

Request for Occupied Conveyance

U.S. Department of Housing and Urban Development
Office of Housing - Federal Housing Commissioner

OMB Approval No. 2502-0584 (exp.3/31/2021)

Public reporting burden for this collection of information is estimated to average 0.25 hours per mortgagee and 0.5 hours per occupant, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Privacy Act Statement: The Department of Housing and Urban Development (HUD) is authorized to collect this information by 24 CFR 203.675 (b)(3). Section 165 of the Housing and Community Development Act of 1987, 42 U.S.C. 3543, requires persons applying for assistance under HUD programs to furnish his or her Social Security Number (SSN). The information will enable HUD to determine whether you qualify as a tenant, to maintain tenant rental accounts, and will provide the basis for facilitating the management and administration of the property disposition program. The information will be released to the local real estate broker who manages the property to facilitate property management. The information may be used to facilitate collection of overdue rents and may be released to collection agencies, consumer reporting and commercial credit agencies, and attorneys hired by the Department. It may also be released to appropriate Federal, State, and local agencies to facilitate collection of rent and, when relevant, to civil, criminal, or regulatory investigations or prosecutions. The information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. You must provide all of the information requested, including all SSNs you and all other household members age six (6) years of age and older, have and use. Giving the SSNs of all family members 6 years of age and older is **mandatory**; failure to provide the SSNs will affect your eligibility in the program. Failure to provide the requested information may result in a delay or rejection of your request to remain as an occupant. HUD may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This form does not supersede the Mortgagee's and/or Servicer's required compliance to the Protecting Tenants at Foreclosure Act (PTFA).

This form must be completed by the Occupant(s). When completed, send to HUD's Mortgagee Compliance Manager (MCM). The address, fax, or email information of HUD's current MCM can be found at <http://www.hud.gov/offices/hsg/sfh/nsc/rtf> or you can call 1-800-Call-FHA.

Property Address:	Unit No.:
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City, State & Zip Code:

Name of Mortgage Company (Lender):	Mortgage Loan No.:	FHA Case No.:
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Dear Sir:

I(We) desire to continue in occupancy as a tenant of this property if acquired by HUD. I(We) have lived in this property since _____ (please insert date). I(We) will sign a month-to-month lease and pay one month's rent within 15 days of the lease being presented to me(us). I(We) believe that I(we) can afford to make monthly rental payments. In my(our) opinion, this property, in its present condition is structurally sound, free from health and safety hazards, and is otherwise habitable.

You may contact me(us) for arranging a convenient time for HUD's required inspection at the following telephone number _____ or my(our) representative at _____ .

(HUD must be able to make contact during normal working hours.)

I(We) understand that HUD's approval of my(our) request will, in part, be based on my(our) ability to make monthly rental payments.

To assist HUD in making its determination, I(we) submit the following information concerning my(our) income:

Occupant's Name :	Occupation :	Social Security No.	Gross Pay Per Month \$
Employer's Name and Address :			Employer's Telephone No.
Spouse's Name :	Occupation :	Social Security No.	Gross Pay Per Month \$
Employer's Name and Address :			Employer's Telephone No.

Names and Social Security Nos. of all Other Household Members 6 yrs. or older:

Other Family Income (explain):	Other Sources of Income (if any):
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Obligations (list all obligations including car loans, installment payments, and credit cards)

Creditor's Name	Address (include city, State, & zip code):	Present Balance	Monthly Payment
		\$	\$

You have my(our) permission to contact any of the above for verification purposes.

Occupant's Signature :	Spouse's Signature :	Date :
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X

X

Attachment 3 (Conditions for Continued Occupancy)

(Attach to Mortgagee's Notice to Occupants of Pending Acquisition)

HUD's Occupied Conveyance Procedures CONDITIONS FOR CONTINUED OCCUPANCY

Unless eviction is prohibited by state or local law, or by circumstances beyond the control of your lender, the following conditions must be met before HUD can approve the occupied conveyance of an acquired property. HUD will determine whether these conditions have been met at HUD's sole and absolute discretion, pursuant to authority provided in FHA occupied conveyance regulations at 24 CFR §§ 203.670-681 and additional guidance provided by the Department:

1. You agree to sign a month-to-month lease at fair market rent at the time HUD acquires the property and on a form prescribed by HUD (note: if you qualify for continued occupation based on Item 6.b. below, you will need to pay one month's rent in advance at the time the lease is executed);
2. Your total housing cost (rent plus utility costs) will not exceed 38 percent of your net income. However, a higher percentage may be permitted if you have been paying at least the required rental amount or there are other compensating factors, such as savings or family assistance;
3. You agree to allow access to the property, during normal business hours and with two days advance notice, by HUD staff or HUD representatives (including real estate brokers) so that the property can be inspected, repaired, or shown to prospective purchasers;
4. You disclose the complete and accurate Social Security Number assigned to you and to each member of your household; and
5. You submit your request and supporting documentation within 20 days as provided in the attached Notice to Occupant of Pending Acquisition; and
6. **At least one of the following two sets of conditions has been met:**
 - a. An individual residing in the property suffers from a permanent, temporary, or long-term illness or injury that would be aggravated by the process of moving from the property, or
 - b. HUD determines that it is in HUD's interest to accept your continued occupation based on criteria described in 24 CFR § 203.671, provided that the property is habitable as described in 24 CFR § 203.673, and that at the time your lender acquires title to the property, you will have lived in the property for at least 90 days.

Attachment 4 (Temporary Nature of Continued Occupancy)

(Attach to Mortgagee's Notice to Occupants of Pending Acquisition)

HUD's Occupied Conveyance Procedures TEMPORARY NATURE OF CONTINUED OCCUPANCY

This is to advise you that occupancy of HUD-owned property is temporary in all cases and is subject to termination to facilitate preparing the property for sale and completing the sale. Temporary means that your lease arrangement with HUD is subject to termination at the convenience of the government upon 30 days' notice, or otherwise in accordance with applicable law. You should not view your occupancy of the property as a permanent or long-term arrangement. It is HUD's policy to ask you to vacate the property and, if necessary, take appropriate eviction action for the following causes:

1. Your failure to execute the lease;
2. Your failure to pay the required rent, including the initial payment at the time of execution of the lease;
3. Your failure to comply with the terms of the lease;
4. Your failure to allow access to the property upon request to accomplish necessary repairs, inspect the property, or allow real estate brokers to show the property to prospective purchasers;
5. Necessity to facilitate preparation of the property for sale and for completion of the sale; or
6. Assignment of the property by HUD to a different use or program.