



Multifamily Selling and Servicing Guide

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Summary of Changes

HIGHLIGHTS
<p>Effective August 30, 2021, the Prepayment Premium waiver requirements were updated in</p> <ul style="list-style-type: none">• Part III, Chapter 18: Choice Refinance Loans, and• Part IV, Chapter 1: Pricing, Fees, and Prepayment Premiums.

Primary Changes

- Part III, Chapter 18: Choice Refinance Loans, Section 1803: Prepayment Premiums: Requirements were clarified to align with the longstanding practice that you must not waive any:
 - Prepayment Premium based on required yield maintenance; or
 - portion of the Minimum 1% Prepayment Premium above the required yield maintenance if the Portfolio Mortgage Loan
 - has a minimum Prepayment Premium other than 1%,
 - will be refinanced before the Yield Maintenance Period End Date, or
 - is a fixed rate MBS Mortgage Loan with an Issue Date before April 1, 1999.
- Part IV, Chapter 1: Pricing, Fees, and Prepayment Premiums: Reorganized and clarified to prohibit a Prepayment Premium waiver unless
 - the Portfolio Mortgage Loan will be refinanced as a Choice Refinance Loan, and
 - you comply with Part III, Chapter 18: Choice Refinance Loans, Section 1803: Payment Premiums.

Questions

Please contact the Multifamily Trading Desk with any questions.



Chapter 18 Choice Refinance Loans

Section 1801 Eligibility

Requirements

A [Choice Refinance Loan](#) is a [Portfolio Mortgage Loan](#) that is eligible for a streamlined underwriting process which reduces origination costs.

To use the [Choice Refinance Loan](#) streamlined underwriting, you must ensure:

Topic	Requirements
Prerequisites	<ul style="list-style-type: none">• You have been the Servicer of the Portfolio Mortgage Loan for the last 12 months.• The Choice Refinance Loan complies with Form 4660.• The Portfolio Mortgage Loan is not in default.• The Borrower has demonstrated a commitment to its obligations under the Portfolio Mortgage Loan by<ul style="list-style-type: none">- maintaining the Property in good physical condition,- providing competent Property management services, and- complying with the requirements under the Loan Documents.• The Property<ul style="list-style-type: none">- is operating on a stabilized basis,- has a most recent overall inspection rating of 1 or 2, and- does not show any adverse change in Property condition, except normal wear and tear, or any life safety issues during the underwriting inspection.



Topic	Requirements
Loan History	<ul style="list-style-type: none">• The Portfolio Mortgage Loan:<ul style="list-style-type: none">- has a good payment history, with no delinquencies of 60 days or more during the 3 years immediately preceding the proposed refinance;- is not on the current Fannie Mae Watchlist;- had no declared non-monetary defaults that remained uncured for more than 120 days;- was underwritten and delivered per then-applicable Guide provisions; and- is serviced per the Guide.• There were no unauthorized assumptions or changes in ownership, and no unauthorized Liens filed against the Property.
Additional Collateral	The Portfolio Mortgage Loan does not have a Letter of Credit or additional cash collateral.
Pricing	The pricing that was approved for the Portfolio Mortgage Loan does not apply to the Choice Refinance Loan .
Underwriting	The Choice Refinance Loan , regardless of the Underwritten DSCR , must be of sufficient credit quality to repay the refinanced Mortgage Loan without individually negotiated debt relief.

Section 1802 Lender Delegation

☒ Requirements

You are delegated to underwrite the [Choice Refinance Loan](#) if:

- the [Portfolio Mortgage Loan](#) and the [Choice Refinance Loan](#) fall under the same [Pre-Review](#) categories in the [Form 4660](#), and Fannie Mae approved those same [Pre-Review](#) categories for the [Portfolio Mortgage Loan](#); or
- the [Choice Refinance Loan](#) falls under the [Pre-Review](#) categories in the [Form 4660](#), and has the same structure as the [Portfolio Mortgage Loan](#), even though the [Portfolio Mortgage Loan](#) was not a [Pre-Review Mortgage Loan](#) when it was [Committed](#).



In addition, you are delegated to approve a Non-Contiguous Parcel structure if the same structure was approved for the Portfolio Mortgage Loan.

Section 1803

Prepayment ~~Premium~~ Premiums

✓ Requirements

You must not waive any portion of the Prepayment Premium if the Portfolio Mortgage Loan:

- has a minimum Prepayment Premium other than 1%, or
- is a fixed rate MBS Mortgage Loan with an Issue Date before April 1, 1999.
- Prepayment Premium based on required yield maintenance; or
- portion of the Minimum 1% Prepayment Premium above the required yield maintenance if the Portfolio Mortgage Loan
 - has a minimum Prepayment Premium other than 1%,
 - will be refinanced before the Yield Maintenance Period End Date, or
 - is a fixed rate MBS Mortgage Loan with an Issue Date before April 1, 1999.

➔ Guidance

For all other Choice Refinance Loans:

Cash or MBS	You may waive the Minimum 1% Prepayment Premium...
Fixed Rate	<ul style="list-style-type: none">• after the Yield Maintenance Period End Date, or• for declining Prepayment Premiums during the 6 months before the Maturity Date.



ARM and SARM	after any lockout if the Portfolio Mortgage Loan <ul style="list-style-type: none">• is being refinanced with a fixed rate 7- or 10-year term, and• was either<ul style="list-style-type: none">- an ARM Loan with a Plan Number of 02160, 02254, 02255, 03471, or- a SARM Loan with a Plan Number of 03488.
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Section 1804 Streamlined Underwriting

1804.01 Zoning

Requirements

You must perform a non-conforming use analysis and comply with the requirements of [Part II, Chapter 3: Legal Compliance, Section 301: Zoning and Legal Non-Conforming Uses](#) if the [Property](#) has been rezoned since the [Mortgage Loan Origination Date](#) of the [Portfolio Mortgage Loan](#)

- causing the [Property](#) to become a non-conforming use, or
- further restricting the ability of an existing non-conforming use to be rebuilt.

1804.02 Property Condition Assessment (PCA)

Guidance

You may use the Streamlined Physical Condition Assessment Requirements ([Form 4099.A](#)).

1804.03 Environmental Site Assessment

Requirements

A [Phase I Environmental Site Assessment](#) is not required if:

- the [Borrower](#) enters into an Environmental Indemnity Agreement ([Form 6085](#));
- you perform an environmental database search per the Instructions for Performing a Multifamily Property Condition Assessment – Environmental Matters ([Form 4251](#)), and determine that there are no



adverse conditions requiring further due diligence; and

- you confirm that the **Borrower** is appropriately implementing any existing **O&M Plans** for the **Property**.

1804.04 Survey

☒ Requirements

Part II, Chapter 3: Legal Compliance, Section 305: Survey does not apply if the:

- new mortgagee title insurance policy includes all title exceptions, including those that would appear based upon the most recent survey provided by the **Borrower** (whether it is the original survey for the **Portfolio Mortgage Loan** or a subsequent one);
- **Borrower** certifies that there have been no changes or improvements to the **Property** since the later of the date of the survey
 - referenced in the original title policy, or
 - most recently completed; and
- **Property** inspection report reveals no evidence of new construction or encroachments on the site from construction on adjoining properties.

1804.05 Borrower Structure and Experience

☒ Requirements

You must:

- Obtain a new **Multifamily Underwriting Certificate (Form 6460)** from the **Borrower**, any **Guarantor**, and any **Key Principal**.
- Obtain updated copies of the organizational documents of the **Borrower** and the **Key Principal**, and confirm that the **Borrower's** organizational structure complies with **Part II, Chapter 3: Legal Compliance**.
- Confirm that no unauthorized change has been made to the **Borrower's** organizational structure or documents.
- Obtain a new good standing certificate from the jurisdiction where the **Borrower** is organized.



1804.06 Borrower Credit

Requirements

You must obtain and review new financial statements for all parties relevant to the transaction.

For [Small Mortgage Loans](#), you must:

- confirm that the FICO scores of any such individuals comply with [Part III, Chapter 9: Small Mortgage Loans, Section 911.02: FICO Scoring](#); and
- ensure that the net worth and liquidity complies with [Part III, Chapter 9: Small Mortgage Loans, Section 910.06: Net Worth and Liquid Assets](#).

Guidance

If the [Borrower](#) or any [Key Principal](#), [Guarantor](#), or [Principal](#) submitted financial statements within the past 12 months, then in lieu of new financial statements, you may accept a certification that there has been no material adverse change from the financial condition or credit standing reflected in the financial statements.

1804.07 Property Management

Guidance

You may elect not to review the [Property](#) management or agreement per [Part II, Chapter 1: Attributes and Characteristics, Section 111: Property Management and Agreement](#).

1804.08 Replacement Reserve

Requirements

You must ensure the [Replacement Reserve](#) is funded as follows:



If...	Then...
<p>The Property</p> <ul style="list-style-type: none"> • is located in a Pre-Review Market that is not eligible for delegation at any Tier per Section II of the Form 4660, and • the market was a Pre-Review Market when the Portfolio Mortgage Loan was originated. 	<p>The Borrower must fully fund the Replacement Reserve.</p>
<p>The Property</p> <ul style="list-style-type: none"> • is located in a Pre-Review Market that is not eligible for delegation at any Tier per Section II of the Form 4660, but • the market was not a Pre-Review Market when the Portfolio Mortgage Loan was originated. 	<p>You must determine the Replacement Reserve funding per Part II, Chapter 4: Inspections and Reserves, Section 404: Replacement Reserve.</p>
<p>The Property is located in</p> <ul style="list-style-type: none"> • a Strong Market, • a Nationwide Market, or • a Pre-Review Market that is eligible for Tier 3 and Tier 4 Mortgage Loans on a delegated basis per Section II of the Form 4660. 	<p>You must determine the Replacement Reserve funding per Part II, Chapter 4: Inspections and Reserves, Section 404: Replacement Reserve.</p>

1804.09 Real Estate Tax and Insurance Escrows

☒ Requirements

You must require [T&I](#) escrow deposits for a [Tier 2 Choice Refinance Loan](#) unless Fannie Mae waived the [T&I](#) escrow for the [Portfolio Mortgage Loan](#). If you do not require [T&I](#) escrow deposits, then you must comply with [Part II, Chapter 4: Inspections and Reserves, Section 405: Escrow Requirements for Taxes and Insurance](#).



Section 1805 Property Ownership Change

Guidance

If at the time of the refinance of the [Portfolio Mortgage Loan](#) the [Property](#) is being sold to a new owner, then you may use the streamlined underwriting per [Part III, Chapter 18: Choice Refinance Loans, Section 1804.01: Zoning](#), [Part III, Chapter 18: Choice Refinance Loans, Section 1804.02: Property Condition Assessment \(PCA\)](#), and [Part III, Chapter 18: Choice Refinance Loans, Section 1804.03: Environmental Site Assessment](#) provided that you comply with [Part I, Chapter 3: Borrower, Guarantor, Key Principals, and Principals](#) for underwriting the [Borrower, Key Principals, Guarantors, and Principals](#).

You may also use the streamlined underwriting per [Part III, Chapter 18: Choice Refinance Loans, Section 1801: Eligibility for Portfolio Mortgage Loans](#) that were assumed before being refinanced as a [Choice Refinance Loan](#).



Chapter 1 Pricing, Fees, and Prepayment ~~Premium~~ Premiums

Section ~~102~~ 101 Pricing Memo

Requirements

You must use the [Pricing Memo](#) to determine delegated pricing for [Guaranty Fees](#), [Servicing Fees](#), and other fees for the applicable product and features.

Operating Procedures

For non-delegated pricing, submit your loan option requests in [DUS Gateway](#).

Section ~~101~~ 102 Fees

Requirements

You must charge [Origination Fees](#), [Servicing Fees](#), and other fees (such as [Standby fees](#) and large loan fees) per the [Guide](#) and the [Pricing Memo](#). Fannie Mae will periodically review the reasonableness of your fees and may require you to adjust them.

Section 103 Prepayment Premiums

Requirements

You must not waive any [Prepayment Premium](#) unless

- [the Portfolio Mortgage Loan will be refinanced as a Choice Refinance Loan, and](#)
- [you comply with Part III, Chapter 18: Choice Refinance Loans, Section 1803: Prepayment Premium.](#)