



FORECLOSURE COUNSELING – TRIAGE / INTAKE – NFMFC VERSION

Organization Name: _____

Reason for Call

Other Counseling Organization

Are you working with any other foreclosure counseling organization? Yes No

Organization: _____

Authorization / Release

Reviewed Release and gave authorization Yes No

Demographic Information

Name: _____

Other name(s) on title / Co-Applicant: _____

Property Address: _____

City: _____ State: _____ Zip code: _____

Home Phone: _____ Other Phone: _____

Email: _____

Ethnicity: Hispanic Non-Hispanic

Single Race

- American Indian / Alaskan Native
- Asian
- Black or African American
- Native Hawaiian or Other Pacific Islander
- White
- Undisclosed

Multiple Race

- American Indian / Alaskan Native & White
- American Indian / Alaskan Native & Black
- Asian & White
- Black or African American & White
- Native Hawaiian/Other Pacific Islander & Black
- Other multiple race: _____

Number of people living in household: _____ Children: Yes No Marital Status: Single Married

Gender: Male Female Referral source (Agency, Flyer, Lender, etc): _____

Household gross annual income from all sources: \$ _____

Employer _____ Start Date _____ Title/Position _____

Employment Monthly Gross \$ _____ or Net \$ _____

Other Income Source: _____ Other Income Amount \$ _____

Other Income Source: _____ Other Income Amount \$ _____

Are You Behind On Your Mortgage Payments

YES: Delinquent Mortgage

Mortgage company: _____

Current Monthly payment: \$ _____ Delinquency: # Months _____ Past Due Amount \$ _____

Fixed: Interest Rate _____

ARM: Rate prior to reset _____% Payment prior to reset \$ _____ Current rate _____%

Term type (30 yr., 2/28, 3/27 etc.) _____ Current Principal Balance _____

Heard from attorney: Yes No _____

Sheriff's Sale: Yes No Date: _____

Reason for delinquency: _____

Reason for delinquency resolved: Yes No

Refinanced: Yes No # times refinanced: _____ Date refinanced: _____

Proceed to Other Housing Expenses (Next Page)

NO: Current Mortgage

Reason concerned about mortgage payments:

Want to stay: Yes No

Mortgage company: _____ Current Monthly payment: \$ _____

Fixed: Interest Rate _____

ARM: Rate prior to reset _____% Payment prior to reset \$ _____ Current rate _____%

Term type (30 yr., 2/28, 3/27 etc.) _____ Current Principal Balance _____

Proceed to Triage Decision Tree

Other Housing Expenses

	Company	(#) Months Delinquent	Monthly Payment	(\$ Amount Delinquent
2 nd Mortgage:				
3 rd Mortgage:				
Homeowners Association:				

	Escrowed	(#) Months Behind	Monthly Amount	(\$ Amount Delinquent
Property Taxes:	<input type="checkbox"/> Yes <input type="checkbox"/> No			

	Escrowed	(#) Months Behind	Monthly Amount	(\$ Amount Delinquent
Homeowners Insurance:	<input type="checkbox"/> Yes <input type="checkbox"/> No			

Affordability

Affordable Not affordable

Commitment

Wants to stay in home: Yes No

Previous delinquencies: Yes No

Talked to mortgage company: Yes No *If Yes, what was discussed:*

Other steps taken to resolve the situation:

Amount available to put towards mortgage: \$ _____

MHA Eligibility

Homeowner was screened for Making Home Affordable eligibility: Yes No

Homeowner meets the minimum eligible requirements for:

HARP HAMP FHA HAMP none

Proceed to Triage Decision Tree

<<<Agency Name>>>
FORECLOSURE COUNSELING PROGRAM

ACTION PLAN

Homeowner(s): Sue & Bob Doe

Counselor: Janet Counselor **Plan Start Date:** 3/14/08

Goal: Stay in the home. Pursue Loan Modification with ABC Mortgage.

HOMEOWNER ACTION	Comments	DUE DATE	DATE COMPLETED
Save money for mortgage.	Goal: \$1,500	4/1/08	
Write hardship letter to ABC Mortgage.	Mail, email or drop off for counselor.	3/18/08	
Provide documentation of job layoff.	Mail, email or drop off for counselor	3/18/08	
Update counselor on any changes in your situation or communication from your lender or their attorney.	Call counselor as needed	ongoing	
Meet with financial counselor.	Schedule appointment with XYZ at 218-555-1111	3-18-08	

COUNSELOR ACTION	Comments	DUE DATE	DATE COMPLETED
Pull credit report.	Talk to homeowner and update budget as needed.	3/18/08	
Contact ABC to explore Loss Mitigation options.	Loan Modification is best choice.	3/18/08	
Complete & submit Loss Mit package to ABC.	Need hardship letter from homeowner to complete. Verify with homeowner before submitting package.	3/21/08	
Follow-up with ABC and homeowner as needed.		ongoing	

Janet Counselor Phone: 218-555-1111 Email: janet@xyzorganization.org

Making Home Affordable - Determining Eligibility Checklist

Client Name(s): _____

HARP

	YES	NO
Owner occupant of a one to four unit home		
Current on mortgage <i>If NO, go to HAMP below</i>		
Fannie or Freddie loan http://makinghomeaffordable.gov/loan_lookup.html <i>If NO, go to HAMP below</i>		
Owes 125% or less on first mortgage		
Income is sufficient to support a new mortgage		
Refinancing would improve the long-term affordability or stability of the loan		

If all answers above are YES, the client may be eligible for HARP:

- Provide client with details about HARP
- Include pursuing HARP in the Client Action Plan
- Proceed with questions below to see if HAMP may be an alternative option

If any of the answers above are NO, proceed with questions below.

HAMP

	YES	NO
Mortgage was originated on or before January 1, 2009		
Mortgage was not previously modified under HAMP		
Mortgage is delinquent or default is foreseeable		
Home is not vacant or condemned		
Mortgage payment ratio is greater than 31%		
Unpaid principle balance is less than: \$729,750 for a one-unit property \$934,200 for two-unit \$1,129,250 for a three-unit \$1,403,400 for a four-unit		

If all of the answers above are YES, the client may be eligible for HAMP:

- If NOT an FHA loan, provide client with details about HAMP and include pursuing HAMP in the Client Action Plan
- If an FHA loan, provide client with details about FHA HAMP and include pursuing FHA HAMP on the Client Action Plan

If any of the answers above are NO, client is probably not eligible for HAMP:

- Counsel clients on other options

Foreclosure Counseling Standards Guide

of the Minnesota Home Ownership Center's
Provider Network

Effective October 1, 2010





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The Minnesota Home Ownership Center's mission is to
Promote and advance successful home ownership in Minnesota

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Introduction to Foreclosure Counseling Standards

This document describes the foreclosure counseling standards that Provider Agencies in the Minnesota Home Ownership Center's (Center) network follow upon becoming a member. The primary purpose of these standards is to ensure that consumers and other stakeholders receive effective, high-quality, efficient services from Providers.

Adherence to these standards is part of periodic program reviews conducted by the Center and funding partners.

These standards do not prescribe every aspect of programming delivery. Providers may customize their services within the parameters of the standards' to meet their communities' and consumers' needs.

This guide was developed with recommendations and input from the Minnesota Home Ownership Center staff, Board of Directors, Advisory Council and Providers. Standards were informed by: the policies for administering HUD Housing Counseling programs, the Housing Partnership Network, and the National Industry Standards for Homeownership Education and Counseling (see www.homeownershipstandards.com).

STANDARDS AND BENCHMARKS

Adherence to **Standards** is required by Providers in the Center's network. **Benchmarks** are highly recommended.

The Home Ownership Center's Network of Foreclosure Counseling Providers

NETWORK MEMBERS: PROVIDERS

Agencies in the Center's foreclosure counseling network are dedicated to providing high-quality, effective, services to consumers. These independent, non-profit and governmental organizations are committed to: following program standards and policies that are based in national best practices but reflect Minnesota's foreclosure and counseling environment; reporting programming outcomes to the Center; participating in periodic program reviews; and collaborating with network partners to promote and advance the professionalism of the network and the foreclosure counseling industry.

To become a Provider member of the foreclosure counseling network, an agency must receive HECAT funding (see below). Center staff are available to meet with interested organizations to discuss membership and how to prepare for submitting a HECAT application.

THE CENTER'S ROLE

The Center supports Providers by offering technical assistance, capacity building support, certification and training, and coordinated networking. They are available to provide guidance on program delivery, program management, and a range of best practices. The Center conducts public education and outreach and is responsible for research and analysis of program delivery, outcomes and trends. The Center also serves as a funder to Providers (see below). The Center participates in a variety of partnerships with industry stakeholders in an effort to further the mission of the network.

FUNDING

The Homeownership Education, Counseling and Training Fund (HECAT) provides financial support to eligible non-profit and government based organizations to deliver a variety of homebuyer/homeowner education, counseling and training services to Minnesotans. HECAT funded services include pre- and post-purchase education(including Home Stretch), pre- and post-purchase counseling, home equity conversion counseling, and foreclosure counseling and assistance.

Annually four funding partners work in partnership to offer funding to Providers via HECAT. Each of the four funding partners contributes financial resources and participates in the grant-making and award process. The funding partners include: Family Housing Fund, Greater Minnesota Housing Fund, Minnesota Housing, and the Minnesota Home Ownership Center.

In addition, the Center also raises funds through other private and public entities and grants these funds to Providers. Providers also secure their own funding through grants, government contracts and donations.

Operating Standards

NATIONAL STANDARDS

The standards in this document comply with and in some instances exceed the National Industry Standards for Homeownership Education and Counseling www.homeownershipstandards.com. The Center recognizes the importance of promoting professionalism and quality assurance in foreclosure counseling at the national level while supporting the standards that reflect the local counseling industry. Where these standards exceed the National Industry Standards, these standards take precedence.

Standard

Providers adopt the National Industry Standards for Homeownership Education and Counseling: Foreclosure Intervention Specialty upon becoming a Provider.

TRAINING AND CERTIFICATION

Foreclosure counselors must have strong technical knowledge about the foreclosure process, the mortgage industry, and loss mitigation practices and be able to confidently negotiate with lenders to provide optimum service to homeowners. Some of this experience is gained on the job. Formal training and certification is also a critical professional development activity for individual counselors. Training and certification: 1) ensures that counselors have the knowledge to perform foreclosure counseling, 2) encourages excellence in the foreclosure counseling profession and develops criteria for assessing the level of excellence; and 3) demonstrates to homeowners and other stakeholders that foreclosure counselors have achieved a high level of professional development and expertise.

Standard

Counselors must complete coursework and pass the exam for one of the following within 12 months of being hired as a foreclosure counselor or within 12 months of the Provider becoming a member of the Center's network:

- *Minnesota Home Ownership Center Foundations of Foreclosure Counseling.*
- *NeighborWorks® America HO345rq Foreclosure Intervention and Default Counseling Certification, Part I and the one-day Minnesota Home Ownership Center Foreclosure Counseling Program Model training.*

Note: Any foreclosure counselor receiving certification from the Minnesota Mortgage Foreclosure Prevention Association or NeighborWorks® America prior to October 1, 2009 has satisfied the certification standards.

CONTINUING EDUCATION

The Center requires continued learning and professional growth to ensure that you remain current on homeownership, mortgage, and foreclosure issues. The Center does not offer an approved list of continuing education opportunities, but encourages you to participate in seminars, courses, conferences, etc. through relevant and trusted entities. If you are certified by a certifying entity other than the Center (for example, NeighborWorks America or MMFPA), you may choose to meet the continuing education requirements for those certifications, too, although the Center does not require it.

Standard

You must complete 10 hours of continuing education hours annually. One CEH equals one hour of instruction. Continuing education must be on topics relevant to foreclosure counseling. You do not have to submit proof of completion to the Center. However, Providers are responsible for maintaining a record of completed CEHs for counselors for three years. The Center may request documentation during a program review or as needed. Counselors providing multiple services, including foreclosure counseling, pre-purchase education, or pre-purchase counseling do not have to complete more than 10 hours of CEHs annually, but must complete training relevant to all areas of expertise.

STAFF CHANGES

To ensure continuity of services and to facilitate communication with other network members and the Center, inform the Center of attrition or new hires.

Standard

Contact the Center about foreclosure counselors leaving the organization or new hires within 10 business days. The Center will discuss your plan for continuation of services and any changes in programming required as a result of the staff change.

REPORTING

Providers are required to collect and report client and program data to the Center on a regular basis as defined by the Center. Centralized reporting and evaluation is a professional hallmark of participating in the Center's network. The ability to comprehensively report program outcomes is critical to demonstrating program effectiveness, securing resources, and ensuring ongoing program enhancements.

Annual foreclosure program reports are available on the Center's website. The outcomes measured by the Center include the number of households served, foreclosures averted and remedy and community impact including cost savings. You are encouraged to utilize these reports or customized reports for your stakeholder groups.

For detailed reporting instructions, see the Provider section of the Center's website or contact the Center.

Standard

Providers are responsible for timely and accurate reporting. Providers are required to use Counselor Max™, a web-based case management system to report client and program data to the Center. All client information must be entered in CounselorMax™ before the last day of each month. Providers also are required to submit a narrative report to the Center using the format provided by the Center.

CounselorMax™ is a system owned by NeighborWorks America. Providers are responsible for the cost to use the system. Contact the Center for current rates. The Center provides initial user training and ongoing technical assistance free of charge. Each Provider signs an online terms and conditions agreement when enrolling in the system.

Standard

Counselors resolve cases in CounselorMax™ when the resolution is known. If a case has been inactive for 3 months, counselors follow up with the client to determine the resolution.

Standard

A case resolution must be recorded for each case created and resolved during the prior calendar year by March 1st. Exceptions are allowed for cases that are still active/in-process. This exception is limited to 5% or less of the Provider's total caseload for the year.

Standard

Providers must authorize Counselor Max™ to share client data with the Center. Verbal authorization or a signature is need from at least one member of every foreclosure counseling household. See a sample document in Appendix A.

RECORD KEEPING

Client files are maintained by Providers.

Standard

A file is maintained for each foreclosure counseling client. Maintain files in a secure location. Keep them for a minimum of 3 years from the end of the program year in which the client's case was resolved.

Benchmarks

- Longer file retention may be necessary if the client received a foreclosure prevention loan. Loan files typically must be retained until the loan is satisfied.
- At the time of disposal, shred paper files and permanently delete electronic files.

Standard

Include at least the following information in foreclosure counseling files: 1) intake form; 2) case notes including steps taken and resolution; 3) action plan 4) release of information. Maintain files in either paper or electronic form.

Benchmark

Counselors use a checklist to ensure files are consistently maintained and meet reporting and quality assurance standards.

DATA PRIVACY

Adhere to federal regulations and statutory laws pertaining to the release of private data about individuals to outside parties.

Standard

Before releasing private client data, you must secure written or verbal authorization from the client. Clients are not required to share private data with counselors or third parties. Provision of service must not be contingent on clients' providing their consent to share data.

FAIR HOUSING

Providers must affirmatively further fair housing by making special efforts to reach and accommodate populations that are typically underserved.

Standard

Providers comply with the Americans with Disabilities Act (ADA) and observe all laws pertaining to fair housing in the administration of foreclosure counseling programs. Providers ensure accessibility of services for people with disabilities and offer reasonable accommodations when necessary. In cases where reasonable accommodations are requested, document all actions taken to facilitate service delivery.

Benchmarks

- The appointment scheduling process includes a question on whether special accommodations are necessary.
- Counseling space is convenient, accessible to the community by public transportation whenever possible and offers private meeting space.

PREFERRED LANGUAGE

Providers accommodate language needs of homeowners.

Standard

Providers refer homeowners to counselors within their organization or at another Provider that offers language specific services whenever possible.

Standard

If language specific services are not available, translators are made available to homeowners requesting the service. The Center has some funding available to reimburse Providers for the cost of interpreter services. To receive reimbursement, Providers coordinate and pay for the service and then submit the paid invoice to the Center for reimbursement when funds are available.

Benchmark

Providers get at least two bids, selecting the most reasonable rate considering availability. If Providers are unable to obtain at least two bids or the cost of translation exceeds \$100 per hour, contact the Center for prior approval.

CLIENT FEES

Charging homeowners experiencing a financial crisis fees to access foreclosure counseling services would create an undue burden and limit access to services.

Standard

Foreclosure counseling services are provided free of charge.

CONFLICT OF INTEREST

A conflict of interest exists when the Provider has a relationship with a homeowner that has the potential to compromise the Provider's ability to fully represent the best interests of that homeowner in foreclosure counseling. In order for the homeowner to make a fully informed decision they must be made aware of any real or potential conflict of interest on the part of the Provider and counselor. The following are examples of conflicts of interest:

- Provider holds or services the mortgage on a homeowner's property.
- Provider offers real estate services, such as listing, selling or purchasing property, for a fee.
- The homeowner is a staff or board member of the Provider agency.
- Provider offers lending products that generate income and charge interest for refinancing a mortgage to prevent default or foreclosure.

Standard

When a conflict of interest exists or may exist, Providers give a written disclosure to homeowners revealing the conflict and stating that the homeowner is under no obligation to receive additional services from the Provider. Both parties sign the disclosure. Providers offer information on alternative services and programs. The signed disclosure is maintained in the client file. A sample disclosure is included in Appendix C.

CODE OF ETHICS AND CONDUCT

A Code of Ethics and Conduct for Homeownership Professionals has been developed by the Advisory Council for the National Industry Standards for Homeownership Education and Counseling. Adhering to this code of ethics is critical to demonstrating ethical conduct within the foreclosure counseling profession. This code of ethics is not intended to replace, but rather to supplement, any codes of ethics that Providers already use in their organizations. A copy of the Code of Ethics and Conduct for Homeownership Professionals is located in Appendix B.

Standard

Housing counselors sign and adopt the written National Industry Code of Ethics and Conduct for Homeownership Professionals upon becoming a member of the Center's network.

Programming Standards

The Foreclosure Counseling Program Model was created to increase standardization and efficiency among Providers and to promote professionalism through the use of proven best practices in program delivery.

Standard

Providers follow the Foreclosure Counseling Program Model in Appendix A.

Standard

Providers complete a Triage Assessment with each foreclosure counseling homeowner and provide referral resources for tenants and landlords.

Standard

Providers offer homeowners direct and immediate access to services. Time-sensitive cases are prioritized. Providers answer calls live (as opposed to voice mail) during business hours whenever possible.

Benchmarks

- Providers give homeowners access to direct phone numbers or phone extensions to reach foreclosure counselors.
- Providers return homeowner calls by the end of each business day.
- Providers have trained back-up staff to describe the program, answer basic questions and schedule triage appointments when counselors are out of the office for more than one business day.

Standard

Providers minimize barriers to encourage homeowner participation in counseling appointment by:

- *Limiting counseling appointment form completed by homeowner prior to the counseling appointment to one page (excluding authorization forms).*
- *Scheduling and holding appointments without requiring completed applications as a pre-requisite.*

Benchmarks

- Providers hold counseling appointments within 3-5 business days of the Triage Assessment.
- Providers complete portions of the paperwork, as needed, during the counseling session.
- Providers maintain regular communication with homeowners while a case is active.

Standard

Providers set clear expectations with the homeowner about program services and homeowner involvement.

Benchmark

Providers utilize a written Counselor and Homeowner Agreement. In the agreement, Providers commit to: provide factual information; complete the counselor's action plan steps in a timely manner; make referrals to resources; and provide services confidentially, honestly and respectfully.

Counseling Appointment Standards

These standards apply to the Counseling Appointment Service Category (in-depth counseling) in the Foreclosure Counseling Program Model.

Standard

Providers provide each homeowner with a list of documents needed for the first counseling appointment.

Standard

Counselors develop a budget with the homeowner to determine income and expenses and discussion options for making adjustments.

Benchmarks

- Counselors review documentation to verify income and expenses.
- Counselors obtain current credit reports.

Standard

In partnership with homeowners, Counselors develop written Action Plans that include both homeowner action steps and counselor steps.

Standard

Providers pursue workout options on behalf of homeowners.

Benchmarks

- Counselors contact mortgage servicers on behalf of homeowners to discuss and negotiate loss mitigation options.
- Counselors assume the lead in completing and submitting loss mitigation packages and in communicating with servicers on outcomes.
- Counselors negotiate on behalf of homeowners with property tax departments, homeowners associations and other lien holders as needed.

Standard

Providers utilize foreclosure assistance loans, as available, only after exhausting all other options. Providers follow funder's loan criteria and develop additional guidelines as necessary.

Benchmarks

- Providers use a loan review committee for determining loan eligibility.
- Providers have a protocol in place for handling emergency cases that are time sensitive.

Marketing Standards

Reaching homeowners early is key to providing effective services. Early participation increases the likelihood that foreclosure will be averted. Raising awareness about the availability of free foreclosure counseling services is a critical component of foreclosure programming.

Standard

Providers develop, maintain, and utilize a marketing plan that employs a variety of outreach methods for reaching homeowners early. Target audiences for outreach include homeowners at risk of default and professionals in touch with at-risk homeowners such as employers, social service agencies, employment counselors, property tax departments, local banks and utility companies.

Where available, Providers utilize Preforeclosure Notices to contact homeowners by mail and/or phone.

Benchmark

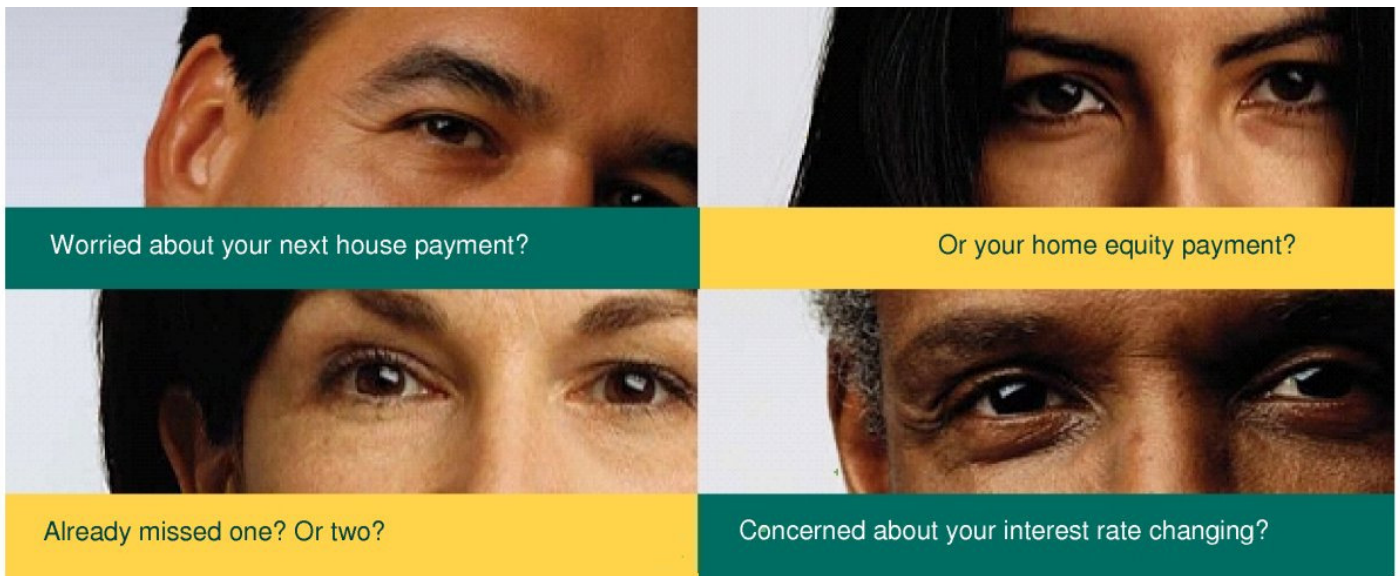
Providers use outreach materials created by the Center. Contact the Center to discuss partnership opportunities.

Standard

Providers use an affirmative marketing process to communicate that the foreclosure counseling program is administered in a non-discriminatory manner. This may include equal housing opportunity messages, logos or slogans on written materials and messages tailored to traditionally underserved populations.

FORECLOSURE COUNSELING PROGRAM MODEL

A Minnesota model for delivering foreclosure counseling, emphasizing early intervention and prioritizing service to achieve maximum impact.



For additional information contact:
Dana Snell • dana@hocmn.org



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FORECLOSURE COUNSELING PROGRAM MODEL

Triage Assessment Steps

Overview

This document outlines an approach for gathering the information necessary to complete the Triage Assessment Form and proceed through the Triage Decision Tree to determine the Service Category for each homeowner that calls your program. Use this as a starting point and customize it to match your style of counseling and respond to the conversation you have with each homeowner. Homeowners may not always know the information necessary to answer all your questions. Be creative about how you ask the questions. Help them think about things a different way to gather as much of the information as possible. If you are not getting sufficient information to conduct the Triage Assessment Form you may need to give the homeowner a list of things to gather and schedule a follow-up time to complete the call.

The steps outlined below have information organized into the following categories:

- **Purpose:**
Explains why the particular step is important.
- **Decision tree question:**
Tells you which question or questions on the Triage Decision Tree will be addressed all or in part with the information you gather in this particular section. Some assessment steps will provide you information to address more than one Decision Tree question. Some questions on the Decision Tree may require information from a variety of the assessment steps.
- **Tip:**
Gives you an idea of what you may encounter while working with the homeowner or provides advice that may be helpful.
- **Suggested script:**
An example of how to phrase particular questions or start discussions.
- **Additional comments:**
In parentheses you will find alternative phrasing and more insight on what to expect or how to interact with the homeowner.

STEP ONE Understand the reason for the call.

Purpose: To begin to customize your conversation with each homeowner you want to understand why they called and their expectations as soon as possible.

Decision tree question: Various.

Tip: The homeowner will frequently start by telling you about their situation immediately following your greeting. You may quickly understand why they are calling you. The homeowner may have called numerous places before they reached you and may have a very high stress level. This may result in an outpouring of information that exceeds what you need initially.

Be prepared to politely interrupt and take control of the call. The goal of controlling the call is to utilize your time and the homeowner's time most effectively.

Suggested script: politely interrupt

Excuse me, I apologize for interrupting. I want to hear what you have to say. I have some key questions that will fairly quickly help me understand your situation and how I may be able to assist you.

(If the homeowner's situation is not clear, ask them why they called.)

Suggested script:

Please briefly explain the reason for your call.

(Again, be prepared to politely interrupt as described above.)

STEP TWO Experience with other counselors

Purpose: Learn if the homeowner is working with another foreclosure counseling organization.

Decision tree question: None.

Tip: The homeowner may already be working with another counselor so to avoid an unnecessary duplication of services you should ask the homeowner early in your conversation. Keep in mind that the quality of services may vary and some counseling organizations are for-profit and charge for the same services you offer free of charge. So, if the homeowner indicates they are working with another organization you should ask more details to determine if they may still benefit from working with you.

Suggested script:

Are you working with another organization to address your concerns about your mortgage?

(If yes, ask additional questions as appropriate to find out the name and type of organization.)

STEP THREE Set Expectations

Purpose: Help set the stage for the call by conveying to the homeowner what to expect.

Decision tree question: None.

Suggested script:

My role is to help you understand the steps your mortgage company will take when you have missed mortgage payments and to help you figure out your options for preventing foreclosure. I want to be upfront and honest with you. I'm not able to help everyone stay in their home, but I will do my best to provide you with information so you know what to expect and can make informed decisions. Before I can tell you anything though, I need to understand your situation. I am going to start by asking you some questions to help me understand your situation better. Then we can talk about what to expect from your mortgage company and what your next steps should be. Please feel free to ask me questions as we go.

STEP FOUR Gather Demographic Information.

Purpose: Gather data to make sure the homeowner lives in your service area and to meet reporting requirements, including the data you will need to enter in CounselorMax.

Decision tree question: Is the home affordable long-term?

Tip: If it is not clear that the caller is the owner of their property they are calling about be sure to ask. This program serves homeowners not tenants or landlords. The rights of tenants are very different. If you are unable to address the questions for tenants refer them to Home Line for additional information on their rights (612) 728-5767 or (866) 866-3546. If you are unable to address the questions for landlords, you may want to suggest they contact a private attorney.

You also need to ask for a verbal authorization from each homeowner for reporting purposes. *(Attached is a sample Verbal Authorization to Release Information.)*

Suggested script:

To start I need to gather some information from you. Would you be okay with me including the information we discuss today for reporting purposes? I am required to track information for each call I take so we can show results to our funders. Thank you. Okay...

- What is your first and last name?
- What is your property address? (street, city, state, zip)
- What phone number is best for reaching you during the day?
- Do you have an email address I can use to contact you?
- How many people live in the household?
- How many people are on the title to your home?
- What is your gender? *(You may not need to ask if it apparent from their name.)*
- The next questions are required by my funder. They do not impact the service I will provide you.
 - Are you Hispanic?
 - What race do you identify with?

(Race and ethnicity are gathered for reporting purposes and are extremely important for research and fundraising. For these reasons we ask that you do your best to gather this information. However, please note that race and ethnicity can be a sensitive subject for some people. Homeowners have the right to voluntarily opt out of these questions.)

- How did you hear about our program?
- If you were to add up all the income coming into the household, what is your gross annual income?

(It may be easier to ask for gross monthly income or hourly rate and then you can compute the gross monthly income.)

STEP FIVE Determine Status of Mortgage.

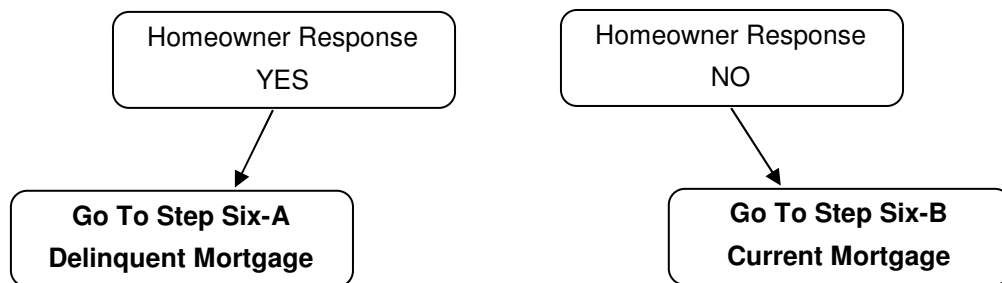
Purpose: To determine the subsequent questions to ask during the course of your conversation with the homeowner.

Decision tree question: Is the homeowner behind on mortgage payments?

Tip: You may already know the answer to this question from Step 1: Understanding the reason for the call.

Suggested script:

Are you behind on your mortgage payments?



STEP SIX-A Delinquent Mortgage.

Purpose: To obtain details about the degree of their delinquency, stage in the foreclosure process, reason for default and the mortgage product.

Decision tree questions:

- Is there enough time remaining to realistically prevent foreclosure?
- Is the reason for default curable?
- Is the reason for default resolved?
- Could the home be affordable with Loss Mitigation?

Suggested script:

What is the name of your mortgage company?

Suggested script: Degree of delinquency:

- How many months do you owe to bring your mortgage current?

(Alternate question: when was the last time you made a mortgage payment? If you ask this, you may need to ask follow-up questions because even if the homeowner recently made a payment they may be several months behind. Also asking 'Have you been making payments?' and if yes following up by asking 'Is your mortgage company still accepting payments?' may help you assess the degree of delinquency.)

(Step Six-A continues on next page)

(Step Six-A continued)

Suggested script: Degree of delinquency

- How much do you owe to bring the mortgage current?

Suggested script: Stage in the foreclosure process:

- Have you received anything from an attorney? If so, what have you received?

(Homeowners frequently do not open the mail from their mortgage company due to fear or avoidance or other behaviors common when dealing with this type of stress. Depending on the conversation, you may want to ask if they have opened their mail from their mortgage company and encourage them to do so if they have not.)

- Have you received notice about a Sheriff's Sale date? Is so, when is the Sheriff's Sale?

(You may need to explain that the Sheriff's Sale notice would have been served in person and it often looks like something that was clipped from a newspaper.)

Suggested script: Reason for default:

- Please explain what led to your falling behind on the mortgage payments.

(If it is not clear in the answer provided, you need to ask follow-up questions to determine whether or not the reason for default has been resolved.)

Suggested script: Mortgage product:

- Do you still have the original mortgage you used to buy the house or have you refinanced?
 - If refinanced, how many times have you refinanced?
 - When did you take out the existing loan?

(Or 'When was the last time you refinanced?')

- What is your interest rate?
- Is your interest rate fixed or adjustable?

(You may need to explain that fixed means the interest rate will never change and adjustable means the interest rate will change which causes the monthly payment to change. You may also want to ask if their monthly payment has increased and by how much. Although the payment could change for multiple reasons, if it has changed significantly it may be due to an interest rate adjustment. Another possible question is 'Have you received a letter stating that your interest rate will change?')

STEP SIX-B Current Mortgage.

Purpose: Obtain details about why the homeowner is concerned they will not be able to make future mortgage payments and information about the mortgage product.

Decision tree question:

Does the homeowner want to stay in their house?

Tip: You may have learned some of this information during Step 1: Understanding the reason for the call.

Suggested script:

Why are you unable to make your mortgage payments?

Suggested script: Interest reset

- Do you want to stay in your house?
- What is the name of your mortgage company?
- Do you still have the original mortgage you used to buy the house or have you refinanced?
 - If refinanced, how many times have you refinanced?
 - When did you take out the existing loan?

(Or 'When was the last time you refinanced?')

- What is your interest rate?
- Is your interest rate fixed or adjustable?

(You may need to explain that fixed means the interest rate will never change and adjustable means the interest rate will change. You may also want to ask if their monthly payment has increased and by how much. Although the payment could change for multiple reasons, if it has changed significantly it may be due to an interest rate adjustment. Another possible question is 'Have you received a letter stating that your interest rate will change?')

Suggested script: Other reason

- How can I help you today?

(How you proceed will be determined on a case by case basis.)

Proceed to Triage Decision Tree

STEP SEVEN Other Housing Expenses

Purpose: Learn about other housing related expenses and their status.

Decision tree question:

Is the home affordable long-term?

Could the home be affordable with adjustments to income and/or expenses?

Could the home be affordable with Loss Mitigation?

Suggested script:

Now I am going to ask you about some other housing related expenses. I will also need to know whether you are current or behind on the payments.

- Do you have more than one mortgage?
 - How many?
 - Are you current or behind on the payments?
 - How far behind are you? (*# months & \$ amount*)
- Do you pay homeowners association dues/fees?
 - Are you current with the payments?
 - How far behind are you? (*# months & \$ amount*)
- Are your property taxes included in your mortgage payment? (*Escrowed*)
 - If no, are they current?
 - How far behind are you? (*Or 'When was the last time you made a payment?'*)
 - How much do you own? (*\$ amount*)
- Is your homeowners insurance included in your mortgage payment? (*Escrowed*)
 - If no, are you current or have your payments lapsed?
 - When is your next payment due?

STEP EIGHT Affordability

Purpose: Understand whether or not the home is affordable or are there realistic adjustments that could make it affordable.

Decision tree question:

Is the home affordable long-term?

Could the home be affordable with adjustments to income and/or expenses?

Could the home be affordable with Loss Mitigation?

Tip: You may have already discussed a portion of this in the previous conversation about the reason for their call, the reason for the delinquency or the details about their mortgage product.

Suggested script:

If you were caught up on your mortgage payments do you have enough income to afford to make your mortgage payment and all your other expenses (*utilities, car payment, groceries, etc.*) every month?

I now will ask you a few questions about your monthly income and expenses.

(Complete the Triage Monthly Budget. This is a very basic budget to get a first impression of affordability. It is common that a homeowner does not know all the answers to income and expense questions off the top of their head but ask them to give you their best estimate.)

STEP NINE Commitment

Purpose: Assess what steps the homeowner has taken thus far to resolve their situation. Find out what resources the homeowner has available at this time to put towards bringing the mortgage current.

Decision tree question:

Could the home be affordable with Loss Mitigation?

Does the homeowner have the desire and/or capacity to proceed with an action plan on their own?

Suggested script:

- Have you been behind on your payments before?
- Have you talked to your mortgage company?
 - If yes, please tell me about what you discussed with them.
- What other steps have you taken to resolve the situation?
- How much money do you have saved to put towards your mortgage?

STEP TEN Stay vs. Move

Purpose: Understand the homeowner's intentions about wanting to stay in the home.

Decision tree question:

Does the homeowner want to remain in the home?

Tip: The discussion about staying in the home or moving can occur at any point in the Triage Assessment. It is an important question to ask the homeowner but can be delicate and the reaction of the homeowner can vary greatly. You will need to use your intuition to figure out how to fit it into the conversation. If you get to the end of the Triage Assessment and it has not come up you need to ask. You will fine-tune your approach as you gain experience with this process. Depending on what the homeowner has said to this point, your understanding of the homeowner's situation and state of mind, you can approach this in a number of ways.

Suggested script: Version 1 (the direct approach)

Do you want to stay in your home?

(This may be a difficult concept for the homeowner to grasp depending on their situation and emotional state. Use this approach cautiously.)

Suggested script: Version 2 (the less-direct approach)

I am now going to ask you a question that may be difficult but I need to know what you ultimately want to happen – have you considered the question of whether or not you want to stay in your home?

Suggested script: Version 3 (follow-up on previous comment)

Earlier in our conversation you said something that led me to wonder what you want ultimately to happen with your home. You said "X". This made me wonder if you are thinking that you may not want to stay in your home. Please tell me what you are thinking.

Suggested script: Version 4 (researched selling)

Have you talked to a Real Estate Agent about selling?

(OR 'Have you had your house on the market?')

Proceed to Triage Decision Tree.

Verbal Authorization to Release Information

Before we proceed I need to get your authorization to share the information we talk about with organizations that fund our program. We are required to report information about each person we speak with for program management, compliance and evaluation purposes. We are committed to protecting your privacy. I assure you that the information you share will be protected according to all laws.

Verbal Authorization:

If you agree to allow us to collect and share information with our funders, please indicate your approval by saying, I approve.

Client Name

The undersigned verifies that verbal authorization for release of information has been given and approved.

Counselor Signature

Date

NOTE:
***Additional information may
be needed depending on
funding and agency
requirements.***



FORECLOSURE COUNSELING – TRIAGE ASSESSMENT FORM

Organization Name: _____

Reason for Call

Other Counseling Organization

Are you working with any other foreclosure counseling organization? Yes No

Organization: _____

Authorization / Release

Reviewed Release(s) and gave authorization Yes No

Demographic Information

Name: _____

Property Address: _____

City: _____ State: _____ Zip code: _____

Home Phone: _____ Other Phone: _____

Email: _____

Ethnicity: Hispanic Non-Hispanic

- Single Race*
- American Indian / Alaskan Native
 - Asian
 - Black or African American
 - Native Hawaiian or Other Pacific Islander
 - White
 - Undisclosed

- Multiple Race*
- American Indian / Alaskan Native & White
 - American Indian / Alaskan Native & Black
 - Asian & White
 - Black or African American & White
 - Native Hawaiian/Other Pacific Islander & Black
 - Other multiple race: _____

Number of people living in household: _____

Number of people on the title: _____

Gender: Male Female

Household gross annual income: \$ _____

- Referral source:
- Agency / Organization
 - Mailer / Flyer / Brochure
 - Lender / Mortgage company
 - Media
 - Friend / Relative
 - Other: _____
 - Internet
 - Realtor

Are You Behind On Your Mortgage Payments

YES: Delinquent Mortgage

Mortgage company: _____

Monthly payment: \$ _____ Delinquency: # Months _____ Amount \$ _____

Heard from attorney: Yes No _____

Sheriff's Sale: Yes No Date: _____

Reason for delinquency: _____

Reason for delinquency resolved: Yes No

Refinanced: Yes No # times refinanced: _____ Date refinanced: _____

Interest rate: _____% Fixed ARM

Proceed to Other Housing Expenses (Next Page)

NO: Current Mortgage

Reason unable to make mortgage payments: Interest rate reset Other Reason

Want to stay: Yes No

Mortgage company name: _____

Refinanced: Yes No # times refinanced: _____ Date refinanced: _____

Interest rate: _____% Fixed ARM

Proceed to Triage Decision Tree

Other Housing Expenses

	Company	Monthly Payment	(#) Months Delinquent	(\$) Amount Delinquent
2 nd Mortgage:				
3 rd Mortgage:				
Homeowners Association:				

	Escrowed	Annual Amount	(#) Months Behind	(\$) Amount Delinquent
Property Taxes:	<input type="checkbox"/> Yes <input type="checkbox"/> No			

	Escrowed	Annual Amount	Current or Lapsed	Next Payment Due Date
Homeowners Insurance:	<input type="checkbox"/> Yes <input type="checkbox"/> No			

Affordability

Affordable Not affordable

Commitment

Wants to stay in home: Yes No

Previous delinquencies: Yes No

Talked to mortgage company: Yes No *If Yes, what was discussed:*

Other steps taken to resolve the situation:

Amount available to put towards mortgage: \$ _____

Proceed to Triage Decision Tree

<<<Agency Name>>>
Foreclosure Counseling Program
TRIAGE MONTHLY BUDGET

Homeowner Name _____

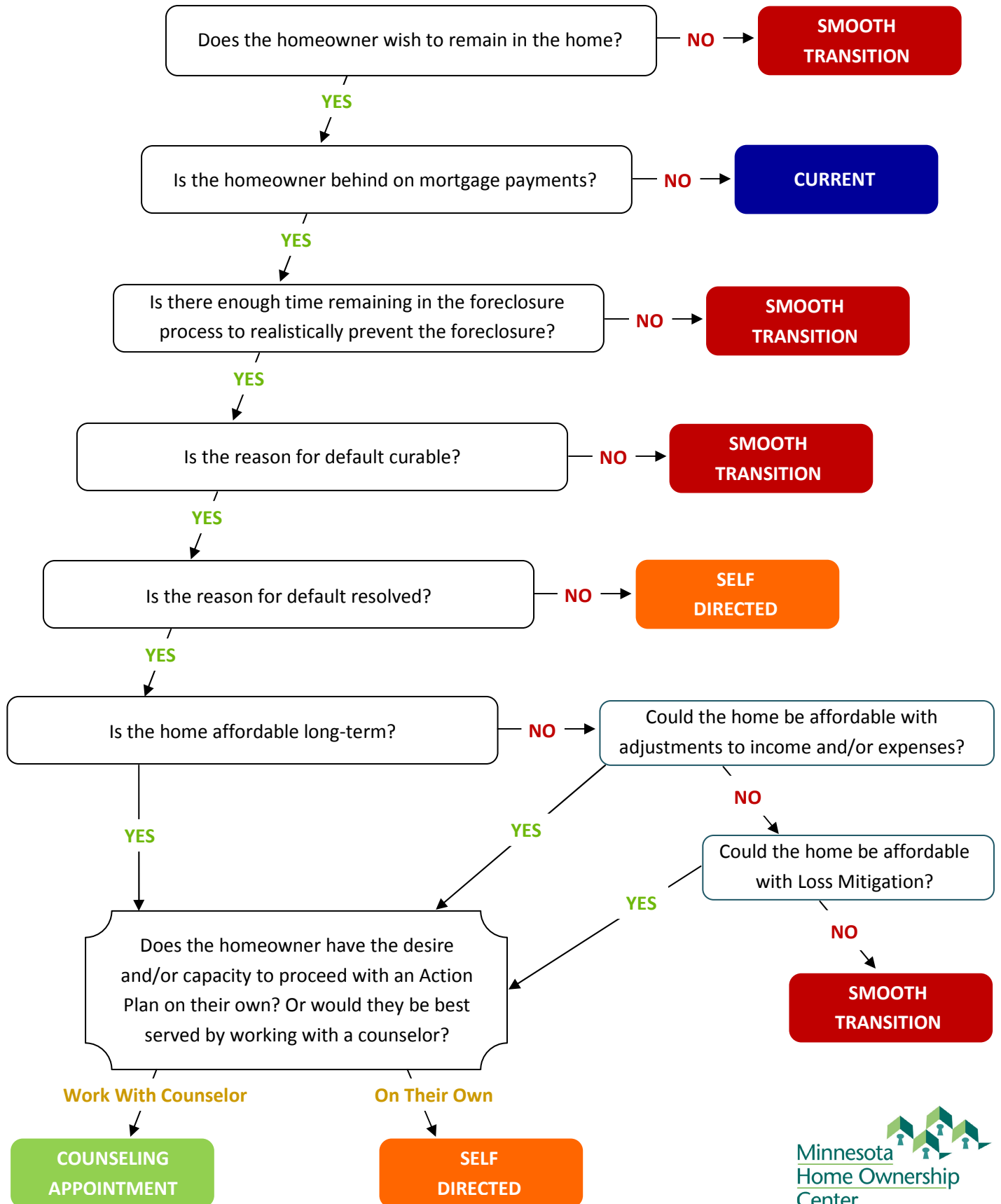
Co-Owner Name _____

Date: _____

NET INCOME	Monthly		Notes
TOTAL MONTHLY INCOME <small>(from all sources)</small>			
TOTAL NET INCOME	\$ -		
MONTHLY EXPENSES	Monthly	Outstanding Balance	Notes
MONTHLY HOUSING EXPENSES			
1ST MORTGAGE			
2ND MORTGAGE			
PROPERTY TAXES (if not escrowed)			
HOMEOWNERS INSURANCE (if not escrowed)			
ASSOCIATION DUES			
OTHER MONTHLY EXPENSES			
UTILITIES <small>(including water, sewer, trash, electricity, cable, cell phone, internet)</small>			
TRANSPORTATION <small>(car payment, gas, insurance, repairs, bus fare)</small>			
CREDIT CARDS			
HEALTH CARE <small>(insurance, co-pays)</small>			
CHILD CARE			
FOOD / HOUSEHOLD			
OTHER FLEXIBLE SPENDING <small>(clothing, entertainment, pets, etc.,)</small>			
TOTAL EXPENSES	\$ -	\$ -	
NET SURPLUS / (LOSS)	\$ -	\$ -	

FORECLOSURE COUNSELING PROGRAM MODEL

Triage Decision Tree



FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

CURRENT

This group of homeowners is current on their mortgage and not at immediate risk of foreclosure. The homeowner has indicated they want to stay in their home but are concerned they will be unable to continue to make the payments. The concern may be due to a change in their income and/or expenses or an adjustment in their mortgage payment due to a reset.

What level of service will you provide to this group?

This category of consumers will receive limited time from a counselor. Information and referrals will be provided for the consumer to proceed with a self-directed action plan. Additional communication could take place upon the completion of certain action steps. Most, if not all, work with these consumers will take place via phone and/or email.

Average time per homeowner: 30 minutes on phone.

15 - 20 minutes for data entry and follow-up packet.

Changes in Income and/or Expenses
<p><i>Minimum Discussion Topics:</i></p> <ul style="list-style-type: none"> • Reason for changes in income and/or expenses. <ul style="list-style-type: none"> ◦ Tips on how to address the problem. ◦ Provide tips and encouragement to contact servicer to discuss Loss Mitigation options. • Financial counseling (provide in-house or outside referral). • Reminder to call with follow-up questions. <p><i>Possible Discussion Topics</i></p> <ul style="list-style-type: none"> • Foreclosure process and timeline. • Other referrals as needed.
<p><i>Follow-up Steps:</i></p> <ul style="list-style-type: none"> • Send follow-up packet: <ul style="list-style-type: none"> ◦ Cover letter including self directed action plan steps. ◦ Info sheets/fact sheets as appropriate. • Respond to follow-up initiated by homeowner as needed. • Enter data into CounselorMax.

Current Continues On Next Page.



FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

CURRENT

Continued from previous page.

Mortgage Product Reset

Minimum Discussion Topics:

- Terms of the reset and implication for long-term affordability.
- Refinance/rate freeze options:
 - Provide tips and encouragement to contact servicer to discuss Loss Mitigation options.
 - Research refinance options. (provide list of possible lenders).
- Caution about predatory practices.
- Reminder to call with follow-up questions.

Possible Discussion Topics

- Financial counseling (provide in-house or outside referral).
- Foreclosure process and timeline.
- Other referrals as needed.

Follow-up Steps:

- Send follow-up packet:
 - Cover letter including action plan steps.
 - Info sheets/fact sheets as appropriate.
- Respond to follow-up initiated by homeowner as needed.
- Enter data into CounselorMax.

FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

SMOOTH TRANSITION

This group of homeowners has either determined they do not want to remain in their home or you have determined it is not realistic for them to remain in the home. Your evaluation is based on the information the homeowner shared during the call. The reason could be due to the stage of the foreclosure process or the lack of affordability of the house.

What level of service will you provide to this group?

This category of homeowners will receive limited time from a counselor. Information and referrals will be provided as appropriate to help the homeowner sell the property and/or transition to alternative housing. Most, if not all, work with these consumers will take place via phone and/or email.

Average time per homeowner: 30 minutes on phone.
15 - 20 minutes for data entry and follow-up packet.

Minimum Discussion Topics:

- Foreclosure process and timeline.
- Alternatives to foreclosure for disposition of property.
- Consequences of foreclosure.
- Finding alternative housing.
- Redemption and eviction.
- Caution about predatory practices.
- Reminder to call with follow-up questions.

Possible Discussion Topics

- Financial counseling (provide in-house or outside referral).
- Pre-purchase home ownership counseling.
- Other referrals as needed.

Follow-up Steps:

- Send follow-up packet:
 - Cover letter reiterating discussion and suggested action plan steps.
 - Info sheets/fact sheets as appropriate.
- Respond to follow-up initiated by homeowner as needed.
- Enter data into CounselorMax.

FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

**SELF
DIRECTED**

This group of homeowners needs to obtain additional information or resolve some issues on their own before they would benefit from further work with a counselor.

OR

This group of homeowners expressed interest and/or motivation to proceed with next steps on their own once they gather information and receive guidance with a self directed action plan from the counselor.

What level of service will you provide to this group?

This category of homeowners will initially receive limited time from a counselor to receive information, referrals and a basic customized self directed action plan. Additional communication could take place upon the completion of certain action steps. Most communication with these consumers will take place via phone and/or email.

Average time per homeowner: 30 minutes on phone.

15 - 20 minutes for data entry and follow-up packet.

Self Directed Action
<p><i>Minimum Discussion Topics:</i></p> <ul style="list-style-type: none"> Foreclosure process and timeline. Tips for talking with mortgage company including information about Loss Mitigation options. Caution about predatory practices. When to follow-up with counselor. Reminder to call with follow-up questions. <p><i>Possible Discussion Topics</i></p> <ul style="list-style-type: none"> Steps to resolve reason for delinquency. Financial counseling (provide in-house or outside referral). Other referrals as needed.
<p><i>Follow-up Steps:</i></p> <ul style="list-style-type: none"> Send follow-up packet: <ul style="list-style-type: none"> Cover letter including self directed action plan steps. Info sheets/fact sheets as appropriate. Respond to follow-up initiated by homeowner as needed. Enter data into CounselorMax.

Self-Directed Continues On Next Page.

FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

**SELF
DIRECTED**

Continued from previous page.

Need Additional Information / Resolve Issues

Minimum Discussion Topics:

- Foreclosure process and timeline.
- Steps for gathering additional information or resolving issues.
- Caution about predatory practices
- When to follow-up with counselor.
- Reminder to call with questions.

Possible Discussion Topics

- Tips for talking with mortgage company including basic information about Loss Mitigation options.
- Financial counseling (provide in-house or outside referral).
- Other referrals as needed.

Follow-up Steps:

- Send follow-up packet:
 - Cover letter including self directed action plan steps.
 - Info sheets/fact sheets as appropriate.
- Respond to follow-up initiated by homeowner as needed.
- Enter data into CounselorMax.

FORECLOSURE COUNSELING PROGRAM MODEL

Service Categories

COUNSELING APPOINTMENT

This group of homeowners appears to have a situation that with your help would result in the homeowner remaining in the home. Based on the information you gathered during the call you have determined that the homeowner wants to remain in the house, there is time remaining before the foreclosure is complete and it appears the home is affordable or could be with adjustments to income/expenses or Loss Mitigation.

What level of service will you provide to this group?

This category of consumers will require the most time from the counselor. This consumer will receive a basic level of information and referrals during the first contact and will be offered the opportunity to set up a counseling appointment. In most cases this consumer will have at least one appointment with a counselor and receive intensive counseling and follow-up. Communication with this consumer will include phone/email and in-person/phone appointments as needed.

Average time per homeowner: 30 minutes during first call.
15 - 20 minutes for data entry and follow-up packet.
3 - 6 hours in total with counseling appointments and case management.

Minimum Discussion Topics:

- Foreclosure process and timeline.
- Caution about predatory practices
- Schedule a counseling appointment, set expectations:
 - Date, time and location (may be via phone)
 - Need to begin on time – may need to reschedule if you arrive late.
 - Length of appointment –(goal: 60 minutes)
 - Documents to bring (mail/fax if phone appointment) – sending packet
 - Expected outcome of appointment
- Reminder to call with follow-up questions.

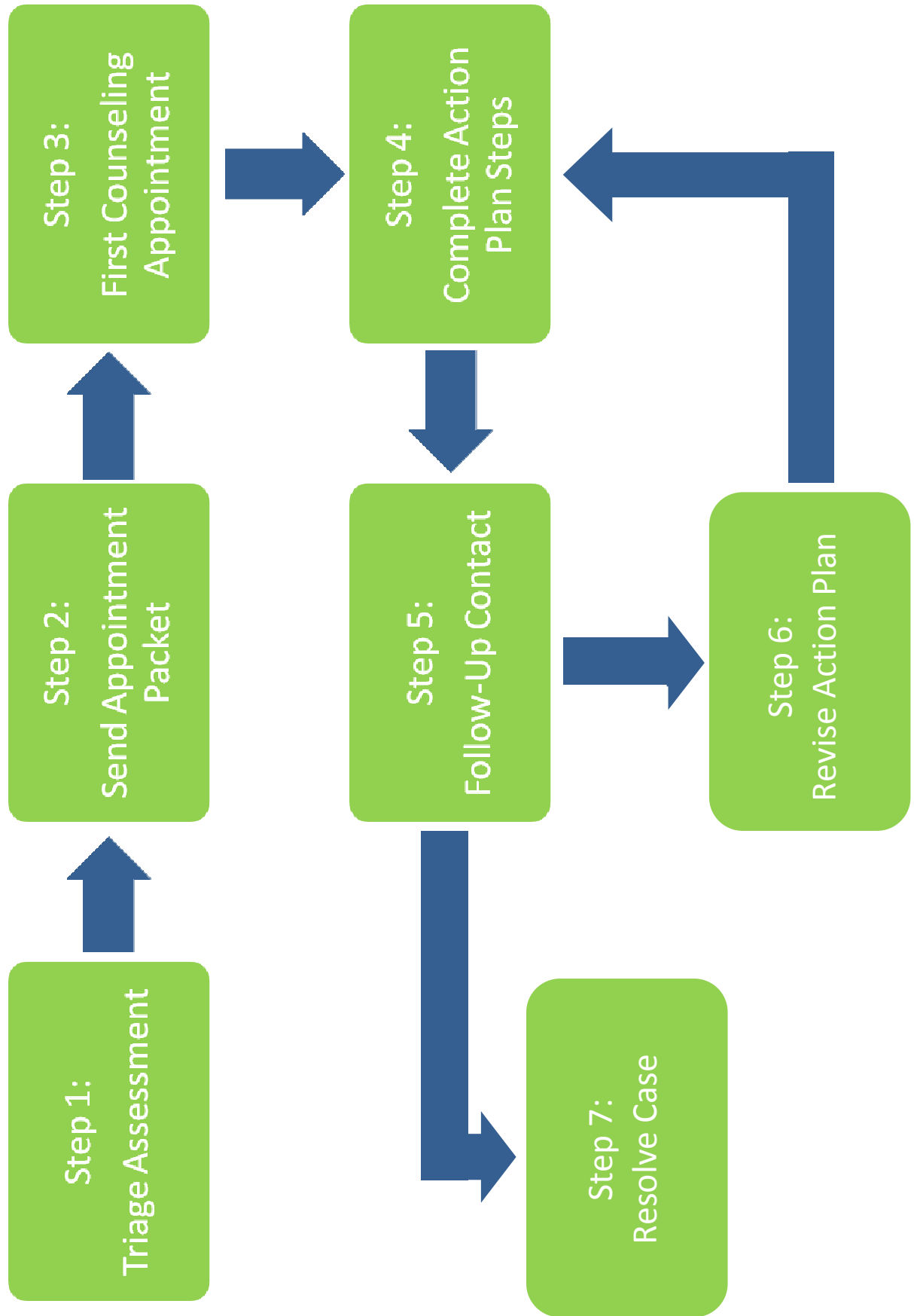
Possible Discussion Topics

- Other referrals as needed.

Follow-up Steps:

- Send follow-up packet:
 - Cover letter including:
 - Date and time of appointment
 - List of documents to bring to appointment
 - One page application form
 - Release forms
 - Info sheets/fact sheets as appropriate.
- Respond to follow-up initiated by homeowner as needed.
- Enter data into CounselorMax.
- Follow-up call to homeowner if no-show for appointment.

FORECLOSURE COUNSELING PROGRAM MODEL Counseling Appointment Process



FORECLOSURE COUNSELING PROGRAM MODEL Counseling Appointment Steps

Overview

This document outlines an approach that follows the Counseling Appointment Standards and Benchmarks for working with homeowners who fall into the Counseling Appointment service category. Use this as a starting point and customize it to match your style of counseling and each homeowner's unique situation while adhering to the Standards and Benchmarks.

Counselor utilizes a checklist to ensure files are consistently maintained and meet reporting standards and quality assurance. (See *SAMPLE A*)

Average Time per Homeowner

Activity	Average Time
Triage Assessment	30 minutes
Initial data entry and sending follow-up packet	15 - 20 minutes
First counseling appointment	60 - 90 minutes
Total time per 'Counseling Appointment' homeowner	3 - 6 hours

STEP ONE Triage Assessment

The Triage Assessment determined homeowner should be in the Counseling Appointment service category.

STEP TWO Send Appointment Packet

You scheduled an appointment with the homeowner and sent them a follow-up packet that contained the following:

- Cover letter including (See *SAMPLE B1*):
 - Date and time of appointment
 - Address and directions to appointment
 - Your direct phone number and email address
 - Checklist of documents to bring to appointment (See *SAMPLE B2*)
- One page intake form (See *SAMPLE C*)
- Release forms (See *SAMPLES D & E*)
- Info sheets/fact sheets, as appropriate.

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment

Purpose: The first appointment is intended to build rapport with the homeowner, verify information you learned during the Triage Assessment, gain an in-depth understanding of the homeowner's situation, develop an action plan and provide counseling.

Preparation:

- Review triage assessment form and notes to understand the case to date.
- If county where property is located has website with property information, look up tax assessed value and status of property taxes.
- Have the following ready to complete during the appointment:
 - Blank copies of the following in case the homeowner does not bring them:
 - Intake Form
 - CounselorMax Release
 - Authorization to Release Information
 - Counselor and Homeowner Agreement
 - Mortgage Information Form
 - Verification of Assets
 - Budget form
 - Blank action plan document
 - Paper for notes

(If possible, have a computer available during the appointment for doing budget and Action Plan. If not possible, have a calculator for calculating the budget.)

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment (Cont'd)

Tips:

- The counseling environment should be conducive to open and honest communication:
 - Use a meeting room that ensures privacy.
 - Avoid interruptions during appointment.
 - Have a box of tissues available. Homeowners are under high levels of stress and may be emotional.
 - Offer the homeowner a beverage.

- You will ask the homeowner personal questions and questions that may be perceived as embarrassing during the appointment in order to understand their situation so it is important to build trust. It may help to start the appointment with a friendly greeting and some small talk to make the homeowner feel comfortable. Taking the time to introduce yourself by talking about your role within your organization, your experience and your organization's experience with foreclosure counseling may help build credibility with the homeowner.

- Take notes during the appointment. It is easy to confuse cases when you have a large caseload and try to rely on memory. To ease potential homeowner concerns about writing things down, tell the homeowner upfront that you will be taking notes during the appointment because you want to accurately remember the discussion.

- After you have introduced yourself to the homeowner, set expectations with the homeowner by giving them an overview of what will happen during the counseling appointment. Explain:
 - You reviewed the information discussed during the phone call (Triage Assessment).
 - You are going to ask more questions and review the documents the homeowner brought to get a better understanding of their situation.
 - You will help them put together a budget.
 - You will talk with them about their options for preventing foreclosure.
 - Together you will develop an action plan with next steps.

- Sometimes it helps the homeowner feel comfortable to let them talk first. You can do this several ways, for example:
 - Ask the homeowner about their expectations and goals for the meeting.
 - Ask the homeowner to explain the reason for default. Keep in mind that they will recall that they already told you (or one of your co-workers) this on the phone. So, you may just want to ask for more details.
 - Ask them when and what they last heard from their mortgage company.

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment (Cont'd)

Tips (Cont'd):

- As with the Triage Assessment, it is important for you to remain in control of the conversation. The goal of controlling the conversation is to utilize your time and the homeowner's time most effectively. Be prepared to politely interrupt and refocus the conversation if needed.
- Have a plan for what you will do if you do not complete everything in the allotted time. Draft a preliminary action plan by the end of the first appointment. You may need to schedule a follow-up appointment and refine the plan at that time. For example, you may not have time to pull a credit report. Do a rough draft of the budget without the credit. Pulling and reviewing the credit report will then be on your part of the action plan to complete between appointments. Depending on the steps left to be completed, the follow-up contact may be doable via phone.
- As a time saver copy only those documents essential to adequately document the case.

A-J below describes the information to gather during the counseling appointment. The items are ordered in what seems like a logical sequence but are flexible. You may find it works better to proceed in a different order. This may vary from appointment to appointment.

A. Program Documents

- Intake Form (SAMPLE C): Review, ask clarifying questions and fill in blanks as needed.
- Releases: Verbally summarize releases and have homeowner sign as needed.
 - Authorization to Share Personal Information with the Minnesota Home Ownership Center (SAMPLE D)
 - Authorization to Release Information (SAMPLE E)
- Agreement (SAMPLE F): Review the Counselor & Homeowner Agreement in its entirety to establish expectations. Sign Agreement.

B. Reason for Default

- Revisit reason for default in more depth as needed.
- Evaluate whether reason is resolved.
- Provide counseling and referrals as needed.

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment (Cont'd)

C. Mortgage

- Using the documents the homeowner brought to the appointment (mortgage statement, letter from servicer/attorney and mortgage documents) gather mortgage information. A sample Mortgage Information Form is provided showing key information to gather (SAMPLE G).
- Ask homeowner if they understand the terms of their mortgage(s) and counsel as needed.

D. Other Housing Expenses

- Review documents for other housing expenses and determine status of each.
(Other housing expenses include: homeowners association, property taxes and homeowners insurance.)
- Take notes to document.
- Counsel homeowner as needed.

E. Verification of Assets

- Complete Verification of Assets form with homeowner (SAMPLE H). As a time saver you may want to have the homeowner start working on this while you are reviewing the mortgage documents but be prepared to provide assistance.
- Counsel homeowner on any assets that may be available to help resolve the mortgage delinquency.

F. Develop Budget

- Pull credit report during appointment, if possible, to inform budget process.
- Review income documentation to determine net monthly income from all sources. Enter on monthly budget form (SAMPLE I).
- Review documentation of bills to determine monthly payment and current balances due. Enter on monthly budget form.
- Discuss other expenses with homeowner to complete budget form.
- Gather other financial information including bankruptcy history, liens and judgments.
- Counsel homeowner on ways to increase income or reduce expenses as appropriate.

G. Stay vs. Move

At some time during the counseling appointment you may want to revisit if the homeowner wants to stay in the home versus move. See the Triage Assessment steps for a more in-depth description of this conversation.

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment (Cont'd)

H. Verify Service Category

Depending on the information obtained during the appointment, you may need to revisit the Triage Decision Tree to see if the homeowner should be redirected to one of the other service categories. If the homeowner no longer fits into the Counseling Appointment category, counsel him/her/them and develop an action plan based on the appropriate service category. Develop a written action plan. Provide homeowner with a copy of the plan and the appropriate info/fact sheets.

For example:

The homeowner's reason for default was a job layoff. The homeowner indicated during the Triage Assessment that the income from their new job is sufficient to cover the monthly mortgage payment and other expenses on an ongoing basis. During the appointment you verified that the mortgage has a fixed, market interest rate with reasonable monthly payments and is less than 2 years old. The budget indicates that the income at the new job is insufficient to cover the monthly expenses. You discussed possible options for adjusting expenses but there is still a \$200/month budget shortfall. Because the loan is so new and you are familiar with the mortgage company, you are certain that a loan modification is not an option. The homeowner clearly indicated they want to stay in the home. The homeowner wants to look into other options for increasing income. This homeowner would now fall into the "Self Directed" service category. (The answer to the question "Is the reason for default resolved?" on the Triage Decision Tree would be no because even though the homeowner is employed, the income is still insufficient.) You then follow the items outlined in the "Self Directed" service category.

- *Counsel the homeowner:*
 - *To save money;*
 - *About the foreclosure process;*
 - *About possible ways to increase income;*
 - *About predatory practices.*
- *Provide the homeowner with a written action plan to:*
 - *Save money;*
 - *Check into personal resources (family, friends);*
 - *Increase income;*
 - *Contact you when their income increases.*
 - *Contact you if they have questions and/or concerns.*

(If the homeowner contacts you indicating their income has increased and they can afford the mortgage and other expenses, they would again be in the 'Counseling Appointment' service category and you would revise the budget and proceed with the additional steps outlined below.)

- *Provide fact sheets on the foreclosure process, predatory practices and others as appropriate.*

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP THREE First Counseling Appointment (Cont'd)

I. In-depth Counseling/Action Plan

If the information you obtained during the appointment verifies the homeowner is still in the Counseling Appointment Service Category:

- Counsel on foreclosure process and what to expect going forward.
- Discuss possible options for preventing foreclosure including the pros and cons of each.
- Identify best option(s) for preventing foreclosure:
 - Develop action plan with counselor and homeowner action steps to pursue option(s) (SAMPLE J).
 - Establish due date for each step.
 - Give copy of written plan to homeowner.
 - Include your direct phone number and email address on action plan.
- Caution about predatory practices, including solicitations they can expect if foreclosure becomes public record.
- Provide homeowner with copies of appropriate info/fact sheet.

J. Update case information in CounselorMax.

Enter updated and additional data gathered during appointment.

STEP FOUR Complete Action Plan Steps

This step will follow the customized steps outlined in each action plan.

STEP FIVE Follow-Up Contact

Contact the homeowner as needed and when directed in the Action Plan. This contact may be via phone, email and/or additional face-to-face appointments. Respond to homeowner contact to you in a timely manner.

FORECLOSURE COUNSELING PROGRAM MODEL

Counseling Appointment Steps

STEP SIX **Revise Action Plan**

Based on the outcome of the action steps completed by you and the homeowner you may need to revise the Action Plan with new or updated steps. If the Action Plan is revised go back to Step 4 and proceed until resolution is reached.

STEP SEVEN **Resolve Case**

Resolve case in CounselorMax upon known resolution. Follow-up to determine resolution after 3 months of no contact with homeowner. Double check to ensure all required fields are entered.

<<<Agency Name>>>
 FORECLOSURE COUNSELING PROGRAM

A

COUNSELING APPOINTMENT – COUNSELOR CHECKLIST

Homeowner(s) Name: _____

Counselor: _____

ACTION	START DATE	COMPLETE DATE	COMMENTS
Complete Triage Assessment			
Send Appointment Packet			
Enter Triage into CounselorMax			
Lookup property value			
1 st Appointment Review & Complete Forms:			
Counselor & Homeowner Contract			
Intake Form			
CounselorMax Release			
Information Release			
Pull credit report			
Mortgage Information Form			
Verification of Assets			
Budget			
Write Action Plan			
Update CounselorMax after 1 st Appt			
<i>Action Plan – refer to action plan for counselor & homeowner action steps.</i>			
Complete Action Plan			
Upon Completion of Action Plan:			
Verify all 'Counseling Appointment' required fields were entered, including leveraged funds.			
Resolve case in CounselorMax.			

DATE

NAME
ADDRESS
CITY, MN ZIP

Dear **FIRST NAME**:

Thank you for taking the time to speak with me today. I understand you are experiencing a very stressful time right now. I am committed to working with you to understand what to expect when you have missed mortgage payments, explore your options and answer your questions.

We are scheduled to meet as follows:

DATE: DAY, MONTH DATE, YEAR
TIME: X:XX x.m. - X:XX x.m.
LOCATION: STREET ADDRESS, CITY, MN 55XXX. A map with directions is enclosed.

In order to use our time as effectively as possible page 2 of this letter includes a checklist to help you prepare for the meeting. Please do your best to complete the necessary forms and bring the documentation listed on the checklist. If you have questions about the forms I will help you complete them during our meeting.

Our first appointment will last an hour. Please arrive on time. I often have appointments back to back so if you arrive late, I will only be able to work with you for the remaining time of your appointment. Please contact me before the appointment to reschedule if you are unable to keep this appointment.

You can reach me at **PHONE NUMBER** and **EMAIL ADDRESS**.

I look forward to working with you.

Sincerely,

COUNSELOR NAME
TITLE

enclosure

<<<Agency Name>>>
Foreclosure Counseling Program

APPOINTMENT CHECKLIST

√	Forms Checklist: please complete and bring to appointment
	Complete the enclosed Intake Form as thoroughly as possible.
	Read and sign the enclosed Authorization to Release Information
	Read and sign the enclosed Authorization to Share Personal Information with the Minnesota Home Ownership Center.
<i>If you have question about the Intake Form or releases please complete as much as possible and we will finish them during the appointment.</i>	

√	Document Checklist: please bring to appointment
<i>Together we will develop a monthly spending plan with your income and expense information so please bring the following:</i>	
	Three most recent check stubs for all jobs.
	Documentation of other income, if any (child support, disability, retirement, etc.)
	Latest bills: homeowners association, gas, electric, water, garbage, phone, cell phone, internet, cable TV, car loan(s), credit cards, student loans, other loans or bills.
<i>Information about your mortgage will help me understand the status of your mortgage and what options are available to you, so please bring the following:</i>	
	Most recent statement from your lender(s). If you also received a letter about missing payments please bring that too.
	Most recent letter from the attorney for your lender, if you have received one.
	Truth in Lending Disclosure, HUD1 Settlement Statement, Mortgage Note and riders to the Note. I am very familiar with these documents so if you bring the packet of documents you received when you took out your mortgage loan(s) I can find the documents I need.
<i>If you have more than one mortgage loan, please bring documentation for all of them.</i>	
<i>Please do your best to gather these documents as it will make your time with me more effective. However, if you cannot find some of these documents please still come to the appointment and bring the papers you can find.</i>	

<<<AGENCY Name>>>
FORECLOSURE COUNSELING PROGRAM

**AUTHORIZATION TO SHARE PERSONAL INFORMATION WITH THE
MINNESOTA HOME OWNERSHIP CENTER**

The Minnesota Home Ownership Center (“Center”) is a non-profit Minnesota corporation that develops educational programs and counseling services to help individuals achieve and maintain homeownership. The Center receives funding for these programs from a variety of businesses and foundations. In turn, the Center provides periodic reports to its benefactors on program effectiveness.

I/We hereby authorize and direct <<<AGENCY Name>>> to disclose any and all information obtained in conjunction with my/our participation in the Foreclosure Counseling Program to the Center for the purposes of:

1. Monitoring the performance and effectiveness of both <<<AGENCY Name>>> and the counseling program;
2. Providing reports about the program to the Center’s benefactors;
3. Conducting follow-up surveys with you to get feedback on the program and determine the effectiveness of the program.

A photocopy of this form will also serve as evidence of my/our authorization to share information with the Center.

I/We may revoke this authorization by giving written notice. If I/we revoke this authorization, the Center will not be authorized to obtain any additional information about me/us, but may, consistent with this authorization, maintain and use information already obtained.

All information collected will be treated with confidentiality.

Name (please print)

Signature

Date

Name (please print)

Signature

Date



<<<Agency Name>>>
FORECLOSURE COUNSELING PROGRAM

AUTHORIZATION TO RELEASE INFORMATION

I/We hereby authorize and direct any Federal, State or local agency, organization, business or individual to release to <<< Agency Name>>>, its employees, agents or assigns (hereinafter collectively referred to as "ABC") to release/exchange any information or materials requested in order to facilitate my participation in ABC's Foreclosure Counseling Program. I agree that a photocopy of this may also serve as authorization.

The groups or individuals that may be asked to release the above information includes but is not limited to:

- Mortgage companies
- Past and present employers
- Support and alimony administrators
- Social Security Administration
- Veterans Administration
- State unemployment agencies
- Utility companies
- Banks & financial institutions
- Non-profit organizations

I/We further authorize ABC to order a consumer credit report as part of the Foreclosure Counseling Program.

I/We also authorize ABC to exchange information with all pertinent parties in order to assist me with the best plan to resolve my immediate situation. I authorize the exchange of information with any party authorized in this release to include but not be limited to in person, via phone, via fax and via email.

This authorization will stay in effect until I complete my participation in the Foreclosure Counseling Program or revoke this authorization in writing.

Name (please print)

Signature

Date

Name (please print)

Signature

Date

Address

City / State / Zip

<<<Agency Name>>>
Foreclosure Counseling Program

COUNSELOR & HOMEOWNER AGREEMENT

 Organization and its counselors (counselor) agree to provide professional foreclosure counseling services to Homeowner(s) (you).

What to expect

The counselor will help you:

- Understand the foreclosure process so that you know what to expect and when;
- Explore options available to you for preventing foreclosure.

Counselors are not able to prevent foreclosure in every situation but are committed to working with you so you can make the best decisions possible.

The counselor will work with you to understand:

- The amount and cause of the mortgage default;
- Your income and expenses by developing a spending plan;
- Solutions to the cause of default and adjustments to your spending plan, as needed;
- Your mortgage product and communicate with your mortgage company;
- Available options for preventing foreclosure including the pros and cons of each.

Together with the counselor you will develop an action plan with steps for both you and the counselor.

Counselor Commitment

The counselor agrees to:

- Provide you with factual information;
- Complete action plan steps in a timely manner;
- Make referrals to needed resources;
- Provide services confidentially, honestly and respectfully.

Homeowner Commitment

You understand that in order for the counselor to provide you with the best service possible, you agree to:

- Provide honest and complete information.
- Provide all necessary documentation and complete action plan steps within the timeframe requested.
- Notify the counselor immediately, preferably 6 hours before a scheduled appointment, if you will be unable to attend an appointment.
- Arrive on time for appointments. You understand that if you are late for an appointment, the appointment will still end at the scheduled time and the counselor may need to reschedule.
- Contact the counselor about any changes in your situation immediately.

<<< Agency Name >>>
FORECLOSURE COUNSELING PROGRAM

Mortgage Information Form

Homeowner Name(s): _____

Date: _____

Mortgage Info:	First Mortgage / CD	Second Mortgage / CD
Servicing Company Name:		
Account Number:		
Contact Person's Name:		
Contact Person's Phone Number:		
Contact Person's Fax Number:		
Originating Lender:		
Origination Date:		
Origination Amount:		
Monthly payment amount:	\$ _____	\$ _____
Property taxes escrowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No \$ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No \$ _____
Homeowners ins. escrowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No \$ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No \$ _____
Forced place insurance?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Loan type (circle one):	CD / Deferred Lien / FHA Ins. Conv. / Mobile Home Other / Unins Conv / RD / VA	CD / Deferred Lien / FHA Ins. Conv. / Mobile Home Other / Unins Conv / RD / VA
Loan Purpose (circle one):	Purchase / Purchase Assistance Refinance / Second / HELOC	Purchase / Purchase Assistance Refinance / Second / HELOC
Term (in years):		
Interest rate:	%	%
Interest rate (circle one)	Fixed / ARM Option ARM / Interest Only	Fixed / ARM Option ARM / Interest Only
First reset date:		
Reset Interval (in months):		
Periodic cap:		
Lifetime cap:		
Balloon amount:	\$ _____	\$ _____
Balloon date:		
Prepayment amount:		
Prepayment, years in effect:		
When did the mortgage company last accept a payment?	/ / / (mm / dd / yy) How much was the payment? \$ _____	/ / / (mm / dd / yy) How much was the payment? \$ _____
Previous defaults?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has the homeowner talked to the servicer?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No

<<< Agency Name >>>
FORECLOSURE COUNSELING PROGRAM

Verification of Assets

Date: _____

ASSET	VALUE
Cash on hand	
Checking account	
Savings account	
Certificate of Deposits	
Retirement (IRA, 401k, etc.)	
Other Investments (stocks, etc.)	
Real Estate (other than home)	
Business Assets	
Income tax return	
Property tax return	
Settlement	Date expected

	Value	Description (boat, motorcycle, etc.)
Other		
Other		
Other		

Vehicle(s):		Number of vehicles owned: _____	
Make _____	Model _____	\$ _____	Paid for: YES NO
Make _____	Model _____	\$ _____	Paid for: YES NO
Make _____	Model _____	\$ _____	Paid for: YES NO

I/we hereby certify that the information I/we have provided is accurate and complete to the best of my/our knowledge.

Name (please print)	Signature	Date
Name (please print)	Signature	Date

<<Agency Name>>
Foreclosure Counseling Program

MONTHLY BUDGET

Homeowner Name _____

Co-Owner Name _____

NET INCOME	Monthly		Notes
INCOME			
INCOME			
FOOD STAMPS			
MFIP			
CHILD SUPPORT			
RENTAL			
SSI			
SOCIAL SECURITY			
OTHER			
TOTAL NET INCOME	\$	-	

MONTHLY EXPENSES	Monthly	Outstanding Balance	Notes
MONTHLY HOUSING EXPENSES			
1ST MORTGAGE			
2ND MORTGAGE			
PROPERTY TAXES (if not escrowed)			
HOMEOWNERS INSURANCE (if not escrowed)			
ASSOCIATION DUES			
OTHER MONTHLY EXPENSES			
ELECTRICITY			
HEAT / GAS			
TELEPHONE: LOCAL			
LONG DISTANCE			
PAGER/CELL PHONE			
WATER / SEWER / TRASH			
FOOD / GROCERIES			
AUTOMOBILE PAYMENT			
GAS / OIL FOR AUTOMOBILE			
BUS FARE / PARKING			
CHILD CARE			
ALIMONY / CHILD SUPPORT			
STUDENT LOANS			
CREDIT CARD			
CREDIT CARD			
LOAN			
LOAN			
CHAPTER 13 TRUSTEE PAYMENTS			
PERIODIC EXPENSES			
AUTO INSURANCE			
AUTO REPAIR / MAINTENANCE			
LICENSE TABS			
HEALTH INSURANCE			
DOCTOR / DENTIST/ RX / CO PAY			
LIFE INSURANCE			
HOUSE MAINTENANCE			
FLEXIBLE EXPENSES			
SAVINGS			
SCHOOL LUNCHES			
WORK RELATED FOOD / EXPENSE			
EDUCATIONAL EXPENSE			
CLOTHING			
DRY CLEANING / LAUNDRY			
HOUSEHOLD SUPPLIES			
TOILETRIES / HAIRCUTS			
ENTERTAINMENT / HOBBIES			
CABLE / DISH			



<<<Agency Name>>>
FORECLOSURE COUNSELING PROGRAM

ACTION PLAN

Homeowner(s): Sue & Bob Doe
Counselor: Janet Counselor **Plan Start Date:** 6/18/08

Goal: Stay in the home. Pursue Loan Modification with ABC Mortgage.

HOMEOWNER ACTION	Comments	DUE DATE	DATE COMPLETED
Save money for mortgage.	Goal: \$1,500	7/15/08	
Write hardship letter to ABC Mortgage.	Mail, email or drop off for counselor.	6/25/08	
Provide documentation of job layoff.	Mail, email or drop off for counselor	6/25/08	
Update counselor on any changes in your situation or communication from your lender or their attorney.	Call counselor as needed	ongoing	

COUNSELOR ACTION	Comments	DUE DATE	DATE COMPLETED
Pull credit report.	Talk to homeowner and update budget as needed.	6/20/08	
Contact ABC to explore Loss Mitigation options.	Loan Modification is best choice.	6/20/08	
Complete & submit Loss Mit package to ABC.	Need hardship letter from homeowner to complete. Verify with homeowner before submitting package.	6/26/08	
Follow-up with ABC and homeowner as needed.		ongoing	

National Industry Code of Ethics and Conduct for Homeownership Professionals

The National Industry Code of Ethics and Conduct for Homeownership Professionals is a voluntary, self-governing standard for professional performance/conduct for homeownership counselors and educators that provide homeownership education and counseling services to consumers. The National Industry Code of Ethics and Conduct was developed by a collaborative group of industry partners. Homeownership Professionals include both homeownership educators and counselors.

A National Industry Code of Ethics and Conduct for Homeownership Professionals offers a set of values and principles to guide conduct and decision-making in the homeownership education and counseling field. Homeownership professionals who adhere to the National Industry Code of Ethics and Conduct agree to provide quality education and counseling to clients.

National Industry Standards help organizations:

- Promote sustainability for homeownership in the community
- Create consistencies in content delivered to clients across the nation
- Raise awareness for the organization and homeownership counseling/education field
- Gain the public's trust
- Encourage practitioners to perform to the highest level of professionalism
- Promote sustainability for organizations that adopt the standards by reassuring funders and fee-paying clients of the quality and consistency of their services
- Allow consumers to identify organizations that adopt the standards to ensure they are receiving high quality, ethical service
- Elevate the industry reputation for quality service delivery

1. Commitment to Clients

- a. The primary responsibility of homeownership educators and counselors is to provide high quality education and counseling services to prospective and existing homeowners.
- b. Homeownership educators and counselors will act on behalf of a client and observe his/her best interest.

2. Client Decision-Making

- a. Homeownership educators/counselors will provide necessary tools, resources and information to assist their clients in making decisions about finances, home buying or homeownership based on the client's needs and preferences.

- b. In instances when clients experience literacy or language challenges, homeownership educators/counselors will take steps to ensure clients' comprehension. This shall include arranging for a qualified interpreter or translator or referring the client to a qualified language educator/counselor.

3. Competence

- a. Homeownership educators/counselors will provide services only within the boundaries of their education, training, certification or other relevant professional experience. Referrals will be provided to clients when essential services are beyond the scope of the individual or agency to provide.
- b. Homeownership educators/ counselors shall be culturally competent in their service area and sensitive to cultural differences and needs.

4. Conflicts of Interest

- a. Homeownership educators/ counselors will avoid actual and the appearance of conflicts of interest. They will inform clients when a real or potential conflict of interest arises and take all necessary steps to resolve the issue in a manner that makes the clients' interests primary and protects clients' interests. In some cases, protecting clients' interests may require termination of the professional relationship with proper referral of the client.
- b. Homeownership educators/counselors will not take unfair advantage of any professional relationship or exploit others to further their personal, religious, political, or business interests.
- c. Any potential conflicts of interest (such as a counseling agency providing low-cost loans), will be disclosed to clients in a written disclosure document.

5. Privacy and Confidentiality

- a. Homeownership educators/counselors will respect clients' right to privacy. Private information will not be requested from clients unless it is critical to providing services. Once private information is shared, privacy laws apply as well as client confidentiality.
- b. Homeownership educators/counselors will disclose confidential information only as specified by a valid written consent of client.
- c. Homeownership educators/counselors will not discuss confidential information in any setting unless privacy can be ensured. Counselors and educators will abide by privacy laws and keep information confidential and protected.
- d. Homeownership educators/counselors will not disclose clients' information, including their identity when responding to requests from members of the media without the client's express consent.
- e. Homeownership educators/counselors will protect the confidentiality of clients' written and electronic records and other sensitive information. Clients' records shall be stored in a secure location and not made available to others who are not authorized to have access.

- f. Homeownership educators/counselors will take precautions to ensure and maintain the confidentiality of information transmitted to other parties through the use of computers, electronic mail, facsimile machines, telephones and telephone answering machines, and other electronic or computer technology. Disclosure of identifying information will be avoided unless specifically permitted by client.
- g. Homeownership educators/counselors will dispose of clients' records in a manner that protects clients' confidentiality and is consistent with state statutes governing records and social work licensure.
- h. Homeownership educators and counselors will be familiar with relevant laws and regulations with regard to local, regional, national privacy and confidentiality.

6. Professional Behaviors

- a. Homeownership educators/counselors will not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.
- b. Homeownership educators/counselors will not use derogatory language in their written or verbal communications to or about clients. Accurate and respectful language will be used in all communications to and about clients.
- c. Homeownership educators/ counselors will not participate in, condone, or be associated with dishonesty, fraud, or deception.
- d. Homeownership educators/ counselors will not permit their private conduct to interfere with their ability to fulfill their professional responsibilities.

7. Payment for Services

- a. When setting fees, homeownership educators/ counselors will ensure that the fees are fair, reasonable, and commensurate with the services performed. Clients will be informed of any applicable fees prior to the delivery of any services.
- b. Homeownership educators/ counselors will not solicit a private fee or other personal remuneration for providing services to clients.

8. Discontinuation of Services

- a. Homeownership educators/ counselors will close files and discontinue services to clients when such services are no longer required or no longer serve the clients' needs or interests.

9. Consultation

- a. Homeownership educators/ counselors will seek the advice and counsel of more experienced colleagues whenever such consultation is in the best interests of clients. Consultation will only be sought from colleagues who have demonstrated knowledge, expertise, and competence related to the subject of the consultation.

- b. When consulting with colleagues about clients, homeownership educators/ counselors will disclose the least amount of information necessary to achieve the purposes of the consultation.
- c. Client information will only be shared with other colleagues with the written consent of the client.

10. Referrals

- a. Homeownership educators/ counselors will limit services to those within their training and expertise and refrain from giving legal, tax, accounting advice unless licensed to do so. Non-homeownership issues should be referred to other appropriate agencies to serve clients fully.
- b. Homeownership educators/ counselors shall not give payment or receive payment from an outside source for a referral unless professional services of comparable value have been provided.

11. Integrity of the Homeownership Education and Counseling Profession

- a. Homeownership educators/ counselors will work toward the maintenance and promotion of high standards of practice for the industry.
- b. Homeownership educators/ counselors will uphold and advance the values, ethics, knowledge, and mission of the profession. They will protect, enhance, and improve the integrity of the profession through service development, partnerships and active participation in the industry.
- c. Homeownership educators/ counselors will contribute time and professional expertise to activities that promote respect for the value, integrity, and competence of their profession.

Conflict of Interest Disclosure Form

The Minnesota Home Ownership Center and [Name of Agency] require full disclosure of potential and actual conflicts of interest so that you are in a position to make fully informed decisions. It is up to you to choose whom you would like to work with; you are not obligated to receive any mortgage or real estate services.

Agency/Individual Disclosure

In working with you to provide foreclosure counseling, I and/or my agency may have one or more of the following conflicts through referral or in fact:

- We hold or service a mortgage secured against your property and have a stake in the performance of the loan;
- We provide real estate services for a fee such as listing, selling or purchasing property for the prevention of default or foreclosure;
- We provide lending products that generate income and charge interest for the prevention of default or foreclosure.

You understand that you are not obligated to receive any other services offered by our agency or exclusive partners.

You further understand that our agency is required to:

- Provide you with information about the foreclosure process and alternatives to foreclosure;
- Provide objective advice about alternatives to foreclosure;
- Allow you to select lenders, lending products and real estate services of your own choosing.

Signature

Date

Signature

Date

