____ (if applicable, please indicate tax year(s) and form #)

TXDL #06481592

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response? YES CONGRESSMAN SESSIONS NO FINAL RESPONSE YET

(Signature) 7-1-2014 (Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note: Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You may submit your completed form and any other pertinent attachments by:

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839
casework@cruz.senate.gov

July 1, 2014

Senator Ted Cruz

Re: Urgent Issues with HUD PLEASE HELP!!!!!! URGENT!!!!!

Dear Senator Cruz:

My friend and business associate, Gary Lacefield, has suggested I contact your office to seek assistance with issues my company has been having with the HUD office in Washington, DC. Accompanying this letter is my signed General Privacy Release Form obtained from your website. The following is my attempt to articulate the issues presented and the manner in which I hope you may be able to help.

I have been involved in the residential mortgage business for more than 20 years. In November, 2006, I became the CEO and Director of Operations for Alacrity Lending Company ("Alacrity"), a Texas corporation owned by my best friend, Steve Holmes. Steve and I started Alacrity from scratch. Alacrity received its license from HUD in early 2007 to participate in the FHA loan program. When Alacrity received its license from HUD, we were informed by the HUD underwriter responsible for processing our application that our application had been completed more smoothly and quickly than any other applicant considered by this underwriter.

We knew when we established Alacrity we wanted to focus on FHA loans so we could assist first-time homebuyers in achieving their dream of owning a home. Alacrity enjoyed almost immediate success; within a year, Alacrity went from approximately 4 employees to more than 50.

We did our best to originate loans in accordance with HUD's guidelines. We never received any indications from HUD that the loans we were originating were problematic. In January, 2009, HUD commenced a routine audit of Alacrity We welcomed the opportunity to meet with HUD's representatives to learn ways in which we could potentially improve our business practices. When the field auditor for HUD conducted his exit interview with me, the field examiner stated there were some minor errors he had seen but that we had no significant concerns that would "cause anyone to be shot" (the auditor's words).

When we obtained the audit report from HUD, enumerating the various issues HUD had with our files, we diligently responded to every comment with an explanation as well as an offer to change whatever procedures HUD thought was necessary to allow us to properly close loans.

Unfortunately for us, we made the decision to start a residential mortgage company at perhaps the worst possible time in the history of the mortgage industry Everyone is familiar with the almost total collapse of the mortgage industry commencing in 2008 and continuing for years. Although we never originated any "subprime" loans that were subsequently packaged and sold to Fannie Mae or Freddie Mac, the borrowers on the loans we originated begin to default on their loans in significant numbers. Because of these defaults and the public's outcry concerning HUD's apparent lack of supervision during the period leading up to the mortgage implosion, HUD took a much more aggressive stance toward lenders and especially small lenders with limited resources. HUD blindsided us with a notice from the Office of Inspector General that Alacrity, along with 14 other companies, was being investigated for improper lending practices. We have been told we were the only one of the 15 companies who contested HUD's allegations. We fought the allegations made by HUD but since the number of our borrowers who

had defaulted on their loans had gotten prohibitively large, we recognized HUD's ability to terminate Alacrity's license without any additional legal reasons, reached a settlement with HUD and agreed to the suspension of Alacrity's license for three years.

In early 2009, I began negotiations to acquire another FHA licensed lender, R. H. Lending, Inc. ("RHL") so that I could continue in the mortgage industry. I completed the acquisition of RHL in September, 2009 and became the sole owner, officer and director of RHL. After Alacrity's license was suspended, most of Alacrity's employees came to work for RHL and RHL commenced to originate and close FHA loans.

In 2011, HUD commenced a routine examination of RHL's operations. When HUD's field auditor left RHL's office, I was told RHL would have the opportunity to address any issues discovered by the audit. I did not hear from HUD until 13 months later when I received a letter from Nancy Murray, the Secretary to the Mortgagee Review Board, alleging various operational deficiencies RHL responded to HUD's allegations in detail and submitted hundreds of pages of supporting documentation refuting HUD's claims. I met with HUD's attorneys in Washington, DC, in late 2012 and ultimately reached an agreement with HUD in June, 2013, whereby RHL agreed to pay a $295,500 fine and agreed to a six-month period of probation during which RHL agreed to hire an independent third-party consultant to review RHL's operations for the period from July through September, 2013 and from October through December, 2013.

RHL hired Risk Mitigation Group, a company owned by Gary Lacefield, formerly a Senior Civil Rights Analyst, Investigator, and Conciliator at HUD, to conduct the audit for the period from July to September, 2013. The reports prepared by Risk Mitigation revealed no issues with RHL's operations. When the report was received by HUD, the report was summarily dismissed as inadequate and HUD requested that we provide HUD with the same files examined by Risk Mitigation so HUD could conduct their own audit. We have since been informed by HUD that they found 186 errors with the same files in which Risk Mitigation found no errors although HUD has not specifically told us what these errors are.

In September, 2013, RHL received another letter from Nancy Murray, the secretary to the Mortgagee Review Board, announcing yet another investigation, this time concerning an entity called Sky Contractors, Inc. ("SCI"). Steve Holmes owns 100% of SCI and has since the time I acquired RHL. SCI performs consulting services to builders of homes financed by loans given by RHL. SCI's sole purpose is to ensure the loans involving construction and originated by RHL satisfy all of HUD requirements concerning construction lending. SCI is paid a fee from each builder. HUD has alleged that RHL is improperly directly paying fees to SCI and that RHL and I are affiliated with SCI. To the best of my knowledge, HUD's allegations are based upon documents from 2007 that appear to list me as an officer and shareholder in SCI. By affidavit submitted to HUD, I denied ever owning an interest in SCI and offered to take such steps as are necessary to correct any documents of the contrary.

We finally heard from HUD during the past two weeks concerning the potential resolution of the matters pending before the Mortgagee Review Board. HUD's initial proposal was to impose civil money penalties against RHL in the amount of approximately $1.5 million and terminate RHL's license to participate in the FHA program. We made a counter proposal to HUD that included agreeing to pay a $400,000 fine, a suspension of RHL's license and a period during which I would not serve as an officer, director, shareholder or control person of an FHA lender. Just last week we learned from HUD that HUD proposes to suspend RHL's license for at least five years, debar me from any participation with FHA lenders for a minimum of five years and impose at least a $300,000 fine.

HUD's latest proposal will amount to a death sentence for RHL and my professional career in the mortgage industry. I am 52 years old with a 10-year-old daughter and twin four-year-old boys. To expect a person to change industries at age 52 is ludicrous. In addition, the effect of HUD's proposal on the employees at RHL will be devastating. RHL currently has 69 employees in Texas, most of whom are within the Dallas-Fort Worth Metroplex. Many of RHL's employees are the prime wage earners for their families. Missing even one paycheck will create tremendous hardship for these employees. From a purely economic perspective, RHL and its employees pays hundreds of thousands of dollars each year in federal income tax. Shutting down RHL will obviously not make a dent in the US government's massive budget but I am confident many tax dollars will be lost.

There are several things concerning RHL you should note. In particular, RHL is currently licensed in 10 states. During the past two years, RHL has undergone routine audits by each of these 10 states. All of these states conducted the same types of audits that HUD did yet not one of these states has taken issue with any single operating method of RHL. To the contrary, at least three of the 10 states congratulated us on our clean files. We are not aware of any issues with any single regulator (including the CFPB) other than the Washington DC office of HUD. In addition, to the best of our knowledge, there are no unresolved complaints filed with any regulatory agency concerning RHL.

Based upon HUD's failure to negotiate in good faith and their stated goal that "Lonnie just needs to be out of the program", I think HUD is unfairly judging RHL in an arbitrary and capricious manner. Unlike virtually every other aspect of American life, I am unable to determine any accountability for the staff of the Mortgagee Review Board. Members of this staff specifically stated to RHL's counsel that if RHL thought it was so "innocent", RHL should just fight HUD. RHL is a small company with no chance to compete with HUD's unlimited resources. I firmly believe RHL is the victim of the opposite of the too big to fail syndrome: RHL is too small to protect itself against HUD and survive and the members of the Mortgagee Review Board's staff know it and don't care.

I don't know what response you will get from HUD if you ask them about RHL. Trying to be as honest as I can, I think HUD will tell you RHL and SCI have defrauded borrowers by charging borrowers excessive fees. RHL's clearest response is that we have not defrauded anyone and that many, if not most, of the borrowers HUD thinks have been taken advantage of would be unable to obtain a loan from any other mortgage company because of the borrower's credit score and the humble nature of the borrower's home (most of these properties involved manufactured housing). Certainly RHL and SCI have made a profit. However, the loans RHL have made our more difficult and expensive than most lenders are willing to make, especially to first-time homebuyers with limited to less than perfect credit. RHL has been directly responsible for enabling thousands of borrowers to buy a home in our country. Surely, HUD's arbitrary decision based upon a handful of lawyers' opinions in DC should not be sufficient to put a company like RHL out of business.

We would appreciate any help you can give. Obviously, we stand ready to meet with you or any other person you deem necessary to better inform you about our situation and to help ourselves. Regardless of the outcome, we are comforted by the fact we have an advocate like you working for us in Washington.

Respectfully submitted,

R. H. Lending, Inc.

By: _____
Lonnie Brantley, CEO

All-

Two quick points.

1. HUD Call.

I just got off the phone with (b)(6). We have lots of people involved, so here is a general recap just to keep everyone in the loop.

The conversation was cordial. She agreed that the settlement wrapped up both MRB matters in her mind. She thought that Dane Narode either: (i) forgot to include reference to the probationary matter because the board was pushing him so hard to get the draft agreement out that very day (which she said never happens in her experience), or (ii) intentionally left out the reference to the probation matter because Nancy has continually told them during the whole process that the matters are separate (even though her staff and counsel keep talking about them as if they were one).

In her mind, she said, the probation matter is dead anyway once RH's approval is withdrawn. She said she does not know who erred, RH or RMG, in the probation review. She said it is possible she could go after RMG if she wanted to, but she did not view that approach as likely. She said she just wants the check and wants to wrap this up, and that the MRB was adamant that everyone be prepared to do an ad hoc meeting to act on RH before people left for the holidays if the settlement is not executed and the check on the way today.

(b)(6) I told [redacted] that (b)(6) is trying to make sure borrowers do not get hurt in the process. She replied that RH could transfer loans elsewhere so she was unmoved. She also said RH could still do TPO (i.e. broker) business anyway if it found a sponsor. I told her, even if that were true and I was not sure that it was, it was not a simple solution because loans would have to be entirely redone as TPO loans assuming there was even a sponsor, and that pricing, disclosures, everything would be wrong. (Without disclosing the fact, I also knew Lonnie has rejected this idea already, and did so again this morning when he and I spoke. He said he continued to keep the idea in his back pocket if he thought it made sense later.) I emphasized several times there could be lots of people left hanging, but she remained unsympathetic.

I also told her Lonnie was trying to avoid having lots of employees put out on the streets. She was again unmoved. She said she had heard Lonnie was going to become a "net-branch" of AmCap. I asked her who that was, and where she heard it. She did not know the company, and would only say she heard it through the grapevine. She said Lonnie was "already taking care of his people" and therefore people still had concerns he would continue to find a backdoor to do this "all over again." I read that as further indication of a vigorous pursuit in the debarment matter.

She said she needs the agreement and check sent out today. I did not play the "poverty" card, at least not yet, because I know we are still trying to buy a little time in negotiations. We can discuss this issue if desired.

2. Pipeline Definition.

In my call with (b)(6) and an email from (b)(6) both this morning, there was discussion of the definition of pipeline loans and "approved" loans. I told Lonnie we would send over some draft language for him to consider whether to try to get clarification on what loans RH could close and which would have to be transferred, brokered or otherwise treated. We drafted the following language to consider:

"It is our understanding that a "pipeline loan" is a loan that has been approved for HUD/FHA insurance by a Direct Endorsement underwriter, as indicated on a form HUD-92900-A for each such loan."

There is an argument for (a) omitting any attempt at clarification, as Steve recommends, or (b) for trying to obtain such clarification either by a note in a transmittal email, the actual agreement or otherwise.

As we see it, this is a business risk call. If we raise the issue, HUD may very likely try to interpret the language as narrowly as possible to say only unconditional final approvals qualify, which means more loans could not close with RH as the mortgagee. On the other hand, if we do not raise the issue, HUD could later try to second guess RH's interpretation and argue that the loans are not insurable.

This is a lot for an email, there are a lot of nuances, and it may be helpful to have input from Lonnie's underwriter if that is possible. But I wanted to get this summary at least to everyone quickly in light of the timing.

We are happy to discuss by phone if desired, and I know Steve and Lonnie are planning to call us us. We called Lonnie a little earlier, but he was tied up. If you propose a time, I will clear my schedule.

We do need to get a document to Nancy pretty soon whatever approach RH takes.

Talk to you soon.

Troy W. Garris
Weiner Brodsky Kider PC
Dallas Metropolitan Area Office
2904 Corporate Cir.
Flower Mound, Texas 75028
direct: 469 635 7539
cell: (b)(6)
garris@thewbkfirm.com
www.thewbkfirm.com

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TED CRUZ
TEXAS

COMMITTEES
AGING
ARMED SERVICES
COMMERCE
JUDICIARY
RULES AND ADMINISTRATION

United States Senate

July 2, 2014

RESPECTFULLY REFERRED:

U.S Department of Housing and Urban Development
451 Seventh Street SW Room 10148
Washington, DC 20410-1000

Dear Sir/Madam:

The attached communication was forwarded to my Senate office by Mr Lonnie Brantley, Jr. concerned about a matter that falls within your agency's jurisdiction We would appreciate it if appropriate inquiries could be initiated on their behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my office at 512.916.5834 or by fax at 512.916.5839.

Thank you for your attention to this request.

PLEASE REPLY TO:

Office of Senator Ted Cruz
Attention. Susanna Sovran
300 E 8th St Ste 961
Austin, Texas 78701-3226
512.916.5834
512.916.5839

Enclosure(s)

SUITE 961
300 E 8TH STREET
AUSTIN TX 78701
(512) 916 5834

SUITE 410
3626 NORTH HALL STREET
DALLAS TX 75219
(214) 599 8749

SUITE 1420
808 TRAVIS STREET
HOUSTON TX 77002
(713) 718 3057

SUITE 1603
200 SOUTH 10TH STREET
MCALLEN TX 78501
(956) 686-7339

SUITE 950
9901 IH 10 WEST
SAN ANTONIO TX 78230
(210) 340-2886

SUITE 501
305 SOUTH BROADWAY
TYLER TX 75702
(903) 593 5130

SUITE SD 185
DIRKSEN BUILDING
WASHINGTON, DC 20510
(202) 224 5922

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Ted Cruz
United States Senator
300 E 8th Street, Suite 961
Austin, TX 78701-3226

JUL 29 2014

Dear Senator Cruz

Thank you for your letter of July 1, 2014, on behalf of your constituent, Mr. Lonnie Brantley, Jr. of RH Lending, Inc. (RH Lending). Mr. Brantley's letter states his concerns regarding the operations of the Mortgagee Review Board (Board) in relation to an enforcement matter. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

The duties and functions of the Board are set forth in 12 U.S.C. §1708 (c). The Board is comprised of the following HUD representatives: the Assistant Secretary for Housing (chairs the meeting), the General Counsel, the President of Ginnie Mae, the Assistant Secretary for Administration (presently the Chief Human Capital Officer), the Chief Financial Officer; and the Assistant Secretary for Fair Housing and Equal Opportunity. In addition, HUD's Inspector General and the Department's Director of the Office of Lender Activities and Program Compliance advise the Board. The Board Secretary provides program support, including the investigation of referrals made to the Board, and preparation of cases presented to the Board for determination of appropriate enforcement actions. The Board is charged with the responsibility of determining what administrative action, if any, is appropriate relative to Federal Housing Administration (FHA)-approved lenders that are referred to the Board for serious or willful violations of FHA rules and regulations.

RH Lending has been referred to the Board for violations on multiple occasions. In January 2013, RH Lending settled an administrative action brought by the Board for multiple underwriting violations of manufactured home loans. RH Lending agreed to pay a civil money penalty in the amount of $295,500 and be placed on probation for 6 months.

In the course of investigating and resolving this prior matter, HUD discovered other more serious violations on the part of RH Lending. This led to a new (second) action by the Board. It is this second action to which Mr. Brantley refers to in his letter to you. The Board approved a negotiated settlement agreement with RH Lending with regard to this matter, which was executed on July 8, 2014. Mr. Brantley, as the signatory for this agreement on behalf of RH Lending, has chosen to resolve the matter before the Board in accordance with the dictates of this agreement.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Dominique M. McCoy
General Deputy Assistant Secretary
for Congressional and Intergovernmental Relations

Dear Senator Lee,

Please record this vote
and stand up for
the Civil Rights of
our citizens.
We appreciate your
courage and concern.

Bless you for your
service to America

(b)(6)

Fair-Housing-Abuses-In-Galveston pdf (2.7 MB)

Text (1 KB)

1 page summary + supporting docs.

David Stanowski

<mailto:dstanowski@att net> dstanowski@att net

Office 409-621-2099

Fax 877-727-0823

<http://www.TheFinancialHelpCenter.com>
http //www.TheFinancialHelpCenter.com

<http://www GalvestonEconomicReport com>
http //www.GalvestonEconomicReport.com

<http://www TheRealGalveston com> http://www.TheRealGalveston com

Fair Housing Act Abuses in Galveston

Based on implementing regulations like CFR 941.202, and the decisions produced by a string of cases since 1966, Public Housing must now be built in census tracts (neighborhoods) that meet three basic criteria, in order to end racial, ethnic and economic segregation:

1. Low levels of poverty (less than 10% of the population living below the poverty level).
2. Low concentrations of minorities (less than 45%).
3. Environmental Conditions comparable to those in a typical White middle class neighborhood.

However, in July 2012, HUD demanded that the City of Galveston rebuild Public Housing in two locations with the following demographics:

Project	City	Census Tract	% Minorities	% Poverty	Cost per Unit
Magnolia Homes	Galveston	7243	50.1%	21.7%	$250,000?
Cedar Terrace	Galveston	7246	90.2%	66.1%	$275,840

Neither location is even close to being acceptable! Dr. Kirk McClure analyzed these sites and told the City that building on them will definitely NOT Affirmatively Further Fair Housing (AFFH).

These sites also have many environmental problems: Extreme wind and flood risk from hurricanes, heavy metal contamination, and they are located in blighted commercial/industrial areas on or near truck and freight rail routes; hardly locations where most White middle-class people would want to live.

However, despite the evidence to the contrary, HUD claimed that these sites do AFFH, and HUD and the GLO threatened to withhold the City's disaster recovery funding if it did not build in these locations, so the City Council quickly capitulated.

In complete opposition to what they demanded in Galveston...

In July of 2013, HUD and the GLO rejected a plan to rebuild a Public Housing project in Beaumont, because the census tract it is in has a very high concentration of minorities and poverty. These government agencies said that building in this location would fail to Affirmatively Further Fair Housing which would violate the Fair Housing Act (FHA).

HUD and the GLO are enforcing the FHA properly in Beaumont, and in Orange and Port Arthur, but they clearly have a completely different agenda in Galveston, as shown by the comparison of the Cedar Terrace and Concord Homes census tracts below. They rejected Concord Homes, but demanded that Cedar Terrace be rebuilt!

Project	City	Census Tract	% Minorities	% Poverty	Cost per Unit
Cedar Terrace	Galveston	7246	90.2%	66.1%	$275,840
Concord Homes	Beaumont	9	95.4%	56.9%	$125,000

It is HUD's and the GLO's responsibility to enforce the FHA strictly and uniformly in BOTH locations. The demand to maintain racial, ethnic and economic segregation in Galveston has been very harmful to the City.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

October 29, 2013

Mr. Tim Irvine
Executive Director
Texas Department of Community Affairs
P.O. Box 13941
Austin, TX 78711-3941

Dear Mr. Irvine:

In July 2013, the Galveston Housing Authority (GHA) and its development partner, McCormack Baron Salazar, Inc. (MBS) applied for tax credits to support the rebuilding of public housing at the Cedar Terrace Apartments, which was devastated by Hurricane Ike in 2008. We understand that your agency is currently reviewing an application for 4% noncompetitive Low Income Housing Tax Credits, which will also allow for the issuance of private activity bonds by the Galveston Public Facility Corporation. The sale of both tax credits and bonds will support the reconstruction of Cedar Terrace, which will contain 122 total units. Of these units, a total of 50 units will be public housing, 13 will be project based Section 8 units, and 59 will be market rate units. Other sources of funding to be invested in this project include Community Development Block Grant disaster funds, which are now being administered by the Texas General Land Office (GLO), insurance proceeds paid to GHA, Replacement Housing Factor (RHF) funds granted to the GHA by HUD, and a private mortgage.

GHA has presented HUD with its overall plan for the rebuilding of mixed-income public housing on both the Cedar Terrace and Magnolia Homes sites, and these projects will be the first two steps in rebuilding the public housing destroyed by Hurricane Ike. GHA and MBS are seeking all approvals to close and begin construction on the Cedar Terrace site by December 31, 2013. It is GHA's plan to commence the construction of the 160 mixed-income units at the Magnolia Homes site in mid-2014. HUD concurs that the mixed-income redevelopment of both the Cedar Terrace and Magnolia Homes sites will affirmatively further fair housing and that it also complies with the Conciliation Agreement between GLO and housing advocates, dated May 25, 2010. Additionally, the mixed-income redevelopment of both sites will reduce the concentration of public housing units in operation on these two sites and will also lower the concentration of poverty in these neighborhoods.

The redevelopment of Cedar Terrace is not feasible without the 4% Low Income Housing Tax Credits and accompanying private activity bonds. There are not sufficient CDBG disaster recovery funds or public housing funds available to GHA to reconstruct this mixed-income development without TDHCA's approval of these funding sources. In addition, GLO has made it clear that units developed with CDBG disaster funds need to be completed as quickly as possible. Therefore, there is no time to seek other funding to replace this important source of funds.

HUD's Office of Public Housing Investments (OPHI) has reviewed and approved a HUD Rental Term Sheet and other submissions for the Cedar Terrace project. OPHI expects to review

this project's legal documents over the next two months and to provide its final approval to GHA to close on this transaction and begin construction prior to December 31, 2013.

HUD looks forward to the development and operation of quality mixed-income public housing on Galveston Island. HUD will be happy to provide a similar letter to TDHCA, if requested, as we understand an application for tax credits for the Magnolia Homes mixed-income public housing project was submitted October 9, 2013.

Please contact Sara Pratt, Deputy Assistant Secretary for Enforcement, Office of Fair Housing and Equal Opportunity at 202-402-6322 or Susan Wilson, Director, Office of Public Housing Investments at 202-402-4500 if you have any questions concerning this letter.

Sincerely,

Bryan Greene
Acting Assistant Secretary
Office of Fair Housing and
Equal Opportunity

Mark Johnston
Acting Assistant Secretary
Office of Community Planning
and Development

Sandra Henriquez
Assistant Secretary
Office of Public and
Indian Housing

TEXAS GENERAL LAND OFFICE
JERRY PATTERSON, COMMISSIONER

July 15, 2013

Mr. Shaun Davis
Executive Director
South East Texas Regional Planning Commission
2210 Eastex Freeway
Beaumont, TX 77703

Re: Round 2 Multifamily Application for the Beaumont Housing Authority (BHA)

Dear Shaun:

The Land Office reviewed the additional information submitted for the Beaumont Housing Authority's multifamily application. The review was intended to determine if Saint Helena Square (Concord Homes) is in compliance with fair housing laws, the Round 2 housing program and the Conciliation Agreement. The review included, but was not limited to:

- A map showing the location of the redevelopment project, Saint Helena Square;
- the Median Area Income levels and racial profiles of the census tract where (i) the proposed redevelopment will be located, and (ii) each other BHA project is located;
- the Median Area Income levels and racial profiles of Beaumont as a whole; and
- a list of all environmental or other negative uses within ¼ mile of the proposed redevelopment.

Based on the information provided, we cannot approve the BHA's current application because the proposed project is located in an "impacted" high minority, low income area and it does not appear to affirmatively further fair housing. All except one of Beaumont Housing Authorities' properties are located in concentrated high minority, low income areas of the City. In addition, the census tract in which Saint Helen Square is located has one of the highest concentrations of African American population and lowest income levels in the City.

The Disaster Recovery program has a legal obligation to ensure that all projects assisted with our funds affirmatively further fair housing. South East Texas Regional Planning Commission may appeal this decision to Scott Davis, Director, Disaster Recovery and Special Issues Division, Office of Community Development and Planning, U.S. Department of Housing and Urban Development, 451 7th Street S.W., Washington, DC 20410-7000.

While the proposed project appears to be noncompliant with the Conciliation Agreement, we are available to provide technical assistance and discuss various options on how BHA's proposal could be redesigned in a manner consistent with AFFH requirements and other federal regulations.

Please let me know if you have any questions.

Sincerely,

Javier Perez
Director, Program Oversight
Disaster Recovery Program

TED CRUZ
TEXAS

United States Senate

COMMITTEES
AGING
ARMED SERVICES
COMMERCE
JUDICIARY
RULES AND ADMINISTRATION

June 19, 2014

RESPECTFULLY REFERRED:

U.S. Department of Housing and Urban Development
451 Seventh Street SW Room 10148
Washington, DC 20410-1000

Dear Sir/Madam:

The attached communication was forwarded to my Senate office by Ms. (b)(6) (b)(6) concerned about a matter that falls within your agency's jurisdiction. We would appreciate it if appropriate inquiries could be initiated on their behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact my office at 512.916.5834 or by fax at 512.916.5839.

Thank you for your attention to this request.

PLEASE REPLY TO:

Office of Senator Ted Cruz
Attention: Susanna Sovran
300 E 8th St Ste 961
Austin, Texas 78701-3226
512.916.5834
512.916.5839

Enclosure(s)

SUITE 961
300 E 8TH STREET
AUSTIN TX 78701
(512) 916 5834

SUITE 410
3626 NORTH HALL STREET,
DALLAS, TX 75219
(214) 599-8749

SUITE 1420
808 TRAVIS STREET,
HOUSTON TX 77002
(713) 718 3057

SUITE 1603
200 SOUTH 10TH STREET,
MCALLEN TX 78501
(956) 686 7339

SUITE 950
9901 IH-10 WEST
SAN ANTONIO, TX 78230
(210) 340-2885

SUITE 501
305 SOUTH BROADWAY,
TYLER, TX 75702
(903) 593-5130

SUITE SD-185
DIRKSEN BUILDING
WASHINGTON, DC 20510
(202) 224 5922

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JAN 09 2015

The Honorable Ted Cruz
United States Senator
300 E. 8th Street, Suite 961
Austin, TX 78701-3226

Dear Senator Cruz:

Thank you for your emails on behalf of (b)(6) (b)(6) who is concerned about the placement of public housing in Galveston, Texas. Ms. (b)(6) also transmitted a document entitled, "Fair Housing Act Abuses in Galveston," which was written by David Stanowski. The following information is from the Department of Housing and Development's (HUD) Office of Fair Housing and Equal Opportunity.

Mr. Stanowski is the president of an organization called the Galveston Open Government Project. This organization sued HUD, alleging that Galveston Housing Authority had failed to affirmatively further fair housing in an agreement that HUD approved for the replacement of public housing. The case brought by the organization against HUD has been dismissed in a series of orders. In one order, the organization was dismissed as a plaintiff in the case because of lack of standing. The most recent decision of the court was entered on August 5, 2014, and dismissing the organization's complaint against HUD. The issues outlined in the "Fair Housing Act Abuses in Galveston" document were raised in this litigation.

I hope this information is helpful in responding to your constituent. If I can be of further assistance please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Mr. Thurmon Miles, Director
Fort Worth FHEO Center
801 Cherry St Unit 45 Suite 2500
Fort Worth, TX 76102

Dear Mr. Miles,

Thank you for speaking with me on yesterday and listening to my concerns. The purpose of this letter is to express, in writing, my most recent concerns with the continued victimization of my family while trying to utilize the Housing Choice Voucher program. I would like to make numerous facts known before a decision is made on this case as the facts may have a direct impact on the determination of whether or not reasonable accommodations were denied. Additionally, the facts will corroborate the need for immediate assistance with this matter to prevent homelessness before the case is decided.

After speaking with my caseworker, Mr. Carlock, and you on yesterday afternoon, I want to add some information to my file; and I want my Fair Housing discrimination complaint to reflect the information contained in this letter. Please let this letter serve as my most recent response to the Harris County Housing Authority's actions towards my family and let the record show that I would like to amend my complaint, as previously stated in numerous emails and calls, to reflect new information and names in addition to what has already been documented (names to be included are Ms. Beverly Burroughs and possibly Mr. Kelvin Williams).

Let me start by addressing the obvious issue: The Harris County Housing Authority is blatantly disregarding my disabilities and my children's disabilities by denying reasonable accommodations that have been proven repeatedly, and the said agency removed every reasonable accommodation in my file after I filed a discrimination complaint. This is unfair, and because I am nearly 36 weeks pregnant now, I cannot continue to try to appease their behavior as time is running out to resolve the complaint before the following major events: the birth of my child, the termination of my voucher, the termination of the HAP contract with my landlord, and the 180 days before a decision must be made on the discrimination complaint if no waiver for additional time is granted to further review the case.

The HCHA has imposed unreasonable deadlines on my family to move, and, as we discussed yesterday (with Mr. Carlock corroborating the facts), the local FHEO has communicated with the said agency in an effort to resolve the matter to no avail. For some reason, Mr. McCasland, HCHA director, is under the impression (and has stated such to Mr. Carlock and to me) that the Assistant Secretary of Public and Indian Housing and the Secretary of Housing and Urban Development need to ask for his permission to grant reasonable accommodations with regard to my case after he was previously made aware this was not the protocol. Mr. McCasland has already agreed to make the waiver request, but he keeps going back and forth about not knowing the protocol after it has been explained to him. Mr. McCasland has also stated to Mr. Carlock that he is "uncomfortable" requesting a waiver on my behalf even though he knows my reasonable accommodation requests are valid because he has never done a waiver before, even though his level of comfort is irrelevant with regard to federal guidelines and the proven needs of my family. Furthermore, it is not his responsibility to issue directives to any appointed cabinet member of the United States government. It is his responsibility, as director of an organization receiving federal funds, to ensure that reasonable accommodations are made to disabled persons.

To address the disabilities of everyone in the household.

2/20/2011

- The HCHA has had documentation for years verifying disabilities and only began an extensive re-verification of such after I filed a discrimination complaint against the said agency. While the said agency was within their rights to ask that the disabilities be verified again it was not right to remove accommodations from my file affecting the payments to my landlord and my ability to utilize the Housing Choice Voucher program without valid warning, reason and time to submit whatever was needed to resolve the issue (which was initially thought to be a misunderstanding).

- The HCHA issued deadlines by which they needed certain documents and denied receipt of the documents even after agencies of higher authority were able to verify the documents had been received. While the matter of the said agency denying receipt of requested information was later partially remedied by intervention from higher authority forwarding the documentation said by the HCHA to have not even been in my file, the issue of what happened to previous documentation was also raised and has still not been factually addressed.

- Upon researching the state and federal guidelines relevant to persons with disabilities, most of the documents the HCHA requested weren't even necessary because the disabilities were obvious and/or otherwise known to the said agency but I provided the requested documentation anyway even when doing so violated my family's privacy rights under the HIPAA Privacy Rule.

As a result of further research and cooperation with HCHA in an effort to remedy my family's housing situation, the said agency has been caught in several lies about their actions towards my family:

- When the said agency said they had no knowledge I was renting from my mother this was proven to be falsified by the said agency because I was able to present the original faxes and numerous correspondences leading up to the purchase of the home in question explicitly naming my mother as my prospective landlord and directly acknowledging our familial relationship as mother and daughter.

- When the said agency said they were unaware of continued disabilities, this was proven to be a lie because the original statement regarding my children's disabilities was mentioned and their disabilities aren't of a temporary nature (ADHD chronic asthma stress induced asthma and severe allergies). Also my disabilities aren't of a temporary nature (panic disorder generalized anxiety disorder, and spinal problems).

- As further related to my children's disabilities the HCHA deliberately tried to mislead higher authority into believing that the initial psychologist statement explicitly stated that my children only needed separate bedrooms for a period not to exceed 6 months. This was untrue because the only reference to a time period was the suggested and/or expected time to notice an improvement in the children's behavior with the use of an additional bedroom. There was no reference made by the psychologist to imply, insinuate or otherwise state that at the end of a 6 month period the children should be forced back into the same bedroom because the purpose of the request was obtain an additional bedroom based on disabilities warranting the continued need for such as a remedy to keep the children from engaging violent behavior that could harm either child and/or both children.

- As further related to my disabilities, the HCHA was well aware that I have panic disorder and the said agency continued to disregard this as a disability in spite of the fact that my need for stability has been continuously addressed. Even with information to substantiate my fragile emotional and mental state, the said agency continued a pattern of bullying, retaliation, and discrimination.

- All disabilities related to all persons in my household have been in existence for years. There is not one single disability (besides my pregnancy) that is temporary and, even as it related to this matter's effect on my pregnancy as pregnancy is a temporary condition the emotional distress caused by this matter is not temporary. Thus, accordingly, the HCHA never should have removed any of the accommodations in the first place because in doing so the said agency disregarded already apparent disabilities.

The following are facts related to my case:

2/20/2014

- I am disabled and my children are disabled as defined by the Fair Housing Act, and the HCHA has proof of our disabilities as continuous and long continue In fact the HCHA has been aware of our disabilities for years as proven by verifiable correspondence with the said agency and the reasonable accommodations previously in my file

- In August 2013, my voucher size was decreased to 2 bedrooms without valid warning or reason when I went in to complete a re-certification interview. At that time I was publicly humiliated and embarrassed about being disabled and my children's disabilities were mocked as was my pregnancy Subsequently, I filed a discrimination complaint about the matter.

- After filing the discrimination complaint I was notified in writing that I must move out my home because being allowed to reside in it was a reasonable accommodation that had been removed. There have been several issues regarding this matter because initially the HCHA didn't recognize the exception to rent from a relative as a reasonable accommodation even though the accommodation had been approved since before my tenancy even began at my current residence, instead, the said agency was dishonest in communicating with higher authority and stated that the tenancy was approved in error (this myth was debunked once I provided documentation proving ongoing correspondence with the HCHA during the timeframe applicable to obtaining the home)

- Also after filing the discrimination complaint, I was notified in writing that I was no longer allowed 120% fair market rent as payment to my landlord There have been several issues about this as well because the HCHA initially tried to mislead higher authority into believing the 120% FMR for a 3 bedroom unit was instead fraudulent payment for a 4 bedroom voucher because the home is a 4-bedroom home (this myth was also debunked once I provided documentation proving ongoing correspondence with the HCHA both before and after the tenancy was approved verifying that I have only received a 3 bedroom voucher the entire time I have rented this home and the 120% FMR was approved before I even moved into the home)

- The HCHA raised invalid inappropriate and irrelevant arguments that my family should leave our present home because other housing would suffice as if the availability of other suitable housing negates my family's need to remain in our present residence It is not feasible for my family to have to search for housing when we already have suitable housing Furthermore, my family's therapist has corroborated the need for stability and, even without the said statement from our therapist the HCHA was already well aware of the adverse effects forced moves have had on my family (we were displaced 2 years in a row before settling into this home after the landlords foreclosed on the properties we were renting, and I nearly had a nervous breakdown)

Additional facts are as follows

- It is the responsibility of the HCHA as the recipient of federal funds to adhere to § 501 of the Rehabilitation Act of 1973: No otherwise qualified individual with handicaps in the United States as defined in 29 USCS §706 (8) shall solely by reason of her or his handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service

- The HCHA would not incur undue administrative or financial hardship by allowing me to continue renting my present residence Nor would my tenancy cause disadvantageous changes to the Housing Choice Voucher program 16 CFR 85 63 sets forth the requirement of reasonable accommodations with respect to Section 504 "A recipient [of federal funds] shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose undue hardship on the operation of its program. Where reasonable accommodation does not overcome the effects of a person's handicap or where reasonable accommodation causes undue hardship it is not required"

- In only citing the first part of 24 CFR 982 306 (d), the HCHA is further demonstrating discriminative and retaliatory behavior because the entire statute should be taken into consideration as it allows disabled

2/20/2014

persons to rent from relatives ' The PHA must not approve a unit if the owner is the parent, child, grandparent, grandchild, sister or brother of any member of the family, unless the PHA determines that approving the unit would provide reasonable accommodation for a family member who is a person with disabilities ' The statute goes on to include language specific to when the restriction applies in that it is only at the time of initial tenancy and is not applicable to continued occupancy of the same unit, however, the HCHA has disregarded this federal guideline altogether.

In conclusion, I hope that you will take all mentioned facts into consideration, as I have carefully prepared this letter in hopes that my family's housing situation can be remedied in consistence with state and federal law We have not violated any laws, and we are being evicted from our home Forcing us to move would cause an undue burden and financial hardship on my family, in addition to aggravating already apparent and proven disabilities It is illogical to take away my family's equal opportunity to use and enjoy our dwelling when the same disabilities that were cited as the reason for granting the previous accommodations have been proven as continuous.

Please help us

Respectfully,

(b)(6)

HARRIS COUNTY HOUSING AUTHORITY

September 23, 2013

(b)(6) (b)(6)
18903 Cove Pointe Dr.
Cypress, TX 77433

Dear Ms. (b)(6)

I am writing to inform you that Harris County Housing Authority (HCHA) has denied your reasonable accommodation request for one or more of the following waivers:

- A 3 or 4-bedroom subsidy;
- At 110% of the fair market rent for Harris County;
- Leased from your mother.

HCHA has denied the request because we lack sufficient information to establish the following:

- That your sons are disabled as defined by applicable federal or state law;
- That your sons' conditions require an additional bedroom or other requested accommodations; and
- That the accommodations you requested are reasonable

Both Debra McCray and I will continue to assist you to identify information that would allow HCHA to document a disability (as defined by federal or state law) and provide a reasonable accommodation.

As previously discussed, per your annual recertification that was completed on September 11, 2013, your voucher subsidy as of October 1, 2013 will be for a 2-bedroom voucher at 100% of fair market rent. Assuming your mother will allow you to remain in place for the month of October, HCHA is extending the deadline for moving to a new unit not owned by a relative until November 1, 2013. This one month extension only applies to the third waiver referenced above. Please contact me or Ms. McCray to schedule an appointment to complete the necessary documentation for your move.

Very truly yours,

Beverly Burroughs

Beverly Burroughs
Director of HCV Programs

8933 Interchange
Houston, Texas 77054
Tel: (713) 578-2100
Fax: (713) 669-4594
www.hchatexas.org

The Honorable Barack Obama, President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President,

I am writing because I need your help. I've been at times with 9 months now about my family's urgent housing hardship but as of today I have still not received a resolution of any sort. I am a disabled single mother with 3 children my two eldest children also have disabilities and my youngest child is only 12 weeks old. We are all about to be homeless because no one has helped us.

I have been homeless twice while on the Housing Choice Voucher program and both times, it was because the landlords foreclosed on the homes I was renting and the Harris County Housing Authority ignored the seriousness of the situations. I do not want the same thing to happen again, especially now that I have a landlord who currently uses the HAP subsidy to pay the mortgage instead of pocketing the money. I have sent the same agency all necessary documentation proving that my family not only needs to remain in our home but also proving that we have a right under federal and state laws as well as HUD regulations to remain here.

I know the housing authority is angry that I filed a discrimination complaint against them for decreasing the number of bedrooms on my voucher but I had to do that for the well-being of my children. My children are not supposed to share bedrooms and the housing authority had been made aware of this at each recertification in the past 6 years. Additionally, my son and daughter's disabilities should not have been ignored during my family's recertification. However, after filing the complaint, the housing authority retaliated against my family by removing every reasonable accommodation in any file including the ability to move from my mother and the exception to fair market rent. The said agency has not restored the accommodations after receiving all requested documentation, and has consistently asked for new private health documentation in a manner that is offensive, insensitive, intimidating and unrelated to the requested accommodations. Just recently, as 2 weeks ago I was asked to provide documentation about my recent surgery and that was a request I refused because I felt I was being asked about a very personal matter that may impact whether or not I will ever be able to have any more children. It was an insult to my femininity and I will not authorize the release of unnecessary medical information merely to appease curiosity.

I do not have anywhere to go if I lose my section 8 voucher. I was forced to move out of my mother's home in 2008 after I divorced my husband. My mother purchased the home and I lived there rent free. The Housing authority approved me leasing from her because of my family's disabilities but after I contacted higher authority and filed a fair housing complaint about the change in the number of bedrooms on my voucher, the agency is now saying that I can no longer rent from my mother even after receiving documentation of both my family's disabilities and the need

6/20/2011 (b)(6)

for stability. The housing authority has not raised my or the rent accordingly since October 2010 and the mortgage on the house is nearly $1900.

I know that what is happening is unjust to the law because I can read and comprehend quite well. I have attached the notable portions regarding the specific relief and statutes proving the validity of my position and my family's right to remain in our home; but, because I have apparently upset employees at the housing authority in rejecting their petitions toward my family, it is my understanding that the obstacle causing the delay in resolving the matter is the strict application of the laws.

The truth of the matter is this. The law is very clear and specifically that pertains to my family. 24 CFR 982.306, specifically states that there is no restriction of housing between relatives after the initial move and in order to continued occupancy of the same unit. The statute protects disabled people from being kicked out into the street simply for renting from relatives after the accommodation has been allowed, and I believe the statute to be fair in that it allows families peace of mind in knowing disabilities may improve without jeopardizing a family's residence. There is no other way for the statute to be interpreted because any other interpretation would mean families would be penalized based on the improvement of health and/or disabilities, and this would be unfair.

Since my family has disabilities heightened by the area in which we reside (specifically in the exact home we are in due to verifiable mental health issues stemming from 2 previous forced moves, the need for stability and the worry of whether or not my family will be able to remain in our present home), I feel that we deserve to be helped. We deserve to be able to stay in our home. I am weak now, though. I am tired of sending emails and faxes. I am tired of recording people. My health has deteriorated from the stress of dealing with this issue, and I just want it resolved. I don't feel as though this matter is so complicated it should take another 10 months to fix. We need help now.

I have sent numerous requests to meet with Deputy Asst. Secretary Greene, Assistant Secretary Henriquez, and Secretary Donovan because my mother fainted one trip more ago; but, I have also been told to be patient. I know they are very busy, so I waited. At this point, though, I am making the trip against doctors orders. I have a hematological disorder that has kept my doctors from clearing me to fly. While I was pregnant and now due to complications that may arise at high altitudes. I am not afraid to fly, though. I am afraid to be homeless again, and it is because of this fear that I know I must come to Washington DC.

In the past 3 months, I have had 2 surgeries (the most recent was Tuesday of last week) and I have had 2 blood transfusions. My blood pressure is very unstable. I am on a lot of pain right now, and that, sometimes, causes me to pass out; but, I am coming if I have to crawl. My medical information will be forwarded to the MedStar Washington Hospital Center or the Inova Fairfax Hospital within 24-48 hours of my departure from Boston in case of an emergency. I am a Type 1 diabetic and a pendant listing my blood type and allergies when I arrive.

I do not know the protocol for coming to the White House, so I am unsure how I would come before, and when I get there, that is what I am going to tell whoever comes to the door. I do not want to be arrested, shot for coming there without an invitation, and I have no intention of being anywhere I am not welcomed, so please don't think bad of me for my concern. I will leave quietly and without any problems as soon as I am told to. I follow directions quite well, and I am not hard of understanding; but, I have to come there because I am about to lose my home, and I am afraid.

6/20/2014 (b)(6)

In addition to the first letter I sent you, I have attached the letter I received in response from the local HUD Field Office. I also attached the information proving that I have provided the requested documentation to restore the accommodations even though it wasn't needed (the copy attached was originally sent to Secretary Donovan's office directly from my family's therapist, and the tracking number is 2011-AHFD-EXEC-00072).

Please note that in the attached response from the local field office, I have not been allowed to see the letter referenced stating that "disabilities" would not exist beyond a six month window. I have asked to see that letter in writing, but I have been denied access to it each time. My children's disabilities are not issues that disappear in 6 months and my disabilities won't either. Furthermore, the accommodations were granted in 2010 based on all our disabilities, not just theirs (and I still have the paperwork to prove it). So, I am unsure why the housing authority felt the need to enter into a statement I am not allowed to see or get corrected if it was inaccurately stated in that manner. Regardless, though, that statement is said to have been made or written in 2008; and I completed 3 recertifications after that without a problem verifying the same disabilities. So, quite frankly, I am offended by the lack of concern for my family's valid disabilities and the mentioning of 6-year-old paperwork I haven't been allowed to see after consistent and current paperwork was imposed and destroyed.

I have lost a lot in dealing with the matter, there is no undue stress and burden on our family, my children's education, my continued education, my relationship, my infant's father, our friends, and our peers. I am so embarrassed that I must really go to extremes again. I have done everything I can to comply with the housing authority even when I knew some of the things asked of me violated my family's rights. I'm just tired, and we need your help.

I tentatively plan to be in Washington, DC the week of July 7, 2014 from the 7th to the 9th, as I am well enough to sit and stand without support by then. I will most likely be staying at the Willard Intercontinental with my family because it is close to HUD Headquarters and I plan to go there first. I understand if you cannot make time to hear my concern, and, I humbly ask that if you cannot help me fix this issue, that you at least point me in the direction of someone who can.

I am seeking a waiver that will allow my family to remain in our home and continue to utilize the Housing Choice Voucher program.

Please help us.

Respectfully,

(b)(6)

U.S. Department of Housing and Urban Development
Office of the Field Office Director
2211 Norfolk Street, Suite 200
Houston, Texas 77098 4096
(713) 313 2274
www.hud.gov

November 18, 2013

(b)(6)

Dear (b)(6)

SUBJECT: Wrongful Eviction
Harris County Housing Authority

The Office of HQ-Executive Secretarial received your inquiry of October 29, 2013, to President Obama, and has forwarded it to the Houston Field Office for a response because the Harris County Housing Authority (HCHA) falls within the jurisdiction of our agency. Please consider this a formal response to your correspondence.

After an initial review of the information received, the HUD Houston Office of Public and Indian Housing contacted the HCHA to inquire about their requirement to relocate you from your current residence, and the destruction of disability documentation concerns expressed in your letter.

The HCHA provided our office with a copy of your entire file. After an extensive review, it was determined that the current reasonable accommodation to rent from a relative (your Mother) was solely based on your children's disabilities. Those disabilities, as stated by your Physician, would not exist beyond a six month window. However, that time-frame has elapsed. Therefore, all of the reasonable accommodations afforded to you no longer exist as well.

Based on our review of the file and numerous conversations with you, the file reflects the documentation you submitted, and does not appear to have been altered However, if there is any new and/or additional documentation you wish to have us review, please forward that information/documentation to our office.

The Department is sympathetic to your concerns and the difficulties that you may be experiencing. Mr. Tom McCasland, Executive Director of the HCHA has agreed to speak with you directly, and can be reached at (713) 669-4549.

Thank you for your interest in the Department's program, and for bringing this matter to our attention Should you have any other questions or need further assistance, please contact Mr Kelvin Williams, Public Housing Revitalization Specialist at (713) 718-3219.

Sincerely,

Edward L. Pringle, Sr., PhD.
Director, Houston Field Office

Lewis, Christina Thu May 8 4:13 PM
to bryan.greene@hud.gov, andrej.carlock@hud.gov
cc brown.tiffy@gmail.com

RE: (b)(6) (b)(6) PENDING FAIR HOUSING DECISION 2014-AHFD-EXEC-00672 - Documents

Thanks Bryan. We will ensure that we have this information documented in the file.

Christina Lewis
Director
Houston Field Office
Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
1301 Fannin, Suite 2200
Houston, TX 77002
(Direct) 713 718-3189
(Fax) 713 718-3255

From: Greene, Bryan
Sent: Thursday, May 08, 2014 2:54 PM
To: Lewis, Christina, Carlock, J Andre
Cc: (b)(6) (b)(6) (b)(6)
Subject: FW: (b)(6) (b)(6) PENDING FAIR HOUSING DECISION 2014-AHFD-EXEC-00672 - Documents

Please see the attached documents Ms. (b)(6) wants you to have pertaining to her case. Thanks.

From: William Smith [mailto:William.D Smith@hud.gov]
Sent: Thursday, May 08, 2014 3:39 PM
To: Greene, Bryan
Cc: (b)(6)
Subject: (b)(6) (b)(6) PENDING FAIR HOUSING DECISION 2014-AHFD-EXEC-00672 - Documents

Mr. Green,

The documents attached are for a pending Fair Housing decision.

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of **SENATOR TED CRUZ** to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) Harris County Housing Authority and relevant HUD offices. In addition, the office of **SENATOR CRUZ** is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: (b)(6)

EMAIL ADDRESS: (b)(6)

HOME PHONE #:

WORK PHONE #: (_____)_____

CELL PHONE #: (_____)_____

MAILING ADDRESS: (b)(6)

HOME OF RECORD (service members only): _____

DATE OF BIRTH: (b)(6) (mm dd/yyyy)

SOC SEC #: (b)(6)

VA CLAIM # (if applicable): _____

PASSPORT # (if applicable): _____

ALIEN REGISTRATION # (if applicable): _____

OTHER ID #: _____ (if applicable, please indicate tax year(s) and form #)

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response? NO

(b)(6)

(Signature) 9/19/2014 (Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note: Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You may submit your completed form and any other pertinent attachments by:

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839
casework@cruz.senate.gov

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

The Honorable Ted Cruz
United States Senator
300 East 8th Street
Austin, TX 78701-3233

Dear Senator Cruz:

Thank you for your email on behalf of (b)(6) (b)(6) about her housing hardship. The following information is from the Department of Housing and Urban Development's (HUD) Office of Public and Indian Housing (PIH).

The Department received similar letters addressed to President Barack Obama and HUD's Secretary Julián Castro from Ms. (b)(6) about the aforementioned matter. The Department addressed her concerns in the enclosed letter dated November 4, 2014.

In order to provide you with the most current information about Ms. (b)(6) housing situation, PIH's staff contacted the Harris County Housing Authority (HCHA). Tom McCasland, Executive Director of the HCHA, informed PIH's staff that Ms. (b)(6) has requested an appeal hearing which has been granted to her. Final adjudication will be determined by an objective third-party arbitrator.

If Ms. (b)(6) has additional questions or concerns, she may contact Kelvin Williams in HUD's Houston Field Office of Public Housing. Mr. Williams can be reached at 713-718-3219.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Enclosure

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-5000

OFFICE OF PUBLIC AND INDIAN HOUSING

(b)(6)

NOV -4 2014

Dear Ms. (b)(6)

On behalf of Secretary Julián Castro, thank you for your letter about your housing hardship. After an initial review of the information received, HUD's Houston Office of Public and Indian Housing (PIH) contacted the Harris County Housing Authority (HCHA) to inquire about your concerns.

The HCHA provided PIH's staff with a copy of your entire file. After an extensive review, it was determined that the current reasonable accommodation to rent from a relative (your Mother) was solely based on your children's disabilities. Those disabilities, as stated by your Physician, would not exist beyond a 6-month window. However, that time-frame has elapsed. Therefore, all of the reasonable accommodations afforded to you no longer exist as well.

Based on the Department's review of the file and numerous conversations with you, the file reflects the documentation you submitted, and does not appear to have been altered. However, if there is any new and/or additional documentation you wish to have HUD review, please forward it to PIH's Houston Field Office.

The Department is sympathetic to your concerns and the difficulties that you may be experiencing. Tom McCasland, Executive Director of the HCHA has agreed to speak with you directly, and can be reached at (713) 669-4549.

Thank you for your interest in HUD's programs, and for bringing this matter to the Department's attention. Should you have any other questions or need further assistance, please contact Kelvin Williams, Public Housing Revitalization Specialist at 713-718-3219.

Sincerely,

Lindsey Reames
Acting Deputy Assistant Secretary
Office of Field Operations

U.S. Senator Ted Cruz

United States Senator • Texas

The Information and Privacy Act Form

The Privacy Act requires your written consent before a government agency will release information to our office regarding your records. To better serve you, please complete this form and return it as indicated below. Please be aware that the person requesting assistance must sign this form.

I hereby authorize the office of **SENATOR TED CRUZ** to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me, and to forward copies of my correspondence involving (Name of Agency) HUD, Wells Fargo. In addition, the office of **SENATOR CRUZ** is also authorized to see any materials that may be disclosed pertinent to that request.

NAME: (b)(6)

EMAIL ADDRESS: (b)(6)

HOME PHONE #:

WORK PHONE #: ( )

CELL PHONE #: ( )

MAILING ADDRESS: (b)(6)

HOME OF RECORD (service members only):

DATE OF BIRTH: (b)(6) mm/dd/yyyy)

VA CLAIM # (if applicable):

PASSPORT # (if applicable):

ALIEN REGISTRATION # (if applicable):

OTHER ID #: (b)(6) (if applicable, please indicate tax year(s) and form #)

*Have you requested assistance from any other Congressional office? If yes, which one and did you receive a final response?

HUD Secretary Julian Castro
Not yet responded.

(b)(6)

(Signature)

4/15/16
(Date)

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

Note Because of security measures, mail is now irradiated, which can damage sensitive items such as cassette tapes, videos, CD's and DVD's. Fax, e-mail and web form are the quickest ways to forward your information.

INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You may submit your completed form and any other pertinent attachments by.

U.S. Senator Ted Cruz
961 J.J. Pickle Federal Building
300 E. 8th Street
Austin, Texas 78701
Fax: 512-916-5839
casework@cruz.senate.gov

04/15/2016

Dear Senator Ted Cruz,

I pray this email reaches someone willing or able to help me

I tried to get a modification done about a year ago and it took a long time so I fell even more behind in my finances, and had to sell my home On closing day, the partial claim finally went through, and my closing was halted In the meantime, my new file seems to be in limbo, and the affordable housing I painstakingly searched for and found is slipping away, as I need the little bit of money I will get from the sell to use as a deposit, and first month's rent (Affordable housing is so hard to find around here)

Independence Title Company is needing a payout confirmation in order to proceed, and complete the sell. I was wondering if there was a way to do this manually? Or perhaps you could work with Wells Fargo Home Mortgage to obtain the payout over the phone? I have done exactly that and have spoken to Angela Burt, Home Preservation Specialist 877-458-8417, and I have obtained a payout amount of $23,000 139 74 However, in order for the title company to proceed it must come directly from HUD The last representative I spoke with, Jonathan at the HUD: Loan Servicing department (877-622-8525) said that the loan information is not showing up in "neighborhood watch"

You would be saving my children and I if you could help me get this resolved If you need more, or need/ want to speak to the title company please contact Asten Mull 713-316-0226 or via email· amull@independencetitle com, Via Fax 713-316-0800

Thank you so much for your help

Regards,

(b)(6)

FHA Case Number: (b)(6)

(b)(6)

FHA Case No. (b)(6)

PARTIAL CLAIMS PROMISSORY NOTE

FEBRUARY 25, 2016	HOUSTON	TEXAS
[Effective Date]	[City]	[State]

(b)(6)

[Property Address]

1. PARTIES.

"Borrower" means each person signing at the end of this Note, and the person's successors and assigns "Secretary" or "Lender" means the Secretary of Housing and Urban Development and its successors and assigns

2. BORROWER'S PROMISE TO PAY

In return for a loan received from Lender, Borrower promises to pay the principal sum of **TWENTY-THREE THOUSAND ONE HUNDRED THIRTY-NINE DOLLARS AND 74 CENTS** (U.S. **$23,139.74**), to the order of Lender. Due and payable upon one of the following events below:

3. MANNER OF PAYMENT

(A) Time.

On **APRIL 1, 2046** or, if earlier, when the first of the following events occurs:

(i) The Borrower has paid in full all amounts due under the primary Note and related mortgage, deed of trust or similar Security Instruments insured by the Secretary; or

(ii) The maturity date of the primary Note has been accelerated; or

(iii) The Note and related mortgage, deed of trust or similar Security Instrument are no longer insured by the Secretary; or

(iv) The property is not occupied by the purchaser as his or her principal residence.

(B) Place.

Payment shall be made at the following address:

U.S. Department of HUD
c/o Novad Management Consulting,
Shepard's Mall
2401 NW 23rd St, Suite 1A1
Oklahoma City, OK 73107
Toll-Free: (877)-622-8525
Fax Number: (800) 489-1733

or any such other place as Lender may designate in writing by notice to Borrower.

4. BORROWER'S RIGHT TO PREPAY

Borrower has the right to pay the debt evidenced by this Note, in whole or in part, without charge or penalty. If Borrower makes a partial prepayment, there will be no changes in the due date or in the amount of the monthly payment unless Lender agrees in writing to those changes.

5. WAIVERS

Borrower and any other person who has obligations under this Note waive the rights of presentment and notice of dishonor. "Presentment" means the right to require Lender to demand payment of amounts due. "Notice of dishonor" means the right to require Lender to give notice to other persons that amounts due have not been paid.

6. OBLIGATIONS OF PERSONS UNDER THIS NOTE

03/22/2016 9:21AM (GMT-05:00)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

MAY 5 2016

The Honorable Ted Cruz
United States Senator
961 J.J. Pickle Federal Building
300 East 8th Street
Austin, TX 78701-3207

Dear Senator Cruz

Thank you for your letter on behalf of your constituent, Ms. (b)(6) (b)(6) about her request for assistance with resolving a Federal Housing Administration (FHA) loan modification issue. Specifically, Ms (b)(6) asked for help with obtaining a payoff confirmation from the Department of Housing and Urban Development (HUD) so that the title company, Independence Title Company, can complete and close her FHA Home Affordable Modification Program (FHA-HAMP) application. Ms (b)(6) mortgage is secured by the property located at 18003 Brooknoll Drive in Houston, Texas. The following information is from the HUD's Office of Housing.

A review conducted by HUD's staff has confirmed that Ms. (b)(6) FHA-HAMP application has been completed. The FHA-HAMP claim must be filed prior to NOVAD, the Department's contractor, being able to issue the payoff confirmation.

Wells Fargo filed its HAMP claim with FHA on Friday, April 30, 2016. Until that claim has been paid and HUD's system of record has verified the transaction, no payoff amount can be determined. On April 28, 2016, the Department's staff spoke with Ms (b)(6) and provided her with direct instructions as to how to instruct her title company to proceed with her closing.

If Ms. (b)(6) has further questions on this matter, she may contact Ms. Keri Fullbright, a Housing Program Specialist at HUD's National Servicing Center at 1-866-449-1661, extension 8507.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Congress of the United States
Washington, DC 20515

December 21, 2015

The Honorable Julian Castro
Secretary
U.S. Department of Housing and Urban Development
451 Seventh Street, SW
Washington, DC 20410

RE: Rulemaking Process for Amending 24 CFR Section 3280.8(g)

Dear Secretary Castro,

We are writing regarding a Notice of Proposed Rulemaking that HUD has apparently drafted addressing the Office of Manufactured Housing's (OMH) definition of a recreational vehicle (RV). Due to our concerns with delays in your department, we urge you to immediately publish this regulation for public notice and comment, and promptly complete a final regulation.

As you are aware, your own Manufactured Housing Consensus Committee (MHCC) voted in December 2014 to clarify the RV definition in a new regulation. Since there appears to be agreement among key stakeholders on the major definition points recommended by the MHCC, we expected the Notice of Proposed Rulemaking would have been issued by now

It came as welcomed news in January 2015 that, pending the outcome of this formal rulemaking process, OMH clarified it would not take enforcement action against park model recreational vehicle (RV) manufacturers. The Program Memorandum from HUD's Office of Manufactured Housing Programs provided short-term clarity for some jurisdictions that were confusing larger RVs with manufactured housing when setting tax and zoning regulations at campgrounds where RV products are used.

However, the continued lack of clarity on OMH's final definition of a recreational vehicle is disrupting an American industry that is still rebounding from the economic downturn. An update of this policy, originally set in the early 1980s, will provide certainty and guidance for RV manufacturers, consumers and campgrounds. Given the industry consensus, we see no reason for these stakeholders to wait any longer.

Please inform us immediately when you intend to publish the Notice of Proposed Rulemaking that seeks to codify the MHCC recommendation. We understood this Proposed Rule was a high priority for HUD and OMH. If this is the case, the Notice of Proposed Regulation should be issued immediately.

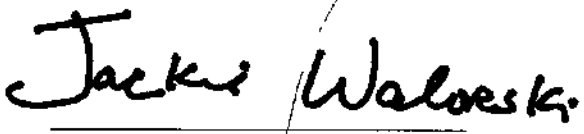
Thank you in advance for your cooperation. We look forward to hearing from you about HUD's plans for publishing the Notice of Proposed Rulemaking and producing a final regulation.

PRINTED ON RECYCLED PAPER

Sincerely,



Marlin Stutzman
Member of Congress



Jackie Walorski
Member of Congress



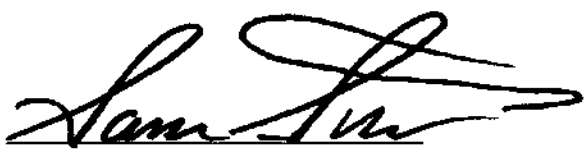
Todd Rokita
Member of Congress



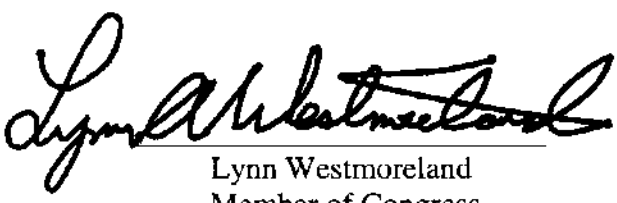
Kristi Noem
Member of Congress



Luke Messer
Member of Congress



Sam Graves
Member of Congress



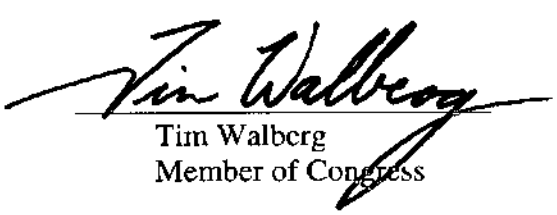
Lynn Westmoreland
Member of Congress



Glenn Grothman
Member of Congress



Mike Kelly
Member of Congress



Tim Walberg
Member of Congress



Susan Brooks
Member of Congress

Todd Young
Member of Congress

Larry Bucshon
Member of Congress

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

FEB - 8 2016

The Honorable Todd Rokita
U.S. House of Representatives
Washington, DC 20515-0001

Dear Representative Rokita:

On behalf of Secretary Julián Castro, thank you for your letter urging the Department of Housing and Urban Development (HUD) to expeditiously publish for public notice and comment, a proposed rulemaking to update the Office of Manufactured Housing Program's definition of a recreational vehicle (RV). The following information is from HUD's Office of Housing.

As stated in your letter, HUD brought this matter before its Manufactured Housing Consensus Committee (MHCC) in December 2014. The MHCC recommended that HUD clarify the current RV regulatory exemption and definition in HUD's Manufactured Home Procedural and Enforcement Regulations (Part 3282 of Title 24 of the Code of Federal Regulations). As also stated in your letter, HUD issued a memorandum in January 2015 that extended the date for compliance with an earlier October 1, 2014 memorandum, until a final rule concerning and clarifying the current RV exemption could be published.

HUD's Fall 2015 Semiannual Agenda, posted at *www.reginfo.gov*, lists its agenda of regulations that HUD is working on and expects to issue during the next several months. Proposed regulation to revise the exemption for recreational vehicles is included in HUD's Agenda.

Specifically, HUD's proposed rule would revise the current exemption by defining a recreational vehicle as a factory built vehicular structure, not certified as a manufactured home, designed only for recreational use and not as a primary residence or for permanent occupancy, and built and certified in accordance with either the National Fire Protection Association 1192-2015 (Standard for Recreational Vehicles) or the American National Standards Institute A119.5-15 (Recreational Park Trailer Standard).

In addition, HUD's proposed rule would require that units claiming the RV exemption display a notice that identifies the standards used to construct the unit and states that the unit is designed only for recreational use, and not for use as a primary residence or permanent dwelling. The target date for publication of the proposed rule is the week of February 8, 2016. HUD is working toward meeting this goal.

I hope this information is helpful. If I can be of further assistance, please let me know.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

Privacy Release Form

Authorization in Accordance with the 1974 Privacy Act

Congressman Todd Rokita

United States House of Representatives

Representing Indiana's 4th District

Name: (b)(6) Date of Birth: (b)(6)

Address: (b)(6)

City: (b)(6) State: (b)(6) Zip: (b)(6)

Email Address: _____ Prefer Email Communication?: Yes / No

receive Congressman Rokita's email newsletter

Daytime Phone: (b)(6) Evening Phone: (____)_____

Social Security Number: (b)(6) aim or Serial Number: _____

Please briefly describe the exact nature of your problem, and what you would like Congressman Rokita to do to help you. Please send copies of any relevant information. (DO NOT SEND ORIGINALS.) Please use the back of this form or attach additional pages if more space is needed.

FORECLOSURE NOTICE ON MY house - HAD lo (b)(6) since 2007 - IN 2017 WELLS FARGO sent all of my $537.25 back to ME saying they don't accept partial payments. WELLS FARGO BANK HAS ACCEPTED MY mortgage payment of $537.25 before in the past. Quite confusing - NO meeting was ARRANGED, IN PERSON, PRIOR TO the foreclosure action.

Are you represented by an attorney?: Yes (No)

Note: The Privacy Act of 1974 prohibits the government from revealing any information from personal files of individuals without the express permission of the person involved. Disclosure of personal records to a Member of Congress who is acting on behalf of the constituent is prohibited, unless the individual to whom the record pertains has consented.

I, the undersigned, hereby authorize the office of U.S. Representative Todd Rokita to receive information in my file pertinent to his inquiry on my behalf with any federal agency.

Signatu (b)(6)

Date: 7/15/17

Please return this form to the DANVILLE DISTRICT OFFICE
355 South Washington Street
Danville, Indiana 46122
Phone: (317) 718-0404

www.rokita.house.gov

7-4-17

To Whom It May Concern:

My son Craig Lynn Fuller and Maurice D. Fuller has had a home loan with Wells Fargo Bank, N.A. or Wells Fargo Home Mortgage since 2007.

Then in 2017 Wells Fargo Home Mortgage started sending my mortgage payments back to me stating they don't accept partial payments. This is the first time they have performed such action. I've mailed to Wells Fargo $534.25 many times since 2007 and they accepted my payments. Relating to statment date 6-12-17 they want me to pay $594.19. Because of other obligations I cannot pay the amount $594.19.

So now they're saying I'm behind on my mortgage payments plus I'm behind in paying late fees.

I sent my mortgage payments in at a proper time period. As you know the postal service isn't the best anymore. You never know when your letter is going to reach the destination. Wells Fargo has no concrete proof that I was late sending in my mortgage payments.

As you can see on statement date 6-16-17 I've paid Wells Fargo a lot of interest.

My interest rate is 6.750%. I believe this above the going rate today. But still Wells Fargo is unhappy with. The 6.750% interest is a fixed rate. Knowing Wells Fargo they probably think they can change me 15% interest. The 6.750% interest is a yearly rate charged against the unpaid principal balance. How they got the monthly charge of $271.92. I don't know.

My unpaid principal balance is $48,829.68. The appraisal on the house is $80,000.00 plus. I truly believe Wells Fargo Bank, N.A. or Wells Fargo Home Mortgage is not interested in changing things or helping my son and I out. They're after blood, stealing my house.

I don't know how Wells Fargo figured my current payment of $594.

Recently I sent Wells Fargo Home Mortgage $74.00, by check to pay for Mortgage insurance for the months of June & July. If my check is not cashed or sent back I'll know precisely Wells Fargo is up to no good.

Yours truly, Mrs. [redacted]

Personal opinion I have a strong belief Wells Fargo Bank is trying to force me to file Bankruptcy - games are played -

#1 I'm a veteran with a honorable discharge from the Navy. August 7th, 2017 I'll be 65 years old a sad note a bank is foreclosing on my house after making mortgage payments going on ten years.

#2 - Request you ask Wells Fargo bank the reason for not having a meeting in person to try to resolve the monetary problems out prior or before the foreclosure procedure. It appears there major goal is to take possession of the house, put the house in a sheriff's sale and they've made money. I have equity in my house. The house was appraised for $80000.00. The average house is $100000.00 today. My unpaid principal balance is $48,825.63, what a steal - Something is not right here.

#3 If Wells Fargo Bank is so worried about money why didn't they use mortgage insurance rather than foreclosure procedure. The mortgage insurance is paid by Escrow account. Something is not right here.

CASE (b)(6) [redacted] 7-15th-17

CASS CIRCUIT COURT
LOGANSPORT, INDIANA

Dear Brittany Wallace:

Wells Fargo Bank tells me they relate all their figures escrow accounts, monthly mortgage payments, interest charged ETC to a Federal government agency called (RESPA) Real Estate Settlement Procedures Act.

I don't know how Wells Fargo Bank figures my mortgage payment (monthly) & the interest charged (monthly). I look at the interest charged and it appears to be quite high.

Request you contact the Federal government agency and ask them what regulations are placed on banks giving out residential loans. Again the agency is called (RESPA). Ask the agency step by step how a bank is to do their figuring.

Ask the agency (RESPA) if the bank figures the monthly mortgage payment too high or more than the customer can handle because of other obligations what does the agency recommend. How critical is it to obey the bank's wishes.

The U S Department of Housing and Urban Development (HUD) recently published a new regulation which requires mortgage service companies to change escrow collection procedures This regulation is an amendment to the existing Real Estate Settlement Procedures Act (RESPA) It applies to all residential loans The regulation was effective May 24 1995, for all new loans Wells Fargo Bank is implementing the new regulation for each existing loan with the next scheduled annual escrow analysis performed after May 24 1995 This provides information to assist you in understanding the impact of this change You will receive more information in your escrow analysis statement

What is "escrow analysis" and why is it changing? Escrow analysis establishes the amount that is collected with each loan payment to pay taxes, insurance, and other escrow items The new HUD regulation is changing the method of escrow analysis It requires all mortgage service companies to use the "aggregate" (or "cash") analysis method Previously many service companies (including Wells Fargo Bank) used the 'single item" (or "line item") method

Will my monthly escrow payment increase or decrease as a result of this change? The new method of calculation may result in an increased escrow payment for some customers, a decrease for others The exact impact on each customer is difficult to determine until Wells Fargo Bank completes the actual escrow analysis Your annual escrow analysis statement will reflect any changes in your monthly payment amount

How will Wells Fargo Bank determine the appropriate escrow balance for my loan? With each escrow analysis statement you will receive a projection for the next 12 months The projection will show how we expect your escrow balance to change each month It will reflect monthly escrow deposits, anticipated disbursements of taxes insurance and other escrow bills, and will show the projected month end balance At least once a year, the projected month end balance should fall to an assigned minimum level This is called a "cushion" Your mortgage documents, applicable state law, and RESPA guidelines establish the amount of your cushion We will show the cushion for your loan on your escrow analysis statement

What happens if, after analysis, the escrow account has too much, or not enough funds? If there is too much (an overage), we will refund to you any amount of $50 or more if your loan is current We will retain any amount of less than $50 and spread it over 12 months to reduce your monthly payment If there is not enough (a shortage), we will spread the payment of the shortage amount over 12 months and add it to your monthly payment

When will Wells Fargo Bank pay my escrow bills? The new HUD regulation requires mortgage service companies to pay escrow bills early enough to take advantage of any "discount" for paying early If there is no discount period, the servicer must pay bills before a delinquency fee or penalty would be assessed In the escrow analysis the "due date" of any escrow bill is considered to be the month Wells Fargo Bank anticipates making the disbursement from your escrow account

When will this change go into effect? Wells Fargo Bank is making the change with each regularly scheduled annual escrow analysis Under the new regulation, Wells Fargo Bank will still determine the timing of the annual escrow analysis At least one escrow analysis must be performed within each 12-month period

How do we determine how much money should be in your escrow account?
First, we do a projection of the next 12 months of escrow payments deposited to your escrow account and escrow bills anticipated to be paid out of your escrow account This projection starts with the escrow balance which should be on deposit just before the beginning of the 12 month period (assuming that you have made all payments due)

Next, we look at the 12-month projection, and find out which month the "low point" is reached (This low point may be a negative balance)

Next, we compare the "low point" to the maximum cushion amount allowed for your loan If the low point is less than the cushion then funds must be added to your escrow account If the low point is more than the cushion, then funds must be subtracted from your escrow account This difference is also added or subtracted to arrive at the "required balance" for your escrow account at the beginning of the 12 month period This is the beginning balance for the 12-month projection as shown on your analysis statement

Finally, we compare the "required balance' to the actual escrow balance expected to be on deposit at the beginning of the 12-month period If the actual balance is more than the required balance, then your account has an "overage" (overages of $50 or more are refunded to you if your loan is current, overages of less than $50 serve to reduce your future monthly payments and are spread over the next 12 months) If the actual balance is less than the required balance, then your account has a shortage (shortages are spread over a 12 month period and your monthly payment is increased by that amount) You do have the option to pay a shortage in full if you would rather not pay it over 12 months

After the escrow account balance is determined, how is the Monthly Payment calculated?
To determine your monthly payment, we always start with one-twelfth (1/12) of the total amount of all escrow items to be paid in a year (this includes property taxes, homeowners insurance, etc , if these are escrowed for your loan) If you had a "shortage we add another monthly amount to your payment to collect the shortage over a 12-month period If you had an "overage" of less than $50 we reduce your monthly escrow payment by spreading that overage over a 12 month period The total escrow payment is part of your monthly payment. Your escrow analysis statement will show you the date when the new monthly payment takes effect

What is a Cushion?
The "cushion" is a minimum escrow balance which Wells Fargo Bank is allowed to keep in your escrow account It is intended to be protection to cover unanticipated disbursements made before the borrower's payment is available in the escrow account The amount of the cushion depends on the wording of your loan documents, state law and the RESPA guidelines We calculate the monthly payment amount so that, sometime in the next 12 months, your escrow balance is projected to reach a 'low point' which is equal to this cushion You should see this reflected on your escrow analysis statement

If you have further questions about your escrow analysis, call us at (800) 288 3212, Monday through Friday, 7 a m to 7 p m Central Time

WELLS FARGO

Return Mail Operations
PO Box 14411
Des Moines IA 50306-3411

Statement date 06/16/17
Loan number (b)(6)
Property address
1278 N COUNTY RD 900 W
LOGANSPORT, IN 46947

Your loan has been referred to foreclosure. The amount to bring the account current may vary daily; prior to sending funds, call us for a reinstatement or payoff quote. A matured loan requires all balances to be paid in full. This does not change a sale date that may be scheduled.

DCSF1SDTRV 027949DCSF1S00000033980708

(b)(6)

Customer Service

Online
wellsfargo com

Telephone
1-800-868 0043

Correspondence
PO Box 10335
Des Moines IA 50306

Fax
1 866 278-1179

Payments
PO Box 14591
Des Moines IA 50306

Hours of operation
Mon Fri 7 a m - 8 p m CT

We accept telecommunications relay service calls

Payment summary

Principal	$97 78
Interest	$271 92
Escrow	$224 49
Current payment 07/01/17	**$594.19**
Overdue payment 02/01/17-06/01/17	$2,970 95
Unpaid late charge(s)	$553 52
Other charge(s)	$30 00
Total payment due 07/01/17	**$4,148.66**

Balance summary

Unpaid principal balance	**$48,822.68**
Escrow balance	$-280 43
(Contact Customer Service for your payoff balance.)	
Interest rate	6 750%
Maturity date	11/37

Year-to-date summary

Total received*	$2,187 24
Principal	$375 00
Interest**	$1,103 80
Escrow	$708 44
Taxes disbursed	$218 38
Insurance disbursed	$1,026.30

*This total may include the Unapplied funds balance from the Balance summary section
**This information should not be used for tax purposes. If you have tax related questions, please consult your tax advisor

Activity since your last statement

Date	Description	Total	Principal	Interest	Escrow	Other
06/13	Fee Waived					Return fee $80 00
06/13	Mtg ins payment				$37 05	TRIAD GUARANTY INS CORP
06/09	Payment reversal					Unapplied $537 25
06/08	Funds Received	$537 25				Unapplied $537 25
05/30	Payment reversal					Unapplied -$537 25

Mortgage payments start back

Important messages

ATTENTION
The foreclosure process may have started on your property If you want to retain your home, please pay the full reinstatement amount owed immediately Contact us right away to discuss the status of your mortgage For helpful information on alternative repayment options, go to **wellsfargo.com/homeassist** El proceso de ejecucion hipotecaria puede haber comenzado en su propiedad, favor de llamarnos al inmediatamente

Avoid anyone who asks for a fee for counseling or a loan modification, or asks you to sign over the deed to your home, or to make your mortgage payments to anyone other than Wells Fargo Home Mortgage

The foreclosure process has already started — Nothing granted by the court as of yet!

Please detach and return with your payment

YNNNNNNNNN
DCSF1SDTRV 027949 1NNNNNNNNN NNN NN 001 002 065833 20454207 1

Loan Number: (b)(6)

Part 3 - Escrow account projections

Escrow account projections from August, 2017 to July, 2018

Date	Payments to escrow	What we expect to pay out	Description	Projected escrow balance	Balance required in the account
Jul 2017			Starting balance	$1,029 46	$788 65
Aug 2017	$194 78	$37 05	PMI Insurance	$1,187.19	$946 38
Sep 2017	$194.78	$37.05	PMI Insurance	$1,344 92	$1,104 11
Oct 2017	$194 78	$37 05	PMI Insurance	$1,502 65	$1,261 84
Oct 2017	$0 00	$218 38	CASS COUNTY (4)(A)	$1,284 27	$1,043 46
Nov 2017	$194 78	$37 05	PMI Insurance	$1,442 00	$1,201 19
Dec 2017	$194 78	$37.05	PMI Insurance	$1,599 73	$1,358.92
Jan 2018	$194 78	$37.05	PMI Insurance	$1,757 46	$1,516 65
Feb 2018	$194 78	$37 05	PMI Insurance	$1,915 19	$1,674 38
Mar 2018	$194 78	$37.05	PMI Insurance	$2,072 92	$1,832 11
Mar 2018	$0 00	$1,456 00	IN FARM BUREAU INS	$616 92	$376.11
Apr 2018	$194 78	$37.05	PMI Insurance	$774 65	$533 84
Apr 2018	$0 00	$218 38	CASS COUNTY (4)(A)	$556.27	$315.46
May 2018	$194 78	$37 05	PMI Insurance	$714 00	$473 19
Jun 2018	$194.78	$37 05	PMI Insurance	$871 73	$630 92
Jul 2018	$194 78	$37 05	PMI Insurance	$1,029 46	$788 65
Totals	$2,337 36	$2,337 36			

Part 4 - Escrow account history

Escrow account activity from February, 2017 to July, 2017

	Deposits to escrow			Payments from escrow				Escrow balance		
Date	Actual	Projected	Difference	Actual	Projected	Difference	Description	Actual	Projected	Difference
Feb 2017							Starting Balance	$441.06	$1,525 06	-$1,084 00
Feb 2017	$373 34	$196.38	$176 96	$0 00	$37 05	-$37.05	PMI Insurance	$814 40	$1,684 39	-$869 99
Feb 2017	$0 00	$0 00	$0.00	$37 05	$0 00	$37 05	PMI Insurance	$777 35	$1,684.39	-$907 04
Feb 2017	$0 00	$0 00	$0 00	$1,026 30	$0 00	$1,026.30	IN FARM BUREAU INS	-$248.95	$1,684 39	-$1,933 34
Mar 2017	$167 55	$196 38	-$28.83	$0.00	$37.05	-$37.05	PMI Insurance	-$81.40	$1,843 72	-$1,925.22
Mar 2017	$0 00	$0 00	$0 00	$0.00	$1,456 80	-$1,456 80	IN FARM BUREAU INS	-$81 40	$386 92	-$468 32
Mar 2017	$0 00	$0.00	$0 00	$37.05	$0.00	$37 05	PMI Insurance	-$118.45	$386.92	-$505.37
Apr 2017	$167 55	$196 38	-$28 83	$0.00	$37 05	-$37.05	PMI Insurance	$49.10	$546.25	-$497.15
Apr 2017	$0 00	$0 00	$0 00	$218 38	$227 59	-$9.21	CASS COUNTY (4)(A)	-$169.28	$318.66	-$487 94
Apr 2017	$0 00	$0.00	$0 00	$37 05	$0 00	$37 05	PMI Insurance	-$206 33	$318 66	-$524.99
May 2017	$0 00	$196 38	-$196.38	$0 00	$37 05	-$37.05	PMI Insurance	-$206.33	$477 99	-$684 32
May 2017	$0 00	$0 00	$0 00	$37.05	$0 00	$37 05	PMI Insurance	-$243 38	$477 99	-$721 37
Jun 2017 (estimate)	$1,122.45	$196 38	$926 07	$37.05	$37.05	$0.00	PMI Insurance	$842 02	$637.32	$204.70
Jul 2017 (estimate)	$224 49	$196 38	$28 11	$37 05	$37 05	$0 00	PMI Insurance	$1,029 46	$796.65	$232.81
Totals	$2,055.38	$1,178 28	$877 10	$1,466.98	$1,906 69	-$439.71				

1647 09 00 0005929 0002 0011814

(c) premiums for any and all insurance required by Lender under Section 5 and (d) Mortgage Insurance premiums, if any, or any sums payable by Borrower to Lender in lieu of the payment of Mortgage Insurance premiums in accordance with the provisions of Section 10 These items are called "Escrow Items " At origination or at any time during the term of the Loan, Lender may require that Community Association Dues, Fees, and Assessments, if any, be escrowed by Borrower, and such dues, fees and assessments shall be an Escrow Item Borrower shall promptly furnish to Lender all notices of amounts to be paid under this Section Borrower shall pay Lender the Funds for Escrow Items unless Lender waives Borrower's obligation to pay the Funds for any or all Escrow Items. Lender may waive Borrower's obligation to pay to Lender Funds for any or all Escrow Items at any time Any such waiver may only be in writing In the event of such waiver, Borrower shall pay directly, when and where payable, the amounts due for any Escrow Items for which payment of Funds has been waived by Lender and, if Lender requires, shall furnish to Lender receipts evidencing such payment within such time period as Lender may require Borrower's obligation to make such payments and to provide receipts shall for all purposes be deemed to be a covenant and agreement contained in this Security Instrument, as the phrase "covenant and agreement" is used in Section 9 If Borrower is obligated to pay Escrow Items directly, pursuant to a waiver, and Borrower fails to pay the amount due for an Escrow Item, Lender may exercise its rights under Section 9 and pay such amount and Borrower shall then be obligated under Section 9 to repay to Lender any such amount Lender may revoke the waiver as to any or all Escrow Items at any time by a notice given in accordance with Section 15 and, upon such revocation, Borrower shall pay to Lender all Funds, and in such amounts, that are then required under this Section 3

Lender may, at any time, collect and hold Funds in an amount (a) sufficient to permit Lender to apply the Funds at the time specified under RESPA, and (b) not to exceed the maximum amount a lender can require under RESPA Lender shall estimate the amount of Funds due on the basis of current data and reasonable estimates of expenditures of future Escrow Items or otherwise in accordance with Applicable Law

The Funds shall be held in an institution whose deposits are insured by a federal agency, instrumentality, or entity (including Lender, if Lender is an institution whose deposits are so insured) or in any Federal Home Loan Bank Lender shall apply the Funds to pay the Escrow Items no later than the time specified under RESPA Lender shall not charge Borrower for holding and applying the Funds, annually analyzing the escrow account, or verifying the Escrow Items, unless Lender pays Borrower interest on the Funds and Applicable Law permits Lender to make such a charge Unless an agreement is made in writing or Applicable Law requires interest to be paid on the Funds, Lender shall not be required to pay Borrower any interest or earnings on the Funds Borrower and Lender can agree in writing, however, that interest shall be paid on the Funds Lender shall give to Borrower, without charge, an annual accounting of the Funds as required by RESPA

If there is a surplus of Funds held in escrow, as defined under RESPA, Lender shall account to Borrower for the excess funds in accordance with RESPA If there is a shortage of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the shortage in accordance with RESPA, but in no more than 12 monthly payments If there is a deficiency of Funds held in escrow, as defined under RESPA, Lender shall notify Borrower as required by RESPA, and Borrower shall pay to Lender the amount necessary to make up the deficiency in accordance with RESPA, but in no more than 12 monthly payments.

Upon payment in full of all sums secured by this Security Instrument, Lender shall promptly refund to Borrower any Funds held by Lender

4. Charges; Liens. Borrower shall pay all taxes, assessments, charges, fines, and impositions attributable to the Property which can attain priority over this Security Instrument, leasehold payments or

Returned Operations
PO Box 14411
Des Moines IA 50306-3411

Statement date 0 /10/1
Loan number (b)(6)
Property address
1278 N 900 Pkwy W
Logan, UT 84321

Customer Service
Fax Online
wellsfargo.com
Telephone
1-00 /2 /C
Correspondence
PO Box 0 5
Des Moines IA 50306
Hours of operation
Mon - Fri 8 a.m. - 10 p.m.
Sat 8 a.m. - 2 p.m. CT
Payments
PO Box 5296
Carol Stream IL 60197

We accept telecommunications relay service calls

[illegible]

2A1 01116/053116/002231 0268 2 AGR5DM 708

(b)(6)

Payment summary

Principal	$77 69
Interest	$292 01
Escrow	$239 79
Current monthly payment 02/01/14	$609 49
Overdue payment(s) 01/01/14	$537 25
Other charges	$30 00
Total payment due 02/01/14	$1,176 74
After 02/16/14 a late charge may apply	$18 49

Balance summary

Unpaid principal balance	$51 990 43
Unapplied funds balance	$40 42
Escrow balance	$722 96
(Contact Customer Service for your payoff balance)	
Interest rate	3 /50%
Maturity date	/37

Year-to-date summary

Total received	$537 2
Principal	$76.8
Interest	$292 8
Escrow	$167 5

The total may include the Unapplied funds balance from the balance summary section

Activity since your last statement

Date	Description	Total	Principal	Interest	Escrow	Other
0 /10	Payment	$537 25	$76.82	$292.88	$167 55	

Important Notices

If you have questions regarding [illegible] your loan, or if you believe an error has been made on your account, please contact us [illegible] Please submit [illegible] Mortgage Loan Inquiry to:

OVERVIEW: Mr. (b)(6) has many grievances with Wells Fargo high interest rates, mysterious late fees, refusing to set up a face-to-face meeting to discuss his foreclosure, payment size, etc I'm not an accountant, but when I look at the details of Mr. (b)(6) payments it does not seem like any of what Wells Fargo is doing is anything outside the bounds of a normal lender-borrower relationship Mr. (b)(6) wants us to call RESPA to talk about many of these issues, but RESPA isn't an agency, it's a law that sets out guidelines for real estate lenders. I feel bad for Mr. (b)(6) but I don't think there's anything we can do to help prevent a potential foreclosure We could try to explain the details of his loan better to him, but I don't see how we could do anything to change those details in Mr. (b)(6) favor.

SUMMARY OF MR. (b)(6) ISSUES:

Letter 1: Wells Fargo refuses to accept a "partial payment" even though Mr. (b)(6) claims that they have done so since 2007. He is unable to pay for the new balance of $594.19. As a result, he is now behind on his payments.

Mr. (b)(6) is also receiving late fees, but he claims that he sends in his payments on time. He says Wells Fargo has no proof that he is late on his payments.

Next, Mr. (b)(6) takes issue with the interest rate he is being charged. He says that it is "above the going rate today" and that he does not understand how the interest rate leads to a monthly interest charge of $271.92. (I'm no accountant, but given a 6.75% interest rate and the principal he has, $270 seems very close to an appropriate number). Mr. (b)(6) makes several comments that suggest Wells Fargo wants to raise his rate, but it's unclear if they've actually said that or if he just thinks the rate is too high to begin with.

Mr (b)(6) has $48822.68 of principal left to pay, and his house is appraised at $80,000 or so. He claims that Wells Fargo is "after blood" and wants to take possession of his house.

Mr. (b)(6) does not know how his monthly payment was configured.

Finally, Mr. (b)(6) says that he sent Wells Fargo a $74 check for mortgage insurance for June and July. He believes that if that check is not accepted, it will show Wells Fargo is acting in bad faith.

Letter 2: Wells Fargo told Mr. (b)(6) that their figures are determined by RESPA. Unfortunately, Mr. (b)(6) seems to have mistaken RESPA to be a federal agency when it is in fact legislation that provides the framework for real estate settlements.

Mr. (b)(6) admits he does not know how the bank figures his monthly payment and interest rate, only that they appear to be "quite high."

He asks us to call RESPA and ask for a "step by step" explanation of how banks "do their figuring." Once again, he is confused on the nature of RESPA.

He also asks us to ask RESPA what is the best course of action if the bank "figures the interest rate too high" and the customer cannot pay

Letter 3: This letter is about Mr. (b)(6) concerns about his foreclosure and the motives of Wells Fargo. He complains that Wells Fargo refuses to meet him in person to discuss the foreclosure, and claims that their intention is to take over his house and sell it. He also seems to imply that his house has been undervalued by appraisal.

Finally, Mr. (b)(6) claims that mortgage insurance should have been used instead of the foreclosure process, and this is evidence that Wells Fargo has ulterior motives.

TEXT OF LETTERS (underlined words in bold, content inside of brackets added by me):

Letter 1 (7/4/2017)

To Whom It May Concern:

My son Craig Lynn (b)(6) and (b)(6) D. (b)(6) has [have] had a home loan with Wells Fargo Bank, N.A. or Wells Fargo Home Mortgage since **2007.**

Then in 2017 Wells Fargo Home Mortgage started sending my mortgage payments back to me stating they **didn't accept partial payments**. This is the first time they have performed such action. I've mailed to Wells Fargo $537.25 **many** times since 2007 and they accepted my payments: Relating to statement date 6-16 -17 they want me to pay $594.19. Because of other obligations **I** cannot pay the amount $594.19.

So now they're saying **I'm behind on my mortgage payments** plus I'm **behind in paying late fees.**

I sent my mortgage payments in at a proper time period. As you know, the **postal service isn't the best anymore. You never know when your letter is going to reach the destination. Wells Fargo has no concrete proof that I was late sending in my mortgage payments.**

As you can see on statement date 6-16-17, I've paid Wells Fargo a lot of interest.

My interest rate is 6.75%. I believe this [is] above the going rate today. But still Wells Fargo is unhappy with [the rate]. The 6.75% interest is a **fixed rate**. Knowing Wells Fargo they probably think they can charge me 10% interest. The 6.75% interest is a yearly rate charged against the unpaid principal balance. How they got the monthly charge of $271.92 **I don't know.**

My unpaid principal balance is $48,822.68. The appraisal on the house is $80,000+. I truly believe Wells Fargo Bank, N.A. or Wells Fargo Home Mortgage is not interested in changing things or helping my son and I out **They're after blood, stealing my house.**

I **don't know how Wells Fargo figured my current payment of $594.19.**

Recently, I sent Wells Fargo Home Mortgage $74 00, by check to pay for **mortgage insurance** for the months of June and July. If my check is not cashed or sent back I'll know precisely Wells Fargo is up to **no good.**

Letter 2 (7/15/17):

Wells Fargo Bank tells me they relate all their figures, escrow accounts, monthly mortgage payments, interest charged etc. to a **federal government agency called (RESPA) Real Estate Settlement Procedures Act.**

I don't know how Wells Fargo Bank figures my mortgage payments (monthly) or the interest charged (monthly). I look at the interest charged and it appears to be **quite high.**

Request you contact the **Federal government agency** and ask them what regulations are placed on banks giving out residential loans. Again the agency **is called (RESPA).** Ask the agency **step by step** how a bank is to do their figuring.

Ask the agency (RESPA) if the bank figures the monthly mortgage payment too high or more than the customer can handle because of other obligations what does the agency recommend. How critical is it to obey the bank's wishes.

Letter 3 (undated):

[Header of letter]: Personal opinion[:] I have a strong belief Wells Fargo bank is trying to force me to file **bankruptcy – games are played –**

#1. I'm a veteran with a honorable discharge from the Navy. August 7th 2017 I'll be 75 years old. A sad note a bank is foreclosing on my house after making mortgage payments going on ten years.

#2 – Request you ask Wells Fargo bank the reason for not having a meeting in person to try to resolve the monetary problems out **prior or before the foreclosure procedure.** It appears their major goal is to take possession of the house, put the house in a sheriff's sale, and [then] they've made money. I have equity in my house. The house was appraised for $80,000 The average house is $100,000 today My unpaid principal balance is $48,822.68. What a steal – **something is not right here.**

#3 If Wells Fargo Bank is so worried about money why didn't they use mortgage insurance rather than foreclosure procedure. The mortgage insurance is paid by escrow account. **Something is not right here.**

Other documents:

There is a copy of his statement from mid-June It shows that his payment was not accepted and also that his loan "has been referred to foreclosure."

There is a copy of his escrow balance.

There is a printed out page from the Wells Fargo website about RESPA.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Todd Rokita
Member, United States
House of Representatives
355 South Washington Street
Danville, IN 46122-1779

Dear Representative Rokita:

Thank you for your letter on behalf of your constituent, (b)(6) (b)(6) about mortgage issues relative to his home located at 1278 North County Road, 900 West, Logansport, Indiana. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

While HUD is sympathetic to the difficulties that Mr. (b)(6) is experiencing, a search of HUD records revealed that he does not have a mortgage insured by the Federal Housing Administration (FHA), which are the only mortgages over which HUD has direct jurisdiction. Therefore, the Department cannot intervene directly with the mortgage company on his behalf.

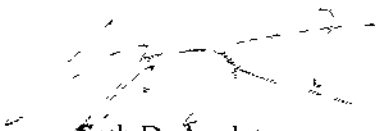
Because your constituent is apparently having difficulties paying his mortgage on time, his lender (also referred to as a mortgage servicer) should be his first call for assistance. The telephone number and mailing address of the mortgage lender should be listed on his monthly statement. To understand the options available for getting help with his mortgage it is important to know who owns his loan. Using a secure look-up tool, he can quickly find out if Fannie Mae or Freddie Mac, for example, is the owner of his loan.

If Mr. (b)(6) has access to a computer, he may check to see if Fannie Mae owns his loan at the following link: *https://www.knowyouroptions.com/loanlookup#*. To check for Freddie Mac ownership, Mr. (b)(6) can access this link: *https://ww3.freddiemac.com/loanlookup/*. Mr. (b)(6) may be eligible for programs designed to make his mortgage more affordable or for other programs available exclusively to Fannie Mae or Freddie Mac borrowers.

Mr. (b)(6) may also contact a HUD-approved counseling agency. These agencies usually provide services to homeowners at little or no cost, and may be able to assist the homeowner by contacting the parties involved in the financial transaction. A counselor may also be able to recommend other organizations that can be of assistance. This option may be pursued online at: *http://www.hud.gov/offices/hsg/sfh/hcc/hccprof14.cfm*, or by telephone at 1-800-569-4287 (weekdays from 9:00 a.m. to 5:00 p.m.).

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,



Seth D. Appleton
Acting Assistant Secretary for Congressional
and Intergovernmental Relations

TODD ROKITA
4TH DISTRICT, INDIANA

236 CANNON HOB
WASHINGTON, DC 20515
(202) 225-5037
(202) 226-0544 (FAX)

2680 E MAIN STREET, SUITE 332
PLAINFIELD, IN 46168
(317) 838-0404
(317) 838-8964 (FAX)

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON THE BUDGET

COMMITTEE ON HOUSE ADMINISTRATION

COMMITTEE ON EDUCATION AND THE WORKFORCE

www.toddrokita.house.gov

VIA FACSIMILE TRANSMITTAL

(202) 708-1350

March 29, 2011

Mr. Bernard Fulton

Deputy Assistant Secretary for Congressional Relations

U.S. Department of Housing and Urban Development

451 Seventh Street, SW, Room 10148

Washington, DC 20410-1000

RE: Constituent, Joe Clausman, Jr.

Dear Mr. Fulton:

Our constituent, Joe Clausman, Jr. has asked for our assistance. The following narrative will give you the relevant information with regard to his pressing and personal matter

BACKGROUND:

Constituent, Joe Clausman, Jr. owns and operates nursing homes in the State of Indiana and has done so for the past thirty-five (35) years.

In July, 2000 Martin County Healthcare & Rehabilitation Center (MCHC), located in Loogootee, Indiana was financed with a thirty (30) year HUD loan with an interest rate of 7.85%, which was an excellent rate at that time.

In September, 2010, Mr. Clausman decided to apply for a HUD rate adjustment under the Lien Section 232 Program, since there would be no pre-payment penalty related to the initial HUD financing. He was in contact with Bob Smallwood, CPA VP-originations, Love Funding, Inc., who stated that the impact of obtaining a lesser interest rate would make the Loogootee facilities more financially viable as well as beneficial to HUD.

However, in March, 2010, upon the recommendation of ISDH, MCHC was designated as a Special Focus Facility (SFF) due to surveys over the prior three (3) years that cited deficiencies within the scope identified as a G tag which constituted a substandard level of care. MCHC had been rated an excellent facility the past ten (10) years under Mr. Clausman's management and as recently as September 20, 2007 MCHC received a deficiency free survey.

Subsequently Mr. Clausman has been communicating with SFF administrator, Regina Casabal, who operates out of the Detroit office.

ISSUES/COMPLAINTS:

1. Mr. Clausman states that Ms. Casabal made the comment "The Facility is a not-for- profit facility isn't it?" She made this statement after receipt of monthly compiled financial statements dating back to March, 2010, which included the standard GAAP opinion for proprietary entities. Ms. Casabal also scheduled a conference call for December 2, 2010 of which she was a no show. Mr. Clausman feels that Ms. Casabal lacks knowledge of his industry and knows very little about MCHC, even after being provided with volumes of documentation and information. He also believes that Ms. Casabal is using him to educate her, not only about MCHC, but the industry in general;
2. The most concerning issue that Mr. Clausman has deals with a conference call with Ms. Casabal that took place on December 9, 2010. Ms. Casabal inquired about therapy provided to Medicare patients and asked if in-house therapy was provided to the residents daily. Mr. Clausman responded that all residents are assessed and therapy is provided according to each individual's needs. Ms. Casabal then advised Mr. Clausman that if he provided additional minutes of therapy it would increase the amount of payment received from Medicare and that she could put Mr. Clausman in contact with a company that could assist MCHC in doing that and all the company would charge would be a percentage of the increase in payments MCHC received from Medicare. Mr. Clausman was astounded to say the least by Ms. Casabal's comments because the actions she suggested constitued Medicare fraud and Mr. Clausman wanted no part of it. Mr. Clausman contacted Mr. Smallwood and Love Funding, Inc., the underwriters, and made them aware of Ms. Casabal's comments during the December 9, 2010 conference call. Subsequently Love Funding, Inc. disengaged from both of Mr. Clausman's nursing home projects in Loogootee, Indiana. Mr.

Smallwood stated that the underwriters did not wish to proceed with the projects because Ms. Casabal indicated to them that she would not allow either facility to obtain HUD approval; and,

3. Ms. Casabal continues to deny MCHC requests for reimbursement of escrow funds related to replacement reserves. Not only is this action arbitrary and capricious, it has placed undue financial hardship on Mr. Clausman and hinders MCHC from making further expenditures necessary to advance the quality of care.

CONSEQUENCES OF MS. CASABAL'S ACTIONS/INACTIONS:

In the twelve (12) months that Ms. Casabal has been assigned to the facility, she has made only one recommendation, which in Mr. Clausman's opinion constitutes fraud.

Ms. Casabal continues to cause Mr. Clausman time and money related to information requests. Her most recent request is to be provided monthly financial statements by the 10th of the following month which is unreasonable and contrary to prior e-mails from her asking that the monthly financial statements be provided by the 25th of the following month.

Mr. Clausman states that it only makes sense that the facility proceed through the Lien 232 process and obtain favorable financing in order to provide additional available funds of approximately $5,000.00 per month back into the facility and, in turn, enhance the viability of the existing HUD project.

The delay in Ms. Casabal's actions are costing Mr. Clausman about $10,000.00 per month, and may we add that since Mr. Clausman's original request the rate has risen 1%.

We ask for your help in bringing about a satisfactory resolution to Mr. Clausman's situation as soon as possible. Please see attached relevant correspondence, e-mails, and rating charts having to do with MCHC.

Sincerely,

Teri Smith

Teri Smith

Constituent Case Manager for

US Congressman Todd Rokita (IN-04)

2680 E. Main St, Suite 332

Plainfield, In 46168

(317) 838-0404 – phone

(317) 838-8964- fax

teri.smith@mail.house.gov



Congressman Todd Rokita

U.S. House of Representatives

Representing Indiana's Fourth Congressional District

cordance with the 1974 Privacy Act

NAME: (b)(6) DATE OF BIRTH (b)(6)

ADDRESS: 110 E. WASHINGTON, STE 1600

CITY: INDIANAPOLIS STATE: IN ZIP: 46240

EMAIL ADDRESS: (b)(6) FER EMAIL COMMUNICATIONS? Yes No

DAYTIME PHONE: (317) 844-3110 EVENING PHONE (b)(6)

SOCIAL SECURITY NUMBER: ___-___-____ CLAIM OR SERIAL NUMBER: _____

PLEASE BRIEFLY DESCRIBE THE EXACT NATURE OF YOUR PROBLEM, AND WHAT YOU WANT CONGRESSMAN ROKITA TO DO TO HELP YOU. (PLEASE SEND COPIES OF ANY RELEVANT INFORMATION – DO NOT SEND ORIGINALS (Please use back of form or attach additional pages if more space needed)

SEE ATTACHED RE: PROBLEMS WITH HUD

Are you represented by an Attorney: YES (NO)

If yes, please list your attorney's name and address:

THE PRIVACY ACT OF 1974 PROHIBITS THE GOVERNMENT FROM REVEALING ANY INFORMATION FROM PERSONAL FILES OF INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE PERSON INVOLVED. DISCLOSURE OF PERSONAL RECORDS TO A MEMBER OF CONGRESS WHO IS ACTING ON BEHALF OF THE CONSTITUENT IS PROHIBITED, UNLESS THE INDIVIDUAL TO WHOM THE RECORD PERTAINS HAS CONSENTED.

I, THE UNDERSIGNED, HEREBY AUTHORIZE THE OFFICE OF US REPRESENTATIVE TODD ROKITA TO RECEIVE INFORMATION IN MY FILE PERTINENT TO HIS INQUIRY ON MY BEHALF.

Signature: (b)(6)

Date: 3/29/11

PLEASE RETURN TO THE PLAINFIELD DISTRICTT OFFICE
2680 E. Main St. Suite 332
Plainfield, In 46168 (317) 838-0404



CLAUSMAN & ASSOCIATES, P.C.
Certified Public Accountants & Consultants

March 15, 2011

Certified Mail 7009 2250 0001 5790 9413

Mr. Joseph Tuczak
US Department of Housing and Urban Development
Office of Healthcare Programs
77 W. Jackson Blvd.
Chicago, IL 60604

RE: Martin County Realty, LLC
Loan (b)(6)
Borrower Name: Hoosier Realty, III, LLC

Dear Mr. Tuczak:

I am writing to inform you of issues surrounding a HUD financed skilled nursing facility of which I am the sole member of the LLC referred to above. I also have a CPA firm, Clausman & Associates CPA's and Consultants. Clausman & Associates clients are 95% healthcare.

Martin County Healthcare & Rehabilitation Center (MCHC) was financed with a HUD loan on July 21, 2000 with terms of 30 years and an interest rate of 7.85%. That was a good rate at that time. In September, 2010, I decided to apply for a HUD rate adjustment (Lien Section 232 Program), since there would be no prepayment penalty related to the initial HUD financing effective September 1, 2010.

In March of 2010 I was informed that Martin County Healthcare & Rehabilitation Center was designated by CMS upon the recommendation of the Indiana State Department of Health (ISDH) as a Special Focus Facility (SFF). A facility is designated as such due to surveys over the previous three years that cited deficiencies with scope and severity that were identified as a G tag which constitutes a substandard level of care.

From my involvement with healthcare facilities through consulting and managing facilities in Indiana the past 35 years, I understand that facilities often times receive State surveys better than the facilities deserve and other times worse than they deserve.

History shows that MCHC has been an excellent facility the past ten years under the current ownership and management. In the early years under my management, MCHC had the best CMS report card among all skilled nursing facilities in the State of Indiana. As recent as September 20, 2007 MCHC received a deficiency free survey.

11900 East 116th Street
Suite #305
Carmel, IN 46032
317/844-3110
Fax/844-3294

In conversations prior to committing to moving forward with obtaining refinancing / HUD rate adjustment through the Lien 232 Program, I asked Bob Smallwood, CPA VP-Originations, Love Funding, Inc. if the fact MCHC currently had been designated an SFF would create a problem as far as obtaining HUD approval. Mr. Smallwood after discussions with his underwriters assured me that it would not be a problem for MCHC or their sister facility, Loogootee Nursing Center, providing the facilities met the debt service coverage requirements. He stated that the impact of obtaining a lesser interest rate would make the facilities more financially viable and be beneficial to HUD as well. Inturn, we decided to proceed and wrote checks to Love Funding, Inc. in the amounts of $10,370 for MCHC and $10,350 for Loogootee Nursing Center for the cost of the PCNA, legal fees and costs plus a processing fee on August 13, 2010. After numerous hours of work and various correspondence with representatives of Love Funding, Inc. and attorneys and engaging Meridian Title Corporation on November 18, 2010 to perform a Title search at the request of Love Funding, Inc., during the Lien 232 process, representatives of Love Funding, Inc. engaged in correspondence and conversations with Regina Casabal, Financial Analyst, US Department of Housing and Urban Development. Ms. Casabal was assigned to MCHC since the facility was designated an SFF. On December 9, 2010 Mr. Smallwood, Love Funding, Inc. arranged a conference call with Ms. Casabal and me at 3:45 pm. that day. I had previously provided a voluminous amount of correspondence to Ms. Casabal and participated in conference calls with her and found her to be most abrasive and she talked down to me and the Facility, of which I take offense. I felt like she very much lacked knowledge of our industry and knew very little about MCHC after I had provided her with volumes of information. Mr. Smallwood, Love Funding, Inc. indicated that he also felt like she was not prepared when he had scheduled calls with her. She also scheduled a conference call on December 2, 2010 of which she was a no show. I felt like she was using me to educate her not about MCHC but the industry in general. During the conference call I further educated Ms. Casabal about the industry and MCHC in particular and addressed any concerns she brought up. But during the call she made two comments which were very disturbing and further demonstrates her lack of knowledge about MCHC after being assigned the MCHC case. They are as follows:

First Issue #1, Ms. Casabal made the comment that "The Facility is a not for profit facility isn't it?" This comment comes after receiving monthly compiled financial statements dating back to March, 2010 that included the standard GAAP opinion for proprietary entities.

Secondly Issue #2, and most concerning she inquired about therapy provided to Medicare residents. She asked if we provided therapy in house and if the residents received therapy everyday. I indicated that the residents are assessed and based on the assessment, therapy is provided accordingly. Ms. Casabal then further stated "If you provide more minutes of therapy it will increase the amount of payment you would receive from Medicare and that she could put us in contact with a company that could assist MCHC in doing that and all they (the company) would charge is a percentage of the increase in payments MCHC would receive from Medicare."

I was astounded by her comments and contacted Mr. Smallwood following our conference call and stated to him that the actions she recommended constitute Medicare fraud and I nor MCHC would have any part of such.

On the morning of December 15, 2010 I had a conference call with Mr. Smallwood and Love Funding, Inc. underwriters and made the underwriters aware of Ms. Casabal's comments made in the conference call held December 9, 2010.

Subsequently, Love Funding disengaged from both facilities projects and sent us a check made out to each facility in an amount sent to them to start the projects less the cost of the PCNA. Mr. Smallwood, Love Funding, Inc. stated that the underwriters did not want to proceed with the project because Ms. Casabal indicated that she would not allow either facility to obtain HUD approval.

I purchased my first skilled nursing facility in 1984 in Michigan City, Indiana and took over a facility that had a probationary license and turned it around almost immediately. Since then I have owned and operated several facilities in the State of Indiana and consulted with in excess of 100 healthcare facilities in the state. I take pride in what these facilities have accomplished. I would have never expected a representative of HUD to recommend actions that in my opinion constitute fraud, and I will never succumb to take such measures. I am appalled by her comments.

On February 15, 2011, I along with the MCHC facility administrator and director of nursing met with Ms. Kimberly Rhoades, Director of the Long Term Care Program, Indiana Department of Health and other upper management representatives within her department. At that meeting Ms. Rhoades informed us that the SFF designation is a new program with HUD. She further stated that she was required at the time to designate three skilled nursing facilities in the State as SFF's and that as of February 15 she has been instructed by HUD to expand that number to four facilities. She recognizes that MCHC is a good facility and that she had just five skilled nursing facilities in the MCHC area to choose from. She said "There were several skilled nursing facilities in Lake County, Indiana she could have chosen, but that would have put an excessive workload on the ISDH survey team in that area. Inturn, she chose MCHC in southern Indiana since that ISDH survey team could manage the additional survey required by being designated an SFF.

Ms. Rhoades was very understanding and has offered assistance towards advancing MCHC to an improved status from the SFF designation.

This brings me to Issue #3, Ms. Casabal continues to deny the MCHC requests for reimbursement of escrow funds related to replacement reserves. This is not only an arbitrary and capricious act but has further put an undue financial hardship on MCHC and hinders MCHC from making further expenditures necessary to advance the quality of care provided at MCHC.

In the almost twelve months that MCHC has been designated as a SFF and Ms. Casabal has been assigned to the Facility, she has made only one recommendation to the Facility and that recommendation in my opinion constitutes a fraudulent act. However, she has and continues to cause us time and money related to her requests of information that has not constituted anything toward the advancement of services or care provided at MCHC. Her most recent request is that we provide her monthly financial statements by the 10th of the following month which is most unreasonable and contrary to previous emails from her asking that they are provided by the 25th of the following month. You don't need to be a CPA for the past 30 years to realize that providing fairly stated financial statements within 10 days from the end of a report period is not achievable due to the fact it is virtually impossible to obtain an accurate recording of accounts payable on an accrual basis since many of the invoices for expenses incurred in the report period are not available by the 10th of the month following the report period.

In closing it only makes since that this facility proceed through the Lien 232 process and obtain more favorable financing which will provide additional available funds of approximately $5,000 per month to put back into the facility and inturn, enhance the viability of a HUD project that already exists.

The following are details of this existing HUD project:

Martin County Realty, LLC
313 Poplar Street
Loogootee, IN 47553
Martin County, Indiana

Loan #(b)(6)

Borrower Name: Hoosier Realty III, LLC

Original Loan Amt.: $2,371,500

Current Loan Amt.: $2,059,417

Current Interest Rate: 7.85%

Note: The anticipated Lien 232 Project amortization is 20 to 21 years. Inturn, we are no requesting to increase the existing amortization period.

Mr. Joseph Tuczak
March 15, 2011
Page Five

I have enclosed for your information a copy of a letter sent to Bill Lammers, Acting Director of the HUD Section 232 Program, of which I have not yet received a response.

If you would like me to provide you any further information, please contact me. I anxiously await your response and appreciate any recommendations or guidance you can provide. I also ask for your much needed assistance in obtaining release of escrow funds in accordance with the Facility agreement with HUD.

Sincerely,

Joseph R. Clausman, Jr.

JRC/jka
Enclosure
bndlr

Martin County Realty, LLC

(d/b/a Martin County Healthcare &
Rehabilitation Center)
1980 E. 116th Street, Suite 105
Carmel, IN 46032
(317) 844-3110, Fax (317) 844-3294

March 10, 2011

Certified Mail 7009 2250 0001 5790 9376

Ms Regina Casabal
Financial Analyst
US Department of Housing and
Urban Development
Office of Insured Health Care Facilities
477 Michigan Avenue
Detroit, MI 48226

RE: Martin County Realty, LLC
Loan Number (b)(6)

Dear Ms Casabal.

We have enclosed the following information per your latest request:

1. Copy of the internal financial statements for the one and twelve months ended December 31, 2010.
2. Copy of the internal financial statements for the month ended January 31, 2011.
3. Copy of the census detail for December 2010
4. Copy of the census detail for January 2011.
5. Copy of the December 14, 2010 survey and plan of correction.
6 Copy of the follow up survey and plan of correction.
7. Copy of paper compliance letter dated February 23, 2011 related to December 14, 2011 survey.

The State received erroneous information from the surveyors related to staffing hours which caused the drop in star rating from 4 stars to 1 star in the area of staffing and caused the drop from 2 stars to 1 star overall, accordingly. Actually, our nursing hours worked per patient day have increased rather than decreased. We have provided the correct staffing information to the State directly which should correct the error.

Your continued refusal to process our request for reimbursement of escrow funds is putting an undue financial hardship on the Provider. Inturn, please expeditiously process our previous request.

Sincerely,

Joseph R. Clausman, Jr.

JRC/jka
Enclosures

cc: Grover Davis, Esq.



CLAUSMAN & ASSOCIATES, P.C.
Certified Public Accountants
& Consultants

January 6, 2011

Certified Mail 7009 2250 0001 5790 9284

Mr. William J. Lammers, CPA, FACHE
Health Systems Advisor/Acting Director Section 232 Program
HUD Office of Insured Health Care Facilities
451 7th Street SW, RM 9224
Washington, DC 20410

Dear Bill:

It's been awhile since we met at HFMA in Indiana and since you worked at Crowe Chizek and later at Sisters of St. Francis in Mishawaka. For that matter is was some time ago that I worked for Ernst & Ernst and Kimmerling Myers & Co. before going out on my own and starting Clausman & Associates CPA's and Consultants.

As you may or may not be aware Clausman & Associates clientele is 95% healthcare related and we now spend the majority of our time managing my investments in the healthcare field, which brings me to the point of contacting you.

I own two skilled nursing facilities in Loogootee Indiana that were financed with HUD loans on July 21, 2000 with terms of 30 years and an interest rate of 7.85%. That was a good rate at that time. In July 2010 after being contacted on numerous occasions by various lenders, including Love Funding, Inc. in Cleveland, I decided to move forward and obtain a HUD rate adjustment (Lien Section 232 Program), since there would be no prepayment penalty related to the initial HUD financing effective September 1, 2010.

In March of 2010 I was informed that one of the facilities, Martin County Healthcare & Rehabilitation Center (MCHC) was designated by CMS upon the recommendation of the Indiana State Department of Health (ISDH) as a Special Focus Facility (SFF). A facility is designated as such due to surveys over the previous three years that cited deficiencies with scope and severity that were identified as a G tag which constitutes a substandard level of care.

As we both know from our involvement with healthcare facilities through consulting and managing facilities in Indiana, that facilities often times receive State surveys better than the facilities deserve and other times worse than they deserve.

History shows that MCHC has been an excellent facility the past ten years under the current ownership and management. In the early years under my management, MCHC had the Best CMS report card among all skilled nursing facilities in the State of Indiana. As recent as September 20, 2007 MCHC received a deficiency free survey.

1980 East 116th Street
Suite #105
Carmel, IN 46032
317/844-3110
fax/844-3294

That being said, in March 2008 MCHC had a change in Director of Nursing (DON). MCHC hired an individual who was a SDOH surveyor in the area that MCHC is located in anticipation of continuing to provide the quality of care that had been provided for many years with the continued care that residents in the area had learned to expect and desire from MCHC. This individual, according to her previous peers, whom with she worked for 16 years failed miserably if one is judged based on the subsequent survey. The survey conducted in October 2008 included many cited deficiencies that had to be addressed. Obviously, I expected much better results. Inturn, six months after hiring the DON who previously was a SDOH surveyor, management made another change in that position and the cited deficiencies were addressed through the Facility's plan of correction and corrective actions were taken and the Facility was placed back into compliance.

In September 2009 MCHC had their annual survey after the Facility reported to the SDOH a reportable incident, where the pharmacy, which a particular resident chose to fulfill her pharmacy needs, continued to fill and deliver a prescription (antibiotic) well beyond the ten day time period prescribed by the resident's physician. This was discovered by the Facility nursing staff and promptly reported to the SDOH. However, this incident was cited by the SDOH surveyors during their survey and resulted in a partially extended survey. Although the pharmacy acknowledged fault for the incident through their reimbursement of the expense of the prescription to MCHC, the Facility has paid many times over for the mistake through a civil money penalty assessed by CMS related thereto, decreases in Medicaid rates associated thereto and the incident's contribution towards placing MCHC in SFF status as a result an undesirable CMS report card score associated therewith.

Fast forward to April 2010, MCHC hired a new DON and subsequently in June 2010 the Facility received their next SDOH survey. The Facility was commended by the surveyors regarding the perceived improvement and cited only two deficiencies. One of the deficiencies was the Facility staffing schedule posted in the facility did not include the Facility name. Obviously that was quickly remedied at the time the SDOH surveyor brought it to managements attention. However, the other cited deficiency related to an incident the Facility reported to SDOH in which a certified nursing assistant (CNA) transferred a resident from her wheelchair to the chair in her room without the assistance of another CNA or nurse. The CNA admittedly knew the resident was a two person assist resident yet ignored that she required a two person assist in performing the task and inturn, the resident experienced actual harm and therefore the Facility was cited for such and received a G tag associated with the cited deficiency. The Facility had provided training and inservices to the CNA regarding proper protocol and procedures required to transfer the resident but the CNA knowingly ignored the required procedures and did not comply with such. The Facility dismissed the CNA from their employment and reported the CNA to the State licensing authorities.

Now, with the aforementioned being said, MCHC has and continues to make strides to improve the Facility's report card score as evidenced by the Facility's improved "Overall" CMS star rating from 1 to 2 stars and "Nursing Home Staffing" from 3 to 4 stars while maintaining a 4 out of 5 star rating in the area of "Quality Measures".

In conversations prior to committing to moving forward with obtaining refinancing / HUD rate adjustment through the Lien 232 Program, I asked Bob Smallwood, CPA VP-Originations, Love Funding, Inc. if the fact MCHC currently had been designated an SFF would create a problem as far as obtaining HUD approval. Mr. Smallwood after discussions with his underwriters assured me that it would not be a problem for MCHC or their sister facility, Loogootee Nursing Center providing the facilities met the debt service coverage requirements. He stated that the impact would make the Facility more financially viable and be beneficial to HUD as well. Inturn, we decided to proceed and wrote a check to Love Funding, Inc. in the amount of $10,370 for MCNC and $10,350 for Loogootee Nursing Center for the cost of the PCNA, legal fees and costs plus a processing fee on August 13, 2010. After numerous hours of work and various correspondence with representatives of Love Funding, Inc. and attorneys and engaging Meridian Title Corporation on November 18, 2010 to perform a Title search at the request of Love Funding, Inc., during the Lien 232 process, representatives of Love Funding, Inc. engaged in correspondence and conversations with Regina Casabal, Financial Analyst, US Department of Housing and Urban Development. Mr. Smallwood informed me that Ms. Casabal in private conversations on more than one occasion made comments that she was considering recommending placing another management agent in MCHC. Obviously I vehemently oppose that; however she had not made such a comment to me. On December 9, 2010 Bob Smallwood, Love Funding, Inc. arranged a conference call with Ms. Casabal and myself at 3:45 pm. that day. I had previously provided a voluminous amount of correspondence to Ms. Casabal and participated in conference calls with her and found her to be most abrasive and she talked down to me and the Facility of which I take offense. I felt like she very much lacked knowledge of our industry and knew very little about MCHC after I had provided her with volumes of information. Bob Smallwood, Love Funding, Inc. indicated that he also felt like she was not prepared when he had scheduled calls with her. She also scheduled a conference call on December 2, 2010 of which she was a no show. I felt like she was using me to educate her not about MCHC but the industry in general. During the conference call I further educated Ms. Casabal about the industry and MCHC in particular and addressed any concerns she brought up. But during the call she made two comments which were very disturbing and further demonstrates her lack of knowledge about MCHC after being assigned the MCHC case. They are as follows:

First, Ms. Casabal made the comment that "The Facility is a not for profit facility isn't it?" This comment comes after receiving monthly compiled financial statements dating back to March 2010 that included the standard GAAP opinion for proprietary entities.

Secondly, and most concerning she inquired about therapy provided to Medicare residents. She asked if we provided therapy in house and if the residents received therapy everyday. I indicated that the residents are assessed and based on the assessment, therapy is provided accordingly. Ms. Casabal then further stated "If you provide more minutes of therapy it will increase the amount of payment you would receive from Medicare and that she could put us in contact with a company that could assist MCHC in doing that and all they would charge is a percentage of the increase in payments MCHC would receive from Medicare."

I was astounded by her comments and contacted Mr. Smallwood following our conference call and stated to him that the actions she recommended constitute Medicare fraud and I nor MCHC would have any part of such.

On the morning of December 15, 2010 I had a conference call with Mr. Smallwood and Love Funding, Inc. underwriters and made the underwriters aware of Ms. Casabal's comments made in the conference call held December 9, 2010.

Subsequently, Love Funding disengaged from both facilities projects and sent us a check made out to each facility in an amount sent to them to start the projects less the cost of the PCNA. Bob Smallwood, Love Funding, Inc. stated that the underwriters did not want to proceed with the project because they didn't believe Ms. Casabal would allow either facility to obtain HUD approval because MCHC is designated as SFF and both facilities are under the same management.

Bill, I write to you for your input and suggestions as to where we go from here. I have spent a significant amount of funds with Love Funding, Inc. and the title company plus numerous hours of time and other cost to obtain a HUD rate adjustment for these two facilities.

The following is a list of information previously provided to Love Funding, Inc. for each Provider:

1. Compiled Financial Statements for 2007, 2008, 2009 and January 1, 2010 through September 30, 2010.

2. Audited financial statements for the twelve months ended June 30, 2008, June 30, 2009 and June 30, 2010.

3. SDOH Surveys for 2007, 2008 and 2009.

4. Operating Agreement

5. Management Agreement

6. Facility License

7. Original Title policies dated July 21, 2000

8. Certificate of survey dated July 6, 2000 and related copies of the ALTA/ACSM Land Title Survey dated July 6, 2000.

9. Insurance Policies and six year Loss History

10. Original Mortgage Note

11. Consent of Memers/Resolution from Martin County Realty, LLC and Loogootee Realty, LLC to obtain a loan from Love Funding Corporation, the FHA Mortgagee.

12. Correspondence regarding critical reapairs, non-critical reparis and owner-elective repairs as the result of the PCNA inspection performed by Steve Kaskey, Dominion Due Diligiency Group on September 21, 2010.

13. Verification of Mortgages from Midland Loan Services, Inc.

14. Copy of TBO commitment for both projects.

15. Trailing 12 month trial balance of revenue and expenses for the period October 1, 2009 through September 30, 2010.

16. Data Certification with attached census breakdown by month for the years 2007, 2008, 2009 and January 1, 2010 through September 30, 2010.

17. Certified answers to Section 232/223 Questions with attachments.

18. Signed Mortgagor Consolidated Certifications.

19. Signed certifications of no pending or threatened claims against the professional liability insurance.

20. Various correspondence sent to Regina Casabal, HUD.

I purchased my first skilled nursing facility in 1984 in Michigan City, Indiana and took over a facility that had a probationary license and turned it around almost immediately. Since then I have owned and operated several facilities in the State of Indiana and consulted with in excess of 100 healthcare facilities in the state. I take pride in what these facilities have accomplished. I

would have never expected a representative of HUD to recommend actions that in my opinion constitute fraud, and I will never succumb to take such measures. I am appalled by her comments.

In closing it only makes since that these facilities proceed through the Lien 232 process and obtain more favorable financing which will provide additional available funds of approximately $5,000 per month to put back into the facilities and inturn, enhance the viability of a HUD project that already exists.

The following are details of the existing HUD projects:

Loogootee Realty, LLC
12802 E. US Hwy 50
Loogootee, IN 47553
Daviess County, Indiana

Loan # (b)(6)

Borrower Name: Hoosier Realty II, LLC

Original Loan Amt.: $2,320,000

Current Loan Amt.: $2,015,128

Current Interest Rate: 7.85%

Martin County Realty, LLC
313 Poplar Street
Loogootee, IN 47553
Martin County, Indiana

Loan # (b)(6)

Borrower Name: Hoosier Realty III, LLC

Original Loan Amt.: $2,371,500

Current Loan Amt.: $2,059,417

Current Interest Rate: 7.85%

Note: The anticipated Lien 232 Project amortization is 20 to 21 years. Inturn, we are not requesting to increase the existing amortization period.

I have also enclosed copies of various correspondence and documents mentioned herein for your review and convenience.

Bill, if you would like me to provide to you any further information referred to herein, please don't hesitate to ask. I anxiously await your response and appreciate any recommendations or guidance you can provide.

Sincerely,

Joseph R. Clausman, Jr.

JRC/jka
Enclosures
soc232

Step 2: Choose Nursing Home to Compare

Return To Previous Page

Icon Legend Special Focus Facilities (SFF) are nursing homes that have a history of persistent poor quality of care. These nursing homes have been selected for more frequent inspections and monitoring. To learn more, visit the CMS Certification & Compliance website.

Choose up to 3 nursing homes to Compare

Nursing Home Name and General Information ...	Overall Rating	Health Inspections	Nursing Home Staffing	Quality Measures	Program Participation	Number of Certified Beds	Type of Ownership
	[What is this?]	[What is this?]	[What is this?]	[What is this?]		[What is this?]	
MARTIN COUNTY HEALTHCARE & REHABILITATION CENTER 313 POPLAR STREET LOOGOOTEE, IN 47553 (812) 295-4433 Resident Council Mapping & Directions	★ 1 out of 5 stars	★ 1 out of 5 stars	★ 1 out of 5 stars	★★★★ 4 out of 5 stars	*Medicare and Medicaid*	62	*For profit - Corporation*

Choose up to 3 nursing homes to Compare

Step 2: Choose Nursing Home to Compare

Return To Previous Page

Icon Legend Special Focus Facilities (SFF) are nursing homes that have a history of persistent poor quality of care. These nursing homes have been selected for more frequent inspections and monitoring. To learn more, visit the CMS Certification & Compliance website.

Choose up to 3 nursing homes to Compare

Nursing Home Name and General Information	Overall Rating	Health Inspections	Nursing Home Staffing	Quality Measures	Program Participation	Number of Certified Beds	Type of Ownership
	[What is this?]	[What is this?]	[What is this?]	[What is this?]		[What is this?]	
MARTIN COUNTY HEALTHCARE & REHABILITATION CENTER 313 POPLAR STREET LOOGOOTEE, IN 47553 (812) 295-4433 Resident Council Mapping & Directions	2 out of 5 stars	1 out of 5 stars	4 out of 5 stars	4 out of 5 stars	Medicare and Medicaid	62	For profit - Corporation

Choose up to 3 nursing homes to Compare

U S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D

The Honorable Todd Rokita
Member, United States
House of Representatives
2680 E Main Street, Suite 332
Plainfield, IN 46168-2829

Dear Representative Rokita

Thank you for your letter of March 29, 2011 on behalf of your constituent Mr. Joseph Clausman, Jr., who expressed concern about the ability to refinance his loan for the Marion County Healthcare & Rehabilitation Center (MCHC). Since Mr. Clausman also contacted the Office of Healthcare Programs (OHP) directly, he was provided a response from Michael Vaughn, Acting Director of the Section 232 Program.

Mr. Clausman indicated in his letter to OHP that MCHC was designated a Special Focus Facility (SFF) by the Centers for Medicare and Medicaid Services (CMS). OHP has confirmed that the current SFF status is "not improving," the current overall CMS Star Rating is 1, and the current survey star rating is 1. As these ratings differ somewhat from the star rating referenced in his correspondence, OHP has requested that Mr. Clausman provide any updated records to document changes to the published ratings.

Mr. Clausman suggested that given that refinancing would presumably lower the monthly debt service, the operational matters of MCHC should not preclude refinancing. The Department of Housing and Urban Development, through its Section 232 program, insures loans that FHA-approved lenders are willing to make. When a mortgagor is seeking to refinance an existing FHA insured loan to substantially improve its cash flow, HUD expects the mortgagor to provide full assurance that, going forward, the facility will be operated in such a way as to fully comport with the CMS and state expectations. For an FHA approved lender to have sufficient confidence to proceed on a refinance application, the lender would expect this as well.

Although Love Funding Incorporated, an FHA approved lender, has declined to refinance a loan for MCHC, Mr. Clausman may wish to contact other FHA approved lenders regarding their underwriting standards. Mr. Clausman expressed concern that OHP Account Executive Kevin Crisler's refusal to [illegible] Incorporated [illegible] of his conduct of his practices to carry on HUD's [illegible]. Please be assured that all prospective Section 232 loans go through a rigorous underwriting process and every single Account Executive has the authority to approve [illegible]

www.hud.gov espanol.hud.gov

Mr Clausman also indicated that Ms Casabal gave him advice regarding Medicare payments that he deemed inappropriate According to Acting Director Michael Vaughn Ms Casabal did suggest to Mr Clausman various avenues available to a project having operational deficiencies including the possibility of retaining a firm to review Medicare and census issues It is a common practice for facilities to review such matters and to seek the assistance of a consulting firm when addressing the complexities associated with obtaining optimal legitimate provider payments However, in light of Mr Clausman's concern, OHP has decided to assign Account Executive Jim Coon to work with the servicing of MCHC and has provided contact information to Mr Clausman

I hope this information is helpful in responding to your constituent If I can be of further assistance please let me know

Sincerely,

Peter V Kovar
Assistant Secretary for Congressional
and Intergovernmental Relations



Congressman Todd Rokita

U.S. House of Representatives

Representing Indiana's Fourth Congressional District

Authorization in Accordance with the 1974 Privacy Act

NAME: (b)(6) DATE OF BIRTH 07/05/1987

ADDRESS: (b)(6)

CITY: (b)(6) STATE: IN ZIP

EMAIL ADDRESS: (b)(6) E-MAIL COMMUNICATIONS? (Yes) No

DAYTIME PHONE: (b)(6) EVENING PHONE: same

SOCIAL SECURITY NUMBER: (b)(6) CLAIM OR SERIAL NUMBER:

PLEASE BRIEFLY DESCRIBE THE EXACT NATURE OF YOUR PROBLEM, AND WHAT YOU WANT CONGRESSMAN ROKITA TO DO TO HELP YOU. (PLEASE SEND COPIES OF ANY RELEVANT INFORMATION – DO NOT SEND ORIGINALS (Please use back of form or attach additional pages if more space needed)

Please see email sent to Congressman Rokita

Are you represented by an Attorney: YES (NO)

If yes, please list your attorney's name and address:

THE PRIVACY ACT OF 1974 PROHIBITS THE GOVERNMENT FROM REVEALING ANY INFORMATION FROM PERSONAL FILES OF INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE PERSON INVOLVED. DISCLOSURE OF PERSONAL RECORDS TO A MEMBER OF CONGRESS WHO IS ACTING ON BEHALF OF THE CONSTITUENT IS PROHIBITED, UNLESS THE INDIVIDUAL TO WHOM THE RECORD PERTAINS HAS CONSENTED.

I, THE UNDERSIGNED, HEREBY AUTHORIZE THE OFFICE OF US REPRESENTATIVE TODD ROKITA TO RECEIVE INFORMATION IN MY FILE PERTINENT TO HIS INQUIRY ON MY BEHALF.

Signature: (b)(6)

Date: 4/12/11

PLEASE RETURN TO THE PLAINFIELD DISTRICT OFFICE
2680 E. Main St. Suite 332
Plainfield, In 46168 (317) 838-0404

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

562

MAY - 6 2011

The Honorable Todd Rokita
Member, United States House of Representatives
In 4th Congressional District Office
2680 East Main Street, Suite 332
Plainfield, IN 46168

Dear Representative Rokita:

This is in response to your inquiry of April 12, 2011, on behalf of your constituent, Ms. (b)(6) (b)(6) Ms. (b)(6) expressed concerns in regard to the purchase of the HUD property located at (b)(6) FHA Case Number (b)(6)

Our records show that Ms. (b)(6) offer to purchase the property was accepted by the Asset Manager, OFORI, on March 24, 2011. The contract was executed by OFORI on April 22, 2011, and the contract expiration date is June 6, 2011. A copy of the executed contract, along with instructions on activating the utilities for the home inspection and scheduling the closing, was sent to Ms. (b)(6) real estate agent on April 27, 2011.

The Department is making every effort to ensure that HUD's Asset Managers are executing contracts in a timely manner, and responding to customer inquiries as soon as possible. If you have any questions, please have a member of your staff contact Ralph Jackson, REO Director with the Atlanta Homeownership Center at (678) 732-2153.

I hope the information provided is helpful in responding to your constituent. Please let me know if I can be of further assistance.

Sincerely,

Peter A. Kovar
Assistant Secretary for Congressional
and Intergovernmental Relations

TODD ROKITA
4TH DISTRICT, INDIANA

236 CANNON HOB
WASHINGTON, D.C 20515
(202) 225-5037
(202) 226-0544 (FAX)

355 S WASHINGTON STREET
DANVILLE, IN 46122
(317) 718-0404
(317) 718-0405 (FAX)

407 S 6TH STREET
MITCHELL IN 47446
(812) 849-9378
(812) 849-9769 (FAX)

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON THE BUDGET

COMMITTEE ON HOUSE ADMINISTRATION

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROKITA.HOUSE GOV

June 7, 2011

VIA FACSIMILE TRANSMITTAL
(202) 708-1350

U.S. Department of HUD **(SECOND CONGRESSIONAL INQUIRY)**

To Whom It May Concern:

Please find enclosed the signed Privacy Authorization accompanied by the letter of explanation from our constituent, (b)(6) (b)(6)

I also wanted to add after speaking with Mr. (b)(6) yesterday that HUD contracts with Asset Management Specialists, using HMBI as a go between with Professional Property Preservation, LLC, who in turn remits payment to our constituent.

We would appreciate any help that you can give.

Best Regards,

Teri Smith

Teri Smith

Constituent case Manger for

Congressman Todd Rokita

Enclosures



Congressman Todd Rokita

U.S. House of Representatives

Representing Indiana's Fourth Congressional District

Authorization in Accordance with the 1974 Privacy Act

NAME: (b)(6) DATE OF BIRTH 8/10/57

ADDRE

CITY: STATE: IN ZIP (b)(6)

EMAIL ADDRESS: (b)(6) PREFER EMAIL COMMUNICATIONS? (Yes) No

DAYTIME PHONE (b)(6) EVENING PHONE (b)(6)

SOCIAL SECURITY NUMBER: ___-___-____ CLAIM OR SERIAL NUMBER:_____

PLEASE BRIEFLY DESCRIBE THE EXACT NATURE OF YOUR PROBLEM, AND WHAT YOU WANT CONGRESSMAN ROKITA TO DO TO HELP YOU. (PLEASE SEND COPIES OF ANY RELEVANT INFORMATION – DO NOT SEND ORIGINALS (Please use back of form or attach additional pages if more space needed)

See attached

Are you represented by an Attorney: YES (NO)

If yes, please list your attorney's name and address:

THE PRIVACY ACT OF 1974 PROHIBITS THE GOVERNMENT FROM REVEALING ANY INFORMATION FROM PERSONAL FILES OF INDIVIDUALS WITHOUT THE EXPRESS PERMISSION OF THE PERSON INVOLVED. DISCLOSURE OF PERSONAL RECORDS TO A MEMBER OF CONGRESS WHO IS ACTING ON BEHALF OF THE CONSTITUENT IS PROHIBITED, UNLESS THE INDIVIDUAL TO WHOM THE RECORD PERTAINS HAS CONSENTED

I, THE UNDERSIGNED, HEREBY AUTHORIZE THE OFFICE OF US REPRESENTATIVE TODD ROKITA TO RECEIVE INFORMATION IN MY FILE PERTINENT TO [redacted]

Signature: (b)(6)

Date: 5/6/11

PLEASE RETURN TO THE PLAINFIELD DISTRICT OFFICE
2680 E. Main St. Suite 352
Plainfield, In 46168 (317) 838-0404

Dear Mr. Rokita:

My wife has started a property preservation business providing maintenance services for HUD owned homes. We are an indirect contractor to Asset Management Specialists who we believe are the prime contractors to HUD I say "we believe" because we are subcontracting to a subcontractor who has contracted with Asset Management Specialists. However another company, HMBI, operates in between Asset Management Specialists and our contractor. To my mind it is a rather convoluted way of doing business and it must be costing the taxpayers a great deal more to have all of these middlemen involved.

Nevertheless, the reason why I contacted your office is that my wife has been doing work for Asset Management Specialists since March through another contractor. When she inquired about when and how much she would be receiving for her work, she was told that the amount wasn't clear as yet and it would likely be in the second half of June that she would be paid for the work done in March and April The contract we agreed to called for 45 day payment terms which is 50% longer than standard commercial terms as it is but to tell my wife that she won't be paid for 90+ days is just plain wrong.. They claim to be having a problem with their invoicing system. I have been in business for over 30 years and if I ever had a customer who had an invoicing problem and wouldn't pay me for 90 days, I knew that it was more than a system problem and that they were using my money to fund their business. I am sure that HUD is paying them for their services in less than 90 days

We have invested nearly $10,000 in equipment and operating costs and I am not working so we are depending on this income to stay in our own home We cannot afford to go without an income for 90 days.

We would greatly appreciate the congressman's assistance in asking HUD to encourage their vendors, specifically Asset Management Specialists to live up to their contractual obligations and pay their vendors on time Most of their vendors are small operations like my wife's and cannot afford to be strung out like this. Can you please help?

Best regards,

(b)(6)

6-00596

U S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Indianapolis Field Office

Field Policy and Management
[illegible] North Delaware Street, Suite 200
[illegible]
[illegible] 226-[illegible] FAX: [illegible] 226-[illegible]
www.hud.gov

June 10, 2011

The Honorable Todd Rokita
Member, United States
House of Representative
2680 East Main Street, Suite 332
Plainfield, IN 46168

Dear Congressman Rokita:

Thank you for your correspondence to the U S Department of Housing and Urban Development (HUD), dated May 6, 2011, on behalf of your constituent, Mr (b)(6) (b)(6) Mr (b)(6) states that his wife's company has not been paid by one of HUD's Field Service Managers, Asset Management Specialist, Inc. (AMS)

Our staff has notified AMS of this complaint AMS is responsible for addressing the concerns raised by Mr (b)(6) We expect that AMS will resolve any subcontractor issues in accordance with their contracts and applicable law HUD can encourage a contractor to make timely payments However, HUD cannot enforce a contractual agreement between its contractor and a subcontractor If the matter is not resolved expeditiously, your constituent may also want to contact the Department of Labor, in Indiana, at www.dol.gov

I hope this information is helpful in responding to your constituent. If you need further assistance, please have a member of your staff contact Andrew Klee at (317) 226-6303x7013

Sincerely,

John R Hall
Field Office Director



Congressman Todd Rokita

U.S. House of Representatives

Representing Indiana's Fourth Congressional District

Authorization in Accordance with the HIPAA Privacy Act

NAME: (b)(6) DATE OF BIRTH: 8/10/57

ADDRESS:

CITY: STATE: ZIP: (b)(6)

EMAIL ADDRESS: (b)(6) MAY WE USE EMAIL COMMUNICATIONS? YES / No

DAYTIME PHONE: (b)(6) EVENING PHONE: (b)(6)

SOCIAL SECURITY NUMBER: ___-___-____ CLAIM OR CASE # (IF KNOWN):

PLEASE BRIEFLY DESCRIBE THE EXACT NATURE OF YOUR PROBLEM, AND WHAT YOU WANT CONGRESSMAN ROKITA TO DO TO HELP YOU. (PLEASE SEND COPIES OF ANY RELEVANT INFORMATION – DO NOT SEND ORIGINALS. Please use back of form or attach additional pages if more space needed.)

See attached

Are you represented by an Attorney: YES (NO)

If yes, please list your attorney's name and address:

THE PRIVACY ACT OF 1974 PROHIBITS THE GOVERNMENT FROM RELEASING ANY INFORMATION FROM PERSONAL FILES OF INDIVIDUALS WITHOUT THE EXPRESS CONSENT OF THE PERSON INVOLVED. DISCLOSURE OF RECORDS CONCERNING A MEMBER OF CONGRESS WHO IS ACTING ON BEHALF OF THE CONSTITUENT IS PERMITTED, UNLESS THE CONSTITUENT TO WHOM THE RECORD PERTAINS HAS OBJECTED.

I, THE UNDERSIGNED, HEREBY AUTHORIZE THE OFFICE OF US REPRESENTATIVE TODD ROKITA TO RELEASE INFORMATION ON MY BEHALF PERTAINING TO THE MATTER AS OUTLINED ABOVE.

Signature: (b)(6)

Date: 5/6/11

PLEASE RETURN TO THE PLAINFIELD DISTRICT OFFICE
2000 E. Main St., Suite 350
Plainfield, IN 46168 (317) 838-0390

6/6 - emailed Andy to check on status, Andy Dillon 6/7/11

Dear Mr. Rokita,

My wife has started a property preservation business providing maintenance services for HUD owned homes. We are an indirect contractor to Asset Management Specialists who we believe are the prime contractors to HUD. I say "we believe" because we are subcontracting to a subcontractor who has contracted with Asset Management Specialists. However another company, HMBI, operates in between Asset Management Specialists and our contractor. To my mind it is a rather convoluted way of doing business and it must be costing the taxpayers a great deal more to have all of these middlemen involved.

Nevertheless, the reason why I contacted your office is that my wife has been doing work for Asset Management Specialists since March through another contractor. When she inquired about when and how much she would be receiving for her work, she was told that the amount wasn't clear as yet and it would likely be in the second half of June that she would be paid for the work done in March and April. The contract we agreed to called for 45 day payment terms which is 50% longer than standard commercial terms so it is but to tell my wife that she won't be paid for 90+ days is just plain wrong. They claim to be having a problem with their invoicing system. I have been in business for over 30 years and if I ever had a customer who had an invoicing problem and wouldn't pay me for 90 days, I knew that it was more than a system problem and that they were using my money to fund their business. I am sure that HUD is paying them for their services in less than 90 days.

We have invested nearly $10,000 in equipment and operating costs and I am not working so we are depending on this income to stay in our own home. We cannot afford to go without an income for 90 days.

We would greatly appreciate the congressman's assistance in asking HUD to encourage their vendors, specifically Asset Management Specialists to live up to their contractual obligations and pay their vendors on time. Most of their vendors are small operations like my wife's and cannot afford to be strung out like this. Can you please help?

Best regards,

(b)(6)

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

596
Interim

The Honorable Todd Rokita
Member, United States
House of Representatives
355 South Washington Street
Danville, IN 46122

JUN 28 2011

Dear Representative Rokita:

Thank you for your letter of June 7, 2011, on behalf of your constituent, (b)(6) (b)(6) who is asking HUD to encourage their vendors, specifically Asset Management Specialists, to pay their subcontractors on a more timely basis.

The Department is conducting a review of this matter. Upon completion of the review, a final response will be provided.

Thank you for your interest in the Department's programs.

Sincerely,

Peter A. Kovar
Assistant Secretary for Congressional
and Intergovernmental Relations

TODD ROKITA
4TH DISTRICT, INDIANA

236 CANNON HOB
WASHINGTON, DC 20515
(202) 225 5037
(202) 226-0544 (FAX)

2680 E MAIN STREET, SUITE 332
PLAINFIELD, IN 47168
(317) 838-0404
(317) 838 8964 (FAX)

Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON THE BUDGET

COMMITTEE ON HOUSE ADMINISTRATION

COMMITTEE ON EDUCATION AND THE WORKFORCE

www.toddrokita.house.gov

May 11, 2011

VIA FACSIMILE TRANSMITTAL

(202) 708-1350)

Mr. Peter A. Kovar

Assistant Secretary for Congressional and

Intergovernmental Relations

451 7TH Street, SW

Washington, DC 20410

RE: Joseph Clausman, Jr.

Dear Mr. Kovar:

Thank you so much for your letter dated May 5, 2011 with regard to the above referenced matter. Mr. Clausman asked that I attach his April 22, 2011 letter to Michael B. Vaughn because he believed that Mr. Vaughn's letter of April 6, 2011 contained several discrepancies that Mr. Clausman's attached letter might be able to clear up.

Mr. Clausman also requested that you follow up with any other entities that Ms. Casabal recommended to other nursing home owners with regard to additional minutes of therapy to see if they were using the people that Ms. Casabal recommended. Mr. Clausman still feels that had he done the same thing as Ms. Casabal, as far as recommending other entities to provide additional therapy minutes, that the government would have looked upon it as Medicare Fraud

In light of the above, Mr. Clausman is very happy with Tim Coon and has received some of his funds

Sincerely,

Teri Smith

Case Manager for Congressman Todd Rokita, Indiana 4th District

Attachment

F

CRAUSMAN & ASSOCIATES, P.C.
Certified Public Accountants
& Consultants

April 22, 2011

Mr Michael B Vaughn
Acting Director Section 232 Program
U S. Department of Housing and Urban Development
451 7th Street SW, Room 9224
Washington, DC 20410

RE: Loogootee Nursing Center (FHA # (b)(6)
Martin County Healthcare & Rehabilitation Center (FHA (b)(6))

Dear Mr. Vaughn:

Thank you for your letter dated April 6, 2011. In your letter you referenced the statement in my letter dated January 6, 2011 to Bill Lammers and more specifically my reference to Martin County Healthcare & Rehabilitation Center's (MCHC) improved CMS Star rating from 1 to 2 stars Overall. I have enclosed copies of such for your review in the form of information printed from the internet Medicare.gov - Nursing Home Compare dated November 19, 2010. During the most recent MCHC State survey completed December 28, 2010 the surveyors collected erroneous staffing information that was ultimately entered into CMS and inturn, erroneously reduced the MCHC Nursing Home Staffing star rating from 4 stars to 1 star and Overall star rating from 2 stars to 1 star. Based on MCHC management's correspondence with Kim Rhodes, Director of Long-Term Care Program at the Indiana State Department of Health, this information has been corrected and the CMS star ratings have been changed to once again show 4 stars for Nursing Home Staffing and 2 stars Overall. I have enclosed a copy of the revised star ratings dated today for your convenience.

Your letter also stated that my letter to Bill Lammers indicates that my prospective lender ultimately expressed concerns about refinancing the facilities in light of the Special Focus Facility (SFF) status of MCHC My letter to Bill Lammers actually states that the prospective lender made the decision not to move forward with the refinancing (adjustment of existing HUD rate of interest) after corresponding with Ms. Regina Casabal "because they didn't believe Ms. Casabal would allow either facility to obtain HUD approval because MCHC was designated as a SFF and both facilities are under the same management." Furthermore, my letter states that the prospective lender's VP of Orignations and Underwriting assured me that the fact that MCHC is designated a SFF would not be a problem for MCHC or their sister facility Loogootee Nursing Center (LNC) providing the facilities met the debt service coverage requirements. Both facilities met those requirements. I have retained emails and other correspondence which support the above statements.

1980 East 116th Street
Suite #105
Carmel IN 46032
317/844 3110
fax/844-3294

Regarding your statement about Regina Casabal advising me related to engaging a consultant to assist with Medicare and census issues. At no time did Ms. Casabal suggest that I retain a firm to assist with census issues. As stated in my letter to Bill Lammers, Ms. Casabal did ask "if we provided therapy in house and if residents received therapy everyday. I indicated that the residents are assessed and based on the assessment, therapy is provided according to their needs " Ms Casabal further stated "If you provide more minutes of therapy it will increase the amount of payment you would receive from Medicare and that she could put us in contact with a company that could assist MCHC in doing that and all they would charge is a percentage of the increase in payments MCHC would receive from Medicare." I went on to further state "I would have never expected a representative of HUD to recommend actions that in my opinion constitute fraud, and I would never succumb to take such measures." You further state that "suggesting such avenues to an owner/operator would not be unusual when a property's operational or financial performance needs improving " What MCHC needs foremost is to receive two consecutive surveys with no deficiency tags with a designated scope and severity in excess of an E. When this occurs MCHC will be clear of the SFF designation. I own the only two facilities in the MCHC service area and based on our research 95% of residents requiring long-term care in our primary service area reside in these two facilities At this time, it behooves me if most of the new resident admissions choose LNC over MCHC until MCHC sheds the SFF designation.

The above being said and moving forward, I would like to take this opportunity to thank you for reassigning Ms. Casabal. MCHC is in the process of remodeling the intermediate care wing and inturn, repairing and or replacing certain capital assets related thereto. The fact that Ms. Casabal has repeatedly denied our request for reimbursement for such items from our Replacement Reserve Escrow account has placed an undue financial hardship on MCHC. Also her most recent request to receive monthly financial statements by the tenth of the following month is most arbitrary and capricious. I am a CPA and it is virtually impossible to prepare meaningful financial statements by the tenth of the month following the financial statement period end It should further be noted that this was her most recent demand. Prior to this latest deadline for information necessary for her to "release funds" the deadline was twenty-five days subsequent to the period end, which is also not enough time to provide meaningful financial information. I also have in my possession emails that support this fact. Ms. Casabal through time continued to provide a moving target as to what she deemed necessary to release funds.

For your information, I have also enclosed a copy of my letter dated March 15, 2011 sent to Mr Joseph Tuczak prior to receiving a reply via a telephone call from Bill Lammers regarding my letter dated January 6, 2011.

In closing thank you for assigning Mr Coon as our new Account Executive. I trust Mr. Coon will work with MCHC as we continue to make our best efforts to shed the Facility's designation as a SFF.

Sincerely,

Joseph R. Clausman, Jr

JRC/jka
Enclosures
sec232

cc: Timothy R. Coon

Step 2: Choose Nursing Home to Compare

Return To Previous Page

Icon Legend Special Focus Facilities (SFF) are nursing homes that have a history of persistent poor quality of care. These nursing homes have been selected for more frequent inspections and monitoring. To learn more, visit the CMS Certification & Compliance website.

Choose up to 3 nursing homes to Compare

Nursing Home Name and General Information	Overall Rating	Health Inspections	Nursing Home Staffing	Quality Measures	Program Participation	Number of Certified Beds	Type of Ownership
	[What is this?]	[What is this?]	[What is this?]	[What is this?]		[What is this?]	
MARTIN COUNTY HEALTHCARE & REHABILITATION CENTER 313 POPLAR STREET LOOGOOTEE, IN 47553 (812) 295-4433 Resident Council Mapping & Directions	★★ 2 out of 5 stars	★ 1 out of 5 stars	★★★★ 4 out of 5 stars	★★★★ 4 out of 5 stars	Medicare and Medicaid	62	For profit - Corporation

Choose up to 3 nursing homes to Compare

Step 2: Choose Nursing Home to Compare

Return To Previous Page

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Choose up to 3 nursing homes to Compare

Nursing Home Name and General Information	Overall Rating	Health Inspections	Nursing Home Staffing	Quality Measures	Program Participation	Number of Certified Beds	Type of Ownership
	[What is this?]	[What is this?]	[What is this?]	[What is this?]		[What is this?]	
MARTIN COUNTY HEALTHCARE & REHABILITATION CENTER SFF 313 POPLAR STREET LOOGOOTEE, IN 47553 (812) 295-4433 Resident Council Mapping & Directions	★★ 2 out of 5 stars	★ 1 out of 5 stars	★★★★ 4 out of 5 stars	★★★★ 4 out of 5 stars	Medicare and Medicaid	62	For profit - Corporation

Choose up to 3 nursing homes to Compare

CLAUSMAN & ASSOCIATES, P.C
Certified Public Accountants
& Consultants

March 15, 2011

Certified Mail 7009 2250 0001 5790 9413

Mr. Joseph Tuczak
US Department of Housing and Urban Development
Office of Healthcare Programs
77 W. Jackson Blvd
Chicago, IL 60604

RE: Martin County Realty, LLC
Loan (b)(6)
Borrower Name: Hoosier Realty, III, LLC

Dear Mr. Tuczak:

I am writing to inform you of issues surrounding a HUD financed skilled nursing facility of which I am the sole member of the LLC referred to above. I also have a CPA firm, Clausman & Associates CPA's and Consultants. Clausman & Associates clients are 95% healthcare.

Martin County Healthcare & Rehabilitation Center (MCHC) was financed with a HUD loan on July 21, 2000 with terms of 30 years and an interest rate of 7.85%. That was a good rate at that time. In September, 2010, I decided to apply for a HUD rate adjustment (Lien Section 232 Program), since there would be no prepayment penalty related to the initial HUD financing effective September 1, 2010.

In March of 2010 I was informed that Martin County Healthcare & Rehabilitation Center was designated by CMS upon the recommendation of the Indiana State Department of Health (ISDH) as a Special Focus Facility (SFF). A facility is designated as such due to surveys over the previous three years that cited deficiencies with scope and severity that were identified as a G tag which constitutes a substandard level of care.

From my involvement with healthcare facilities through consulting and managing facilities in Indiana the past 35 years, I understand that facilities often times receive State surveys better than the facilities deserve and other times worse than they deserve.

History shows that MCHC has been an excellent facility the past ten years under the current ownership and management. In the early years under my management, MCHC had the best CMS report card among all skilled nursing facilities in the State of Indiana. As recent as September 20, 2007 MCHC received a deficiency free survey.

1980 East 116th Street
Suite #105
Carmel, IN 46032
317/844-3110
fax/844-3294

In conversations prior to committing to moving forward with obtaining refinancing / HUD rate adjustment through the Lien 232 Program, I asked Bob Smallwood, CPA VP-Originations, Love Funding, Inc. if the fact MCHC currently had been designated an SFF would create a problem as far as obtaining HUD approval. Mr. Smallwood after discussions with his underwriters assured me that it would not be a problem for MCHC or their sister facility, Loogootee Nursing Center, providing the facilities met the debt service coverage requirements. He stated that the impact of obtaining a lesser interest rate would make the facilities more financially viable and be beneficial to HUD as well. Inturn, we decided to proceed and wrote checks to Love Funding, Inc. in the amounts of $10,370 for MCHC and $10,350 for Loogootee Nursing Center for the cost of the PCNA, legal fees and costs plus a processing fee on August 13, 2010. After numerous hours of work and various correspondence with representatives of Love Funding, Inc and attorneys and engaging Meridian Title Corporation on November 18, 2010 to perform a Title search at the request of Love Funding, Inc., during the Lien 232 process, representatives of Love Funding, Inc. engaged in correspondence and conversations with Regina Casabal, Financial Analyst, US Department of Housing and Urban Development. Ms. Casabal was assigned to MCHC since the facility was designated an SFF. On December 9, 2010 Mr. Smallwood, Love Funding, Inc. arranged a conference call with Ms. Casabal and me at 3:45 pm. that day. I had previously provided a voluminous amount of correspondence to Ms. Casabal and participated in conference calls with her and found her to be most abrasive and she talked down to me and the Facility, of which I take offense. I felt like she very much lacked knowledge of our industry and knew very little about MCHC after I had provided her with volumes of information. Mr. Smallwood, Love Funding, Inc indicated that he also felt like she was not prepared when he had scheduled calls with her. She also scheduled a conference call on December 2, 2010 of which she was a no show. I felt like she was using me to educate her not about MCHC but the industry in general During the conference call I further educated Ms Casabal about the industry and MCHC in particular and addressed any concerns she brought up. But during the call she made two comments which were very disturbing and further demonstrates her lack of knowledge about MCHC after being assigned the MCHC case. They are as follows:

First Issue #1, Ms. Casabal made the comment that "The Facility is a not for profit facility isn't it?" This comment comes after receiving monthly compiled financial statements dating back to March, 2010 that included the standard GAAP opinion for proprietary entities.

Secondly Issue #2, and most concerning she inquired about therapy provided to Medicare residents. She asked if we provided therapy in house and if the residents received therapy everyday. I indicated that the residents are assessed and based on the assessment, therapy is provided accordingly. Ms. Casabal then further stated "If you provide more minutes of therapy it will increase the amount of payment you would receive from Medicare and that she could put us in contact with a company that could assist MCHC in doing that and all they (the company) would charge is a percentage of the increase in payments MCHC would receive from Medicare."

I was astounded by her comments and contacted Mr. Smallwood following our conference call and stated to him that the actions she recommended constitute Medicare fraud and I nor MCHC would have any part of such

On the morning of December 15, 2010 I had a conference call with Mr. Smallwood and Love Funding, Inc. underwriters and made the underwriters aware of Ms. Casabal's comments made in the conference call held December 9, 2010.

Subsequently, Love Funding disengaged from both facilities projects and sent us a check made out to each facility in an amount sent to them to start the projects less the cost of the PCNA. Mr. Smallwood, Love Funding, Inc. stated that the underwriters did not want to proceed with the project because Ms. Casabal indicated that she would not allow either facility to obtain HUD approval

I purchased my first skilled nursing facility in 1984 in Michigan City, Indiana and took over a facility that had a probationary license and turned it around almost immediately Since then I have owned and operated several facilities in the State of Indiana and consulted with in excess of 100 healthcare facilities in the state. I take pride in what these facilities have accomplished. I would have never expected a representative of HUD to recommend actions that in my opinion constitute fraud, and I will never succumb to take such measures I am appalled by her comments.

On February 15, 2011, I along with the MCHC facility administrator and director of nursing met with Ms Kimberly Rhoades, Director of the Long Term Care Program, Indiana Department of Health and other upper management representatives within her department. At that meeting Ms. Rhoades informed us that the SFF designation is a new program with HUD. She further stated that she was required at the time to designate three skilled nursing facilities in the State as SFF's and that as of February 15 she has been instructed by HUD to expand that number to four facilities. She recognizes that MCHC is a good facility and that she had just five skilled nursing facilities in the MCHC area to choose from. She said "There were several skilled nursing facilities in Lake County, Indiana she could have chosen, but that would have put an excessive workload on the ISDH survey team in that area. Inturn, she chose MCHC in southern Indiana since that ISDH survey team could manage the additional survey required by being designated an SFF.

Ms. Rhoades was very understanding and has offered assistance towards advancing MCHC to an improved status from the SFF designation

This brings me to Issue #3, Ms. Casabal continues to deny the MCHC requests for reimbursement of escrow funds related to replacement reserves. This is not only an arbitrary and capricious act but has further put an undue financial hardship on MCHC and hinders MCHC from making further expenditures necessary to advance the quality of care provided at MCHC.

In the almost twelve months that MCHC has been designated as a SFF and Ms. Casabal has been assigned to the Facility, she has made only one recommendation to the Facility and that recommendation in my opinion constitutes a fraudulent act However, she has and continues to cause us time and money related to her requests of information that has not constituted anything toward the advancement of services or care provided at MCHC. Her most recent request is that we provide her monthly financial statements by the 10th of the following month which is most unreasonable and contrary to previous emails from her asking that they are provided by the 25th of the following month. You don't need to be a CPA for the past 30 years to realize that providing fairly stated financial statements within 10 days from the end of a report period is not achievable due to the fact it is virtually impossible to obtain an accurate recording of accounts payable on an accrual basis since many of the invoices for expenses incurred in the report period are not available by the 10th of the month following the report period.

In closing it only makes since that this facility proceed through the Lien 232 process and obtain more favorable financing which will provide additional available funds of approximately $5,000 per month to put back into the facility and inturn, enhance the viability of a HUD project that already exists.

The following are details of this existing HUD project:

Martin County Realty, LLC
313 Poplar Street
Loogootee, IN 47553
Martin County, Indiana
Loan # (b)(6)

Borrower Name: Hoosier Realty III, LLC

Original Loan Amt.: $2,371,500

Current Loan Amt : $2,059,417

Current Interest Rate 7 85%

Note The anticipated Lien 232 Project amortization is 20 to 21 years. Inturn, we are not requesting to increase the existing amortization period

I have enclosed for your information a copy of a letter sent to Bill Lammers, Acting Director of the HUD Section 232 Program, of which I have not yet received a response.

If you would like me to provide you any further information, please contact me. I anxiously await your response and appreciate any recommendations or guidance you can provide. I also ask for your much needed assistance in obtaining release of escrow funds in accordance with the Facility agreement with HUD.

Sincerely,

Joseph R. Clausman, Jr.

JRC/jka
Enclosure
huditr

635

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-8000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

JUL 27 2011

The Honorable Todd Rokita
Member, United States
House of Representatives
2680 E. Main Street, Suite 332
Plainfield, IN 46168-2829

Dear Representative Rokita:

Thank you for your letter, dated May 11, 2011, on behalf of your constituent, Mr. Joseph R. Clausman, Jr., who expressed concern regarding Martin County Healthcare & Rehabilitation Center's (MCHC) Center for Medicare/Medicaid Services (CMS) star rating as well as its Special Focus Facility (SFF) designation.

Mr. Clausman submitted that MCHC's CMS star rating had improved. It should be noted that these ratings are assigned by CMS, not by the Department of Housing and Urban Development nor the Office of Healthcare Programs (OHP). CMS administers Medicare and has established a star rating system that the public can access via the internet to look up the ratings for individual nursing facilities in a given area. The CMS system is composed of three rating areas and an overall one to five star rating for a facility. MCHC's overall star rating had improved from a 1 to a 2; however, the rating did not affect the SFF designation as MCHC is still designated as "not improving" as of May 19, 2011. Mr. Clausman stated that MCHC needs to receive two consecutive surveys with improved results to move off the SFF designation list. OHP concurs with that conclusion.

OHP again advised Mr. Clausman to choose a Federal Housing Administration approved Lender if he wishes to refinance the current loans. OHP also reiterated that an individual OHP Account Executive does not have the authority to approve or decline a loan application. OHP does expect the mortgagor to provide full assurance that, going forward, the facility will be operated in such a way as to fully comport with the Department of Housing and Urban Development, CMS and State expectations regarding the operation of the facility.

In your letter, you indicated that Mr Clausman was interested in learning about communications that Ms. Casabal has had with parties involved with other facilities. As was indicated in the letter to Mr. Clausman, OHP has the utmost confidence in Ms Casabal, who is very experienced in the residential care industry as well as being very conscientious. OHP does not considerate it appropriate, however, to share with Mr. Clausman any communications with other parties.

I hope that this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Peter A. Kovar
Assistant Secretary for Congressional
and Intergovernmental Relations

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

ASSISTANT SECRETARY FOR CONGRESSIONAL
AND INTERGOVERNMENTAL RELATIONS

APR 03 2015

The Honorable Barbara Comstock
Member, United States
House of Representatives
21430 Cedar Drive, Suite 218
Sterling, VA 20164-8697

Dear Representative Comstock:

Thank you for your letter on behalf of (b)(6) expressed concerns about receiving housing assistance.

The Department is reviewing this matter. A response will be sent to you soon.

Thank you for your interest in the Department's programs.

Sincerely,

Erika L. Moritsugu
Assistant Secretary for Congressional
and Intergovernmental Relations

BARBARA COMSTOCK
10TH DISTRICT, VIRGINIA



COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE

COMMITTEE ON SCIENCE, SPACE & TECHNOLOGY
CHAIRMAN, RESEARCH AND TECHNOLOGY

COMMITTEE ON HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, DC 20515
March 6, 2015

Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-0001

Dear Bernard:

I have enclosed correspondence which I received from one of my constituents, (b)(6), regarding a matter under your department's jurisdiction. It appears (b)(6) may have previously been a resident at the Lewinsville facility in Fairfax County, Virginia. Lewinsville apparently receives HUD funding. (b)(6) previously received an interpretation of the HUD provision which she believes found her to be eligible.

While I cannot speak to the merits of the information provided, I wanted to give you an opportunity to review her concerns as presented to me. I am confident she would welcome any additional clarification you can provide as to her eligibility for residency at the Lewinsville facility.

I would appreciate it if you would review the enclosed correspondence and address the issues it discusses. It would be helpful if you would address your response to me, to the attention of my staff assistant, Lucy Norment, at my Sterling office.

Thank you for your time and courtesy in being attentive to the concerns of my constituent.

Sincerely,

Barbara Comstock

Barbara Comstock
Member of Congress

BC/li

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RECEIVED FEB 24 2015

REQUEST FOR CONGRESSIONAL ASSISTANCE

Please Print and Return to:
(completed/signed document can also be scanned and emailed or faxed)

Congresswoman Barbara Comstock
21430 Cedar Drive
Suite 218
Sterling, VA 20164

Phone: 703-404-6903
Fax: 704-404-6906

To: Mr. Henry O'Connor

Full Name: (b)(6)

Address:

City: (b)(6) State: (b)(6) Zip: (b)(6)

Telephone: (b)(6)

Email:

Social Security Number: (b)(6)

Identification / Case File Number: *

*My office needs these identification numbers for proper handling your case. I do not have ID or case file #.

I, (b)(6), hereby authorize Congresswoman Barbara Comstock contact the appropriate bank/federal/state/local agency(ies) on my behalf. I understand that this will open my private files to the Congresswoman so that she can assist me in my difficulties as explained below. Unauthorized hacking case - Files in your office

Please include a complete written description of your situation and enclose photocopies of pertinent/current documents, letters and certificates. **PLEASE DO NOT SEND ALL documents or ORIGINALS OF ANY DOCUMENTS.**

Signature: (b)(6) Date: 2-18-15

BARBARA COMSTOCK
10TH DISTRICT, VIRGINIA

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE
COMMITTEE ON SCIENCE, SPACE & TECHNOLOGY
CHAIRWOMAN, RESEARCH AND TECHNOLOGY
COMMITTEE ON HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, DC 20515

May 12, 2017

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-0001

Dear Mr. Fulton:

I have enclosed correspondence from my constituent, (b)(6) I had initially directed an inquiry to the IRS and based on the agency's response, your thoughtful review of (b)(6) concerns is appreciated.

It would be helpful if you would address your response to me, to the attention of my staff assistant, Lucy Norment, at my Sterling office.

Thank you for your time and courtesy in being attentive to the concerns of my constituent.

Sincerely,

Barbara Comstock

Barbara Comstock
Member of Congress

BC/ln

REQUEST FOR CONGRESSIONAL ASSISTANCE

Please Print and Return to:
(completed/signed document can also be scanned and emailed or faxed)

Congresswoman Barbara Comstock
21430 Cedar Drive
Suite 218
Sterling, VA 20164

Phone: 703-404-6903
Fax:

Full Name: (b)(6)

Address:

City: (b)(6) State: (b)(6) Zip: (b)(6)

Telephone: (W)

Email: (b)(6)

Social Security Number

Identification / Case File Number: * (b)(6)

*My office needs these identification numbers to assist in handling your case.

I, (b)(6), do hereby request that Congresswoman Barbara Comstock contact the appropriate bank/agency(ies) on my behalf. I understand that this will open my private files to the Congresswoman so that she can assist me in my difficulties as explained below.

Please include a complete written description of your situation and enclose photocopies of pertinent/current documents, letters and certificates. **PLEASE DO NOT SEND ALL documents or ORIGINALS OF ANY DOCUMENTS.**

Signature: (b)(6) Date: 4-29-17

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Barbara Comstock
Member, United States
House of Representatives
21430 Cedar Drive, Suite 218
Sterling, VA 20164-8697

Dear Representative Comstock:

Thank you for your letter on behalf of your constituent, (b)(6) regarding her debt, Claim Number 72-1009427. The following information is from the Department of Housing and Urban Development's (HUD) Office of Housing.

HUD insures mortgages that are originated by private sector lenders that participate in the Department's Federal Housing Administration (FHA) loan program. On December 20, 2010, (b)(6) obtained an FHA-insured mortgage loan from Intercoastal Mortgage Company. The funds were used to refinance her mortgage on the property at 306 West Whitlock Avenue in Winchester, Virginia.

(b)(6) became delinquent on her loan payments. The mortgage servicer, Wells Fargo Bank, NA, determined that she was eligible for HUD's Partial Claim Loss Mitigation Program. Wells Fargo advanced $9,488.66 on behalf of (b)(6) to reinstate her loan and avoid initiating a foreclosure action. Wells Fargo then filed a claim with HUD in order to receive reimbursement for the $9,488.66.

In exchange for the Department's payment, (b)(6) signed a Partial Claims Promissory Note payable to HUD in the amount of $9,488.66. She also signed a Subordinate Deed of Trust on the Winchester property as security for the Note. While the terms of the Note do not require monthly payments, the Note indicates that repayment would become due if (b)(6) paid off her FHA-insured mortgage loan. She paid off her FHA-insured mortgage when she sold her home in October 2015. However, HUD did not receive payment and the debt became delinquent.

Delinquent FHA Partial Claim debts are serviced by the Department's Financial Operations Center (FOC), which is located in Albany, New York. The FOC mailed (b)(6) a Demand Notice on December 12, 2016. She responded by calling FOC and speaking with HUD's Debt Servicing Representative, Luis Madera. Mr. Madera explained the debt and Ms. Washbourne advised Mr. Madera that she would be contacting her attorney for guidance instead of agreeing to make payment arrangements. While her communication to you indicates that both Wells Fargo and the settlement attorneys have told her that this debt was paid, she has provided no evidence of payment to HUD.

HUD is required to comply with the Debt Collection Improvement Act of 1996. This law requires that federal agencies refer delinquent debtors to the Department of the Treasury's Treasury Offset Program (TOP) for withholding of any eligible federal payments. The law also requires federal agencies to refer delinquent debts to Treasury's Financial Management Service (FMS) for direct collection action.

Prior to taking this action, HUD mailed a Notice of Intent to Collect by Treasury Offset to (b)(6) on January 17, 2017. The Notice advised her that failure to make satisfactory arrangements to repay the debt would result in HUD referring the debt to TOP and FMS. In addition, the Notice explained the steps that (b)(6) could take to seek a review by the HUD Office of Hearings and Appeals, if she believed the debt was not legally enforceable or not past due. She did not request a hearing, nor did she contact FOC to make arrangements to repay the debt. Her debt was subsequently referred to TOP and FMS in March 2017.

HUD's agreement with FMS delegates the authority to FMS to enter into repayment agreements or to settle debts via compromise on HUD's behalf. HUD encourages (b)(6) to work with FMS to discuss her payment options. If she would like to pursue this option, she may contact FMS by telephone at 1-888-826-3127.

If (b)(6) has any additional questions regarding this debt, she may contact FOC Branch Chief Kathleen Porter by telephone at 1-800-669-5152, extension 2876, or by e-mail at. *debt_servicing_help@hud.gov*.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Aaron Santa Anna
Acting General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

BARBARA COMSTOCK
10TH DISTRICT, VIRGINIA

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE

COMMITTEE ON SCIENCE, SPACE & TECHNOLOGY
CHAIRWOMAN: RESEARCH AND TECHNOLOGY

COMMITTEE ON HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, DC 20515

April 25, 2017

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-0001

Dear Mr. Fulton:

I have enclosed ***time sensitive*** correspondence which I received from one of my constituents, (b)(6) (b)(6) regarding his mortgage concerns. It appears he made good faith efforts to work with FHA/HUD towards a resolution.

While I cannot speak to the merits of this account, I wanted to give you an opportunity to review the circumstances as presented to me. I am hopeful you are able to offer guidance towards a mutually amicable resolution.

It would be helpful if you would address your response to me to the attention of Lucy Norment at my Sterling office.

Thank you for your time and courtesy in being attentive to the concerns of my constituent.

Sincerely,

Barbara Comstock

Barbara Comstock
Member of Congress

BC/ln

226 CANNON HOUSE OFFICE BUILDING WASHINGTON, D.C. 20515 • (202) 225-5136 • COMSTOCK.HOUSE.GOV
21430 CEDAR DRIVE, SUITE 218 STERLING, VIRGINIA 20164 • (703) 404-6903
117 E. PICCADILLY ST. SUITE 6D WINCHESTER, VIRGINIA 22601 • (540) 773-3600

REQUEST FOR CONGRESSIONAL ASSISTANCE

Please Print and Return to:
(completed/signed document can also be scanned and emailed or faxed)

Congresswoman Barbara Comstock
21430 Cedar Drive
Suite 218
Sterling, VA 20164

Phone: 703-404-6903
Fax: 703-404-6906

Full Name: (b)(6)

Address: (b)(6)

City: (b)(6) State: (b)(6) Zip: (b)(6)

Telephone: (b)(6) (H) (W)

Email: (b)(6)

Social Security Number: * (b)(6)

Identification / Case File Number: * _____

*My office needs these identification numbers to assist in handling your case

I, (b)(6), do hereby request that Congresswoman Barbara Comstock contact the appropriate bank/agency(ies) on my behalf. I understand that this will open my private files to the Congresswoman so that she can assist me in my difficulties as explained below.

Please include a complete written description of your situation and enclose photocopies of pertinent/current documents, letters and certificates. **PLEASE DO NOT SEND ALL documents or ORIGINALS OF ANY DOCUMENTS.**

Signature: (b)(6) Date: 4/12/2017

re: Waiver of FHA Mortgage Insurance Premium 5 yr requirement

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-1000

OFFICE OF CONGRESSIONAL AND
INTERGOVERNMENTAL RELATIONS

The Honorable Barbara Comstock
Member, United States
House of Representatives
21430 Cedar Drive, Suite 218
Sterling, VA 20164-8697

Dear Representative Comstock:

Thank you for your letter on behalf of your constituent, (b)(6) about his request to cancel the annual Mortgage Insurance Premium (MIP) on his mortgage, which is insured by the Federal Housing Administration (FHA). (b)(6) current mortgage is a refinance of his previous mortgage, which was also insured by FHA. The following information is from the Department of Housing and Urban Development's Office of Housing.

FHA establishes the MIP on all new FHA loans in accordance with the National Housing Act. A refinance from an existing FHA mortgage to another FHA mortgage creates a new FHA loan, so FHA assesses a new MIP. The amount and duration of the MIP is based on the loan amount, loan term, loan to value ratio (LTV), and FHA policies in place at the time that FHA assigns a case number to the mortgage.

(b)(6) obtained a mortgage of $720,797 with a loan term of 30 years and an LTV of 91.40 percent. FHA assigned a case number to the mortgage on March 7, 2013. For a mortgage with these characteristics, FHA will cancel the annual MIP when the outstanding LTV drops below 78 percent of the original value and the borrower has made payments for at least five years. FHA systems calculate both the outstanding LTV on the mortgage and the length of time the borrower has made payments, and will automatically remove the MIP from the mortgage when it meets the conditions required by FHA guidance. Please note that when calculating the five-year period, FHA does not include the amount of time that a borrower made payments on any previous FHA-insured mortgage.

I hope this information is helpful in responding to your constituent. If I can be of further assistance, please let me know.

Sincerely,

Seth D. Appleton
General Deputy Assistant Secretary for
Congressional and Intergovernmental Relations

BARBARA COMSTOCK
10TH DISTRICT, VIRGINIA

COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE

COMMITTEE ON SCIENCE, SPACE & TECHNOLOGY
CHAIRWOMAN, RESEARCH AND TECHNOLOGY

COMMITTEE ON HOUSE ADMINISTRATION

Congress of the United States
House of Representatives
Washington, DC 20515

May 12, 2017

Mr. Bernard Fulton
Deputy Assistant Secretary for Congressional Relations
U.S. Department of Housing and Urban Development
451 7th Street SW, Room 10148
Washington, DC 20410-0001

Dear Mr. Fulton:

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Congresswoman Barbara Comstock
21430 Cedar Drive
Suite 218
Sterling, VA 20164

Phone: 703-404-6903
Fax:

Full Name: (b)(6)

Address:

City: (b)(6) State: (b)(6) Zip: (b)(6)

Telephone: (W)

Email: (b)(6)

Social Security Number: * (b)(6)

Identification / Case File Number: * (b)(6)

*My office needs these identification numbers to assist in handling your case.

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Signature: (b)(6) Date: (b)(6)