



AMERICAN
BANKRUPTCY
INSTITUTE

Consumer Practice Extravaganza

Post-COVID Mortgage Issues in Chapter 13

Rachel L. Foley

Foley Law, P.C. | Independence, Mo.

Jon J. Lieberman

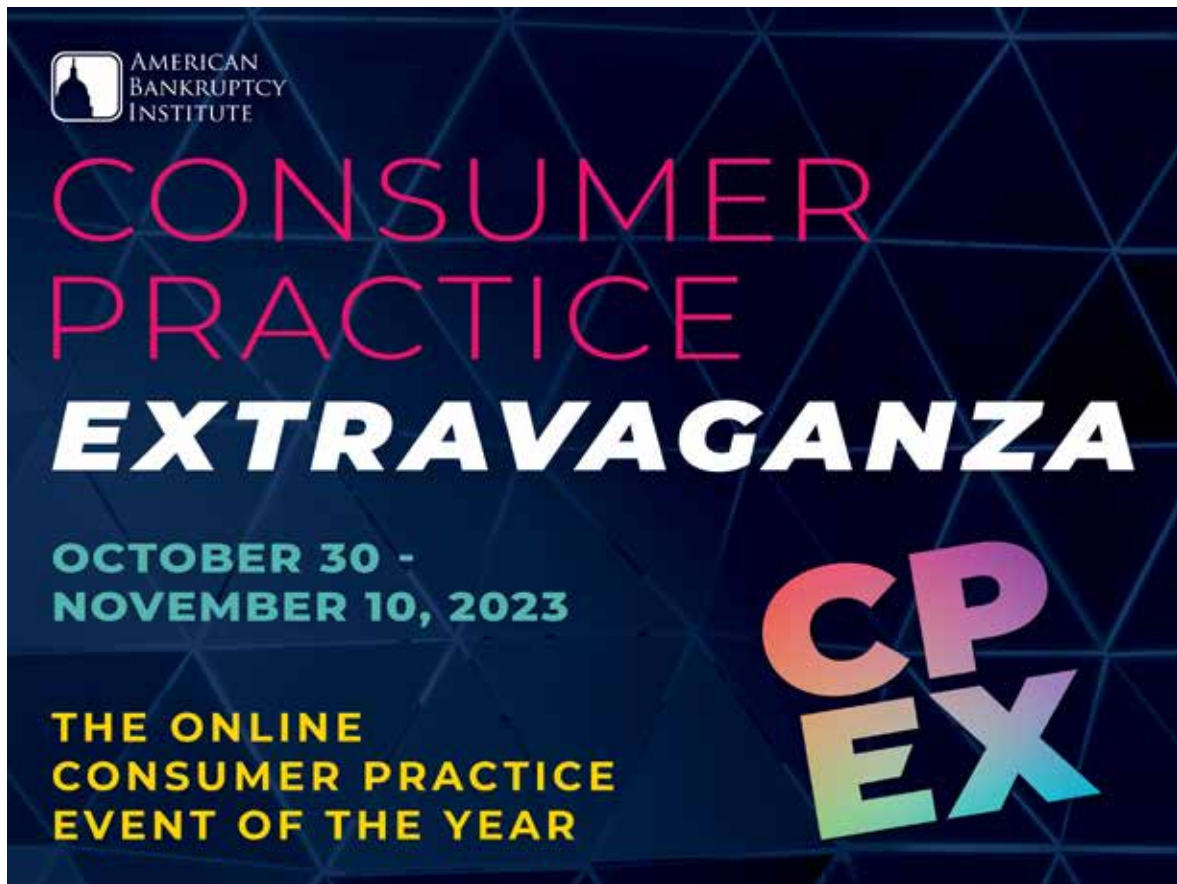
Sottile & Barile, Attorneys at Law; Loveland, Ohio

Igor Roitburg

Stretto | New York

Laurie K. Weatherford

Chapter 13 Trustee | Winter Park, Fla.



**Post-COVID Mortgage Issues in
Chapter 13**



Igor Roitburg
Stretto | New York



Jon J. Lieberman
Sottile & Barile, Attorneys at Law;
Loveland, Ohio



Laurie K. Weatherford
Chapter 13 Trustee | Winter Park,
Fla.



Rachel L. Foley
Foley Law, P.C. | Independence, Mo.



Hon. Elizabeth L. Gunn
U.S. Bankruptcy Court (D. D.C.) |
Washington



Homeowner Assistance Fund (HAF)
authorized by the American Rescue Plan Act.

Materials with permission from John Rao of National Consumer Law Center.





Emergency Rental Assistance



Emergency Rental Assistance

- **\$25 billion** under the Consolidated Appropriations Act, 2021, enacted on December 27, 2020.
- **\$21.55 billion** under the American Rescue Plan Act of 2021, enacted on March 11, 2021.
- Treasury reported in Feb. 2022 that grantees have made over 4.7 million payments to households and spent or obligated approximately \$30 billion in assistance of the program's total \$46 billion.

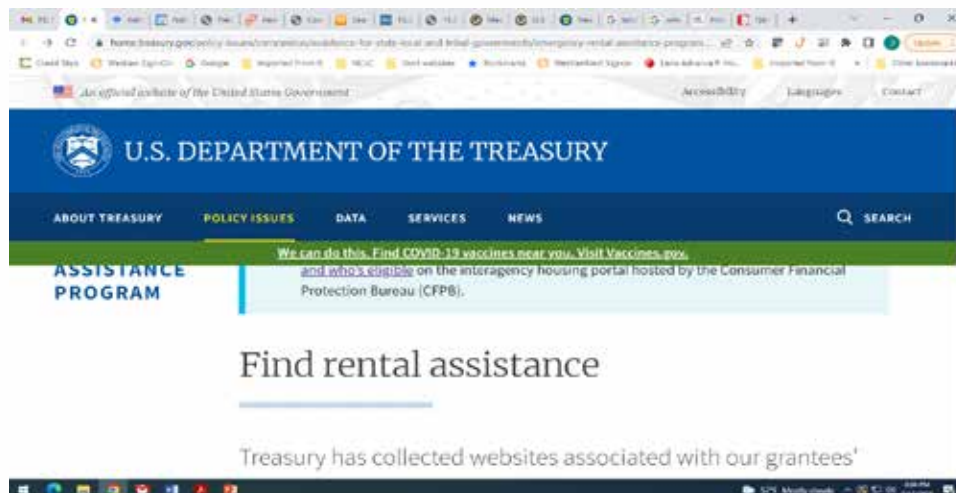


Emergency Rental Assistance

- Funds provided to States, U.S. Territories, local governments, and Indian tribes. Grantees must use funds to assist eligible households through existing or newly created rental assistance programs.
- An eligible household is a renter household that has household income at or below 80 percent of area median and in which at least one or more individuals living in household:
 - qualifies for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19; and
 - can demonstrate a risk of experiencing homelessness or housing instability.



Emergency Rental Assistance





Homeowner's Assistance Fund



Section 3206 of the American Rescue Plan Act of 2021

- American Rescue Plan included Homeowner Assistance Fund, with **\$9.96 billion** in funding to Treasury, to be disbursed to states, territories, and tribes.
- **Purpose:** "preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after Jan 21, 2020."



American Rescue Plan Act of 2021

- Funds targeted to low- and moderate-income homeowners based on area median income and also to “socially disadvantaged individuals.”
- **Qualified expenses:** include mortgage payment assistance, mortgage reinstatement or payment of other housing related costs related to forbearance, delinquency or default; principal reduction; facilitating interest rate reductions; payment assistance for utilities, internet, homeowner’s/ flood/mortgage insurance; and HOA or similar charges.



U.S. Treasury Guidance

- [The guidance](#) provides that HAF funds can be used to cover arrearages prior to Jan. 21, 2020, and a hardship that began before that date but continued or worsened after can be a qualifying hardship.
- Encourages broad and flexible use of waivers for documentation.
- Promotes engagement with community groups.
- Discourages exclusion based on bankruptcy, foreclosure status, other liens, credit score, or previous cash-out refinances.



U.S. Treasury Guidance

- Establishes Treasury's templates as the default text.
- Income limits
 - "Incomes equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater."
- Qualifying Mortgage
 - Reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within the mortgage definition



How it started.

State Specific Programs



[National Council of State Housing Agencies: HAF](https://www.ncsha.org/housing-agencies/haf)
<https://www.ncsha.org/housing-agencies/haf>

 **CONSUMER PRACTICE**
EXTRAVAGANZA 

- Treasury, HUD, VA, and USDA issued on May 9, 2022 a **joint statement** "strongly urging" all servicers of federally backed mortgages to pause foreclosure proceedings when they are notified by a HAF program administrator of a pending HAF application.

- 758



HAF f

- This is a great opportunity to use your people skills and work with the mortgage attorneys to delay the foreclosure
- Fannie Mae (8) guidelines regarding mortgage foreclosure delay:
 - servicer is required to delay foreclosure sale, and
 - any judicial foreclosure trial or execution of a foreclosure sale can be delayed without dismissal of the action.
- n 2022-ure, a as ng for a



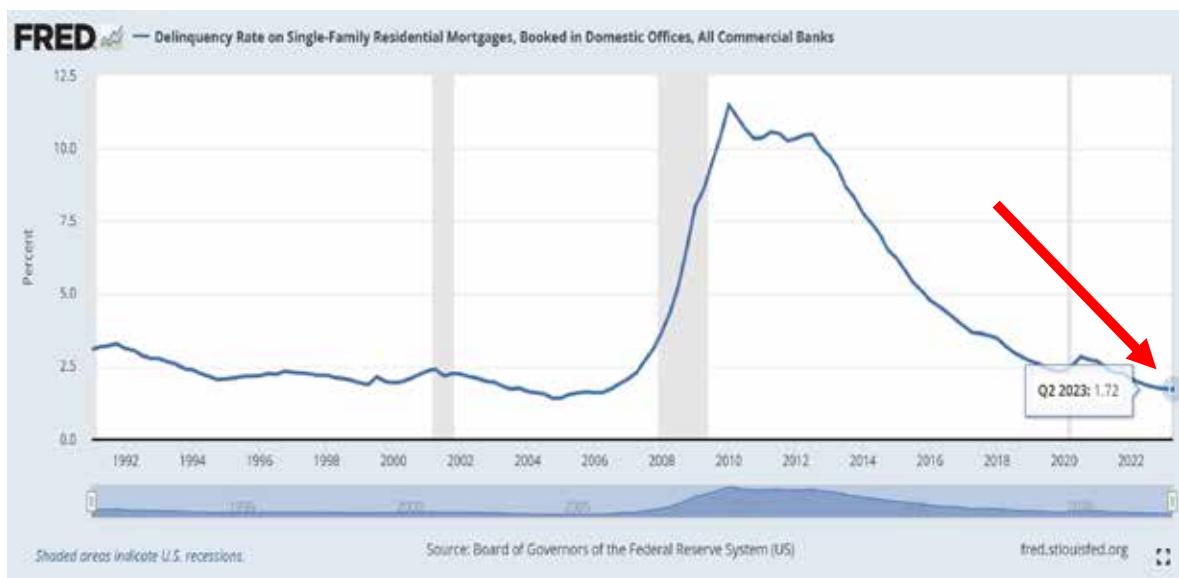
Mortgages in the Pandemic

Mortgage status as of March 2023	Forbearance in March 2021 (%)	60+ days delinquent in March 2021 (%)	Current in March 2021 (%)
Current	52.5	26.4	58.3
30-89 days past due	2.7	8.4	0.6
90+ days past due	1.0	7.8	0.1
Bankruptcy	0.0	0.3	0.0
Foreclosure	0.2	2.7	0.0
Closed	36.0	45.5	39.6
Missing or suppressed	2.5	4.8	0.8
Forbearance	5.1	4.2	0.7
Observations (N)	116,991	8,187	1,443,428



**Most mortgages in
forbearance in March 2021
are current or were closed as
of March 2023**

<https://www.consumerfinance.gov/about-us/blog/office-of-research-blog-how-are-mortgages-with-covid-related-forbearance-performing-in-2023/>





HAF Program Dashboard

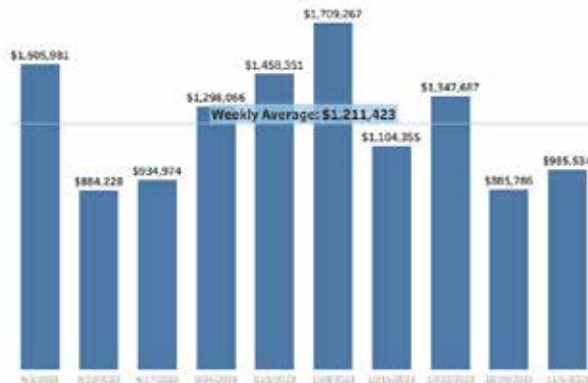


Missouri Homeowner Assistance Fund (HAF) Spending Overview..

Weekly Amounts (last 10 weeks)	Total Amounts (over program lifespan)	Spending by County	Missouri Assistance Coordinating Committee
--------------------------------	---------------------------------------	--------------------	--

HAF Awards By Week

Weekly Award Amounts (last 10 weeks shown)





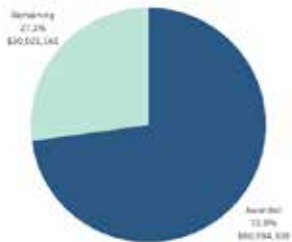
Missouri Homeowner Assistance Fund (HAF) Spending Overview..

Priority & County Goal 100% achieved	Total Amounts (prior program inception)	Spending by County	Mortgage Assistance Outstanding Encumbrance
---	--	--------------------	--

MHDC Total HAF Awards

Total Award Amount	Total Awarded
\$90,594,308	7,277

Percent Awarded of Total Available HAF Dollars



Missouri Homeowner Assistance Fund (HAF) Spending Overview..

Priority & County Goal 100% achieved	Total Amounts (prior program inception)	Spending by County	Mortgage Assistance Outstanding Encumbrance
---	--	--------------------	--

HAF Award Map

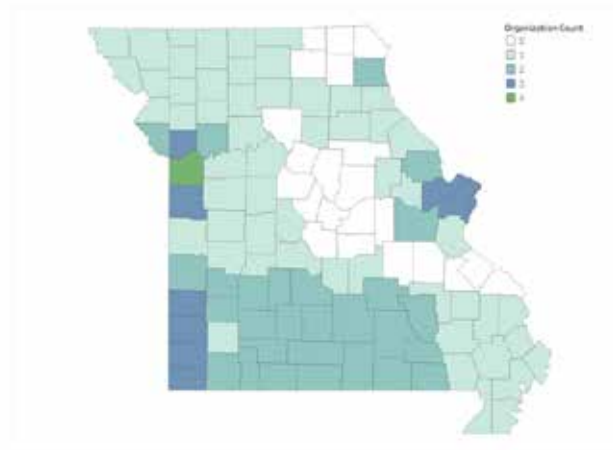




Missouri Homeowner Assistance Fund (HAF) Spending Overview...



MAC Agency Map



Mortgage Market

Federally-Backed Loans

Government Sponsored Enterprises (GSEs)

Fannie Mae

Freddie Mac

Federal Housing Administration (FHA)

Veterans Administration (VA)

U.S. Dept. of Agriculture (USDA)/Rural Development (RD)

Private label securitized loans

Portfolio –private investor owned loans



Agency Waterfalls

- FHA, Fannie Mae, Freddie Mac, VA, and USDA have developed pandemic-specific loss mitigation waterfalls to help borrowers with pandemic hardships.



Investor guidelines

The first step is to determine the relevant investor guidelines:

Non-federally backed loans:

Private label securitized loans

Portfolio –private investor owned loans

- Roughly one-third of home mortgages
- CARES Act never applied to them
- Servicers may have treated like federally-backed for forbearance purposes
- Post-forbearance options will depend on securitization terms (PSA) or lender's own guidelines
- **Borrower may use RESPA Request for Information to learn guidelines**



HAF & *Non-federally backed loans*

- There are no set pandemic relief options or HAF foreclosure pause for loans held in private label securities or in portfolio.
 - It's a reminder how critical it is to identify the investor upfront.
 - This makes HAF very important for PLS and portfolio loans.
 - This makes Chapter 13 an option to stop foreclosure pending receipt of HAF funds



ZOMBIE SECOND MORTGAGES



Typical Zombie MORTGAGE Scenario

2005-2007 – no money down, stated income, high-interest mortgages, inflated home prices, interest only for 5 years

Split loan - \$250K first, \$50K second loan in lieu of downpayment (“80-20 mortgages”)

2008-2011 – housing prices fall, interest only period ends – payments jump

First loan modified (HAMP), second loan is sold, charged-off, stops sending statements

2020-2023 – housing price rise – now equity in houses. Second loans bought by investors



Challenging Zombie Mortgages

Statute of Limitations, Laches and Equitable Defenses

State Law Authority to Foreclose and General Foreclosure Requirements

State Laws that Specifically Regulate Second Mortgages

Contract-Based Claims and Defenses

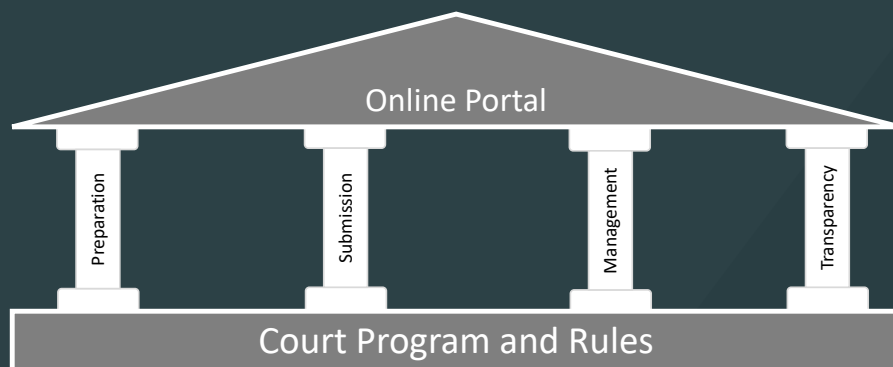
Claims under TILA, RESPA and FDCPA

Bankruptcy Remedies



Building a Bankruptcy Mortgage Modification Program

ELEMENTS OF A SUCCESSFUL PROGRAM



THE BASIC STEPS

Loan Modification Program - Basic Steps

- Step 1: Complete and prepare debtor's mortgage modification package
- Step 2: File Motion with Court requesting participation in the program
- Step 3: Order entered
- Step 4: Submit debtor's mortgage modification package and review through the portal



35

ONLINE PORTAL

Key Features and Benefits

- Created in 2009
- Secure online platform
- Connects all stakeholders to a loss mitigation review
- Document delivery (borrower and servicer)
- Transparent communications
- Court / Trustee access to records
- Easy-to-use



36

Easy-To-Use Interface

- Web-based, no software to install
- Online explanation of step-by-step process
- Most actions performed with one or two clicks of mouse from one main screen
- Training provided
 - Video tutorials / user manuals
 - 90-minute sessions
 - Online or onsite



37

Document Preparation

- Wizard-based with simple, straightforward questions
- Built-in validation to ensure documents are completed with all required information
- Customized debtor- and creditor-specific information and forms
- Eliminates errors in document preparation
- Ensures debtor is prepared to engage in loss mitigation before motion is filed with the Court



38

Document Submission

- Electronic submission within the portal
- Real-time, proof of delivery with time/date stamped
- Automatic indexing of documents
- Document retention and availability
- Documents can be downloaded any time, by any stakeholder
- Transparency, all parties access the same documents
- Automatic status updates



39

Document Delivery

Stretto's online portal solves document delivery issues

- Servicer instructions and forms available for download
 - Borrower knows exactly what's needed
- Electronic submission of all documents
- Real-time delivery of documents
 - Reduces processing times
- Proof of document delivery
 - Every transaction is time/date stamped
- Automatic indexing of all documents
 - Borrower name, loan number, document type and date submitted



40

Real-Time Communication

- Send / receive messages through the DMM Portal
- Reduce / eliminate the need for phones, faxes, texts
- All communications recorded and available for viewing
- All messages time/date stamped
- Email notices sent to all registered email addresses
- Can be used to notify third parties such as courts, Trustees, etc.
- Servicer messages automatically routed to borrower
- Borrower messages automatically routed to assigned associates
- Automatic status updates
- Receipt of package acknowledgement
- Report decision
- Request / receive additional documents based on investor requirements



41

Program Manager

- Single point of contact for Court
- Supervises all submissions
- Ensures debtors and creditors “play by the rules”
- Reports issues to Court
 - Court does not get involved in minutiae
- Eliminates need for Court to certify “mediators”
 - Very difficult to tell the “good” from the “bad”
 - Not your typical mediator needs
- Subject-matter expertise in loan modification



42

Nationwide Footprint is Expanding

- Approximately 500 servicers already using Stretto Default Solutions with other court-ordered programs
 - All major servicers already registered and trained
 - Most prefer the standardization of the process
- Over 25 bankruptcy court divisions already using the portal
 - Arizona
 - California – Central / Northern
 - Florida – Middle / Northern / Southern
 - Indiana – Northern / Southern
 - Michigan – Western
 - Nevada
 - New Jersey
 - North Carolina – Eastern / Middle / Western
 - Ohio – Southern
 - Pennsylvania – Middle / Western
 - South Carolina
 - Texas – Northern / Western
 - West Virginia – Northern
 - Wisconsin – Eastern / Western

43

Please contact us for more information on Stretto Default Solutions, built on DMM Portal.



Igor Roitburg | Managing Director

igor.roitburg@stretto.com

859.663.2928



44

Stretto's Businesses

Best Case by Stretto

- #1 in market share
- Used to prepare more than 80% of bankruptcy cases filed nationwide

Corporate Restructuring Services

- #1 in market share
- Legal noticing, public securities, and preference action services

Trustee Suite by Stretto

- #1 in market share
- Provides Chapter 7 and Subchapter V Trustees with a complete bankruptcy solution

Deposit, Distribution, and Escrow Services

- More than \$3 billion in assets under management



Court Website Links (by Jurisdiction)

Links to Program Rules & Procedures, Documents, Forms, Motions, Program Information, BK Jurisdiction Websites, MMM, LMP Programs



Written by Nate Jeffries
Updated over a week ago

United States Bankruptcy Court



States and Jurisdictions using the Web Portal & docUmods

The information of this site is in your materials.



While many on Wall Street are [crowing about the end](#) of Fed rate hikes, Jamie Dimon remains unconvinced.

The CEO of [JPMorgan Chase](#) said Fed chairman Jerome Powell's current pause on increases to the base rate shouldn't be taken as gospel that the only way is down, saying there's anywhere between 25 to 75 basis points higher the Fed could go.

The leader of America's biggest bank steered clear of throwing down the gauntlet and making an official prediction—instead he told [Yahoo Finance](#) he was merely assessing all options to [make sure the business was ready to adapt](#).

Speaking at a conference in Texas, Dimon said: "I think [the Fed] are right to pause here and see what happens. I suspect that they may not be done."

[Jamie Dimon: JPMorgan Chase CEO says weakest on Wall Street will be exposed by high rates | Fortune](#)



This Photo by Unknown Author is licensed under CC BY

From: [John Rao](#)
To: [Rachel Foley](#)
Subject: Fwd: Homeowner Assistance Fund distribution accelerates despite snags
Date: Monday, October 23, 2023 2:36:36 PM

----- Forwarded message -----

From: **John Rao** <jrao@nclc.org>
Date: Mon, Oct 23, 2023 at 3:10 PM
Subject: Homeowner Assistance Fund distribution accelerates despite snags
To: NCLC Housing <housing-group@nclc.org>

Homeowner Assistance Fund distribution accelerates despite snags

By [Bonnie Sinnock](#) October 19, 2023, 4:26 p.m. EDT 2 Min Read

The latest compliance numbers for [the Homeowner Assistance Fund](#) show that even though some states reported problems getting the money to recipients early this year, overall distribution got faster in the second quarter.

Almost 400,000 people at risk of housing-related distress had received a total of more than \$5.5 billion of money from the \$9.96 billion fund as of June 30, according to a Treasury Department report issued this week.

The money allocated in the second quarter was up 28% from the first and the number of people helped rose from where it stood around the time of the fund's two-year anniversary in March, when the Treasury had reported that it had assisted 230,000 people.

The progress is heartening given the problems with distribution in states like Pennsylvania, which [put its program on hold early this year](#) to transition away from vendor management to an in-house strategy.

The changing landscape of the lending industry and the need for adaptation

The mortgage borrower has evolved, but has the Digital Mortgage kept pace?

[PARTNER INSIGHTS FROM CORELOGIC](#)

Pennsylvania's program is one of five that the National Council of State Housing Agencies listed as suspended at deadline. However, the state maintains an emergency hotline to help those at risk of foreclosure.

Other states with programs paused at the time of this writing were Kansas, Nebraska, New York and Tennessee. In some cases states have paused programs due to the need to establish a waitlist. Fifteen jurisdictions had closed programs. Program status [and eligibility](#) can fluctuate.

Policymakers designed the Homeowner Assistance Fund programs to help borrowers with hardships transition away from temporary foreclosure relief measures available during the pandemic. Mortgage companies have played a key role in the distribution of funds, which many states allocated to rectify delinquencies that could put homeowners at risk of losing their

homes.

[The Federal Housing Finance Agency](#) has required mortgage servicers to suspend foreclosures for up to 60 days if they receive notice a borrower has applied for HAF funds.

Problems with servicer participation remained low in the latest report, constituting just 1% of denials.

The largest contributor to denials, at 39%, was the inability to complete applications in time. The cause of many or 32% of denials wasn't specified.

The next biggest cause of denials at 9% was lack of a pandemic-related hardships, followed by income eligibility (7%), homeowners not meeting their jurisdiction's definition of delinquent (6%), late payments over a program's maximum (3%).

Other applicants were disqualified because their homes weren't primary residences (2%) or they had a principal balance above the conforming limit (1%).

More than half of recipients had incomes lower than 50% of the area median. A little over 21% had an AMI above 50% but below 80%. Around 13% had incomes higher than 80% of the area median but under 100%. Roughly 5% had earnings that topped 100% AMI but ran under 150%.

A very small percentage of recipients, 0.15% had incomes above 150% of the area median. The balance had unspecified incomes.

By ethnicity or race, the three largest groups of recipients were white residents (46.8%), followed by Black or African-American households (35.22%), and Hispanic or Latino homeowners (18.17%). A little over 3% of recipients were Asian borrowers.

Some specific programs outside state authority have been earmarked for indigenous people living on tribal lands.

[Bonnie Sinnock](#)

Capital Markets Editor, National Mortgage News

Using e-mail is inherently insecure. Confidential information, including account numbers, credit card numbers, etc., should never be transmitted via e-mail or e-mail attachment. This e-mail message is confidential and/or privileged and is for the use of the intended recipient only. All other use is prohibited.

HOMEOWNER ASSISTANCE FUND GUIDANCE

U.S. DEPARTMENT OF THE TREASURY

June 12, 2023

INTRODUCTION

The Treasury Department is issuing this guidance regarding the Homeowner Assistance Fund (HAF), which was established under section 3206 of the American Rescue Plan Act of 2021 (the ARP). This guidance may be updated, revised, or modified at any time, and the Secretary of the Treasury may waive the terms of this guidance in her sole discretion to the extent permitted by law.¹

Under the HAF, Treasury will provide financial assistance in an aggregate amount of approximately \$9.9 billion. Treasury has separately published information regarding the allocation of HAF funding for eligible entities.

PURPOSE OF THE HAF

According to the ARP, the HAF was established to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing.

DEFINITIONS

Treasury will apply the following definitions for purposes of this guidance.

100% of the area median income for a household means two times the income limit for very-low income families, for the relevant household size, as published by the Department of Housing and Urban Development (HUD) in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (*see* HUD Office of Native American Programs, Program Guidance No. 2021-01, June 22, 2021).

100% of the median income for the United States means the median income of the United States, as published by HUD for purposes of the HAF.

¹ Guidance for HAF was initially released on April 14, 2021. The guidance was updated on November 12, 2021 to provide additional guidance on the HAF plan process, updated definitions, additional guidance on qualified expenses, administrative revisions arising from tribal consultations, and other updates to program requirements, including to reflect the extension of the deadline for tribes, tribal entities, and the Department of Hawaiian Home Lands to submit a notice of funds request. This guidance was further updated on February 24, 2022 to provide additional guidance on the use of program income, eligible housing counseling services, administrative expenses, eligible uses of funds, and approaches for household income verification. Treasury updated this guidance again on August 8, 2022 to provide additional guidance on the reimbursement of certain qualified expenses, on March 7, 2023 to clarify certain requirements for certain tribes and tribal entities, and on June 12, 2023 to provide guidance on the use of funds for payment assistance or principal reduction for Property Assessed Clean Energy loans.

150% of the area median income for a household means three times the income limit for very-low income families, for the relevant household size, as published by HUD in accordance with 42 U.S.C. 1437a(b)(2) for purposes of the HAF. When determining area median income with respect to tribal members, tribal governments and TDHEs may rely on the methodology authorized by HUD for the Indian Housing Block Grant Program as it pertains to households residing in an Indian area comprising multiple counties (*see* HUD Office of Native American Programs, Program Guidance No. 2021-01, June 22, 2021).

Dwelling means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

Eligible entity means (1) a State, (2) the Department of Hawaiian Home Lands, (3) each Indian Tribe (or, if applicable, the tribally designated housing entity of an Indian Tribe) that was eligible for a grant under Title I of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.) for fiscal year 2020, and (4) any Indian Tribe that opted out of receiving a grant allocation under the Native American Housing Block Grants program formula in fiscal year 2020.

Financial hardship means a material reduction in income or material increase in living expenses associated with the coronavirus pandemic that has created or increased a risk of mortgage delinquency, mortgage default, foreclosure, loss of utilities or home energy services, or displacement for a homeowner.

HAF participant means an eligible entity that receives funds from the HAF.

Mortgage means any credit transaction (1) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (a) a one- to four-unit dwelling, or (b) a residential real property that includes a one- to four-unit dwelling; and (2) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit. For purposes of this definition, the conforming loan limit means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a two-family residence, a mortgage secured by a three-family residence, or a mortgage secured by a four-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)). A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition if it satisfies the criteria in this paragraph, in accordance with applicable state law.

Socially disadvantaged individuals are those whose ability to purchase or own a home has been impaired due to diminished access to credit on reasonable terms as compared to others in comparable economic circumstances, based on disparities in homeownership rates in the HAF participant's jurisdiction as documented by the U.S. Census. The impairment must stem from circumstances beyond their control. Indicators of impairment under this definition may include being a (1) member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society, (2) resident of a majority-minority Census tract; (3) individual with limited English proficiency; (4) resident of a U.S. territory, Indian reservation, or Hawaiian Home

Land, or (5) individual who lives in a persistent-poverty county, meaning any county that has had 20% or more of its population living in poverty over the past 30 years as measured by the three most recent decennial censuses. In addition, an individual may be determined to be a socially disadvantaged individual in accordance with a process developed by a HAF participant for determining whether a homeowner is a socially disadvantaged individual in accordance with applicable law, which may reasonably rely on self-attestations.

State means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

NOTICE OF REQUEST TO RECEIVE HAF PAYMENTS

The ARP requires eligible entities to notify Treasury of their request to receive payment from the HAF. Treasury published a notice of funds request form, available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/homeowner-assistance-fund>, which must be completed, signed by an authorized official of the eligible entity, and returned to Treasury.

If any State (including the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands) did not submit a notice of funds request by April 25, 2021, the State would not have been eligible for a payment from the HAF, and Treasury would have been required to reallocate the funding that was previously allocated to that State among those States that did request funding by the statutory deadline. All States submitted a notice of funds request to Treasury by the deadline and, as such, no reallocations occurred.

The deadline for an Indian Tribe, tribal entity, or the Department of Hawaiian Home Lands to submit a notice of funds request is December 15, 2021.

FINANCIAL ASSISTANCE AGREEMENT

Each eligible entity approved to receive payment from the HAF must enter into a financial assistance agreement with Treasury. A form of the financial assistance agreement is available at <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/homeowner-assistance-fund>.

QUALIFIED EXPENSES

HAF participants may use funding from the HAF only for the following types of qualified expenses that are for the purpose of preventing homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures, homeowner loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship:

1. mortgage payment assistance;
2. financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default;
3. mortgage principal reduction, including with respect to a second mortgage provided by a nonprofit or government entity;
4. facilitating mortgage interest rate reductions;

5. payment assistance for:
 - a. homeowner's utilities, including electric, gas, home energy (including firewood and home heating oil), water, and wastewater;
 - b. homeowner's internet service, including broadband internet access service, as defined in 47 CFR 8.1(b) (or any successor regulation);²
 - c. homeowner's insurance, flood insurance, and mortgage insurance;
 - d. homeowner's association fees or liens, condominium association fees, or common charges, and similar costs payable under a unit occupancy agreement by a resident member/shareholder in a cooperative housing development; and
 - e. down payment assistance loans provided by nonprofit or government entities;
6. payment assistance for delinquent property taxes to prevent homeowner tax foreclosures;
7. measures to prevent homeowner displacement, such as home repairs to maintain the habitability of a home, including the reasonable addition of habitable space to alleviate overcrowding, or assistance to enable households to receive clear title to their properties;
8. counseling or educational efforts by housing counseling agencies approved by HUD or a tribal government (including such efforts by in-house housing counselors who are HUD-certified or Tribally approved), or legal services, targeted to households eligible to be served with funding from the HAF related to foreclosure prevention or displacement, in an aggregate amount up to 5% of the funding from the HAF received by the HAF participant;
9. reimbursement of funds expended by a state, local government, or entity described in clause (3) or (4) of the definition above of "eligible entity" during the period beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the HAF participant under the HAF, for a qualified expense (other than any qualified expense paid directly or indirectly by another federal funding source, or any qualified expenses described in clauses (6), (7), (8), or (10) of this definition);
10. planning, community engagement, needs assessment, and administrative expenses related to the HAF participant's disbursement of HAF funds for qualified expenses, in an aggregate amount not to exceed 15% of the funding from the HAF received by the HAF participant;
11. payment of lot rent for a manufactured home, where such payment would promote housing stability and prevent the default of the resident of the manufactured home;
12. reimbursement of funds expended by a state, local government, or entity described in clause (3) or (4) of the definition above of "eligible entity" during the period beginning on the date the participant received its initial HAF payment and ending on the date the participant received the balance of funds requested in the participant's HAF plan for a qualified expense consistent with the participant's approved HAF Plan (other than any qualified expense paid directly or indirectly by another federal funding source); and

² As of the date of this guidance, the definition of "broadband internet access service" in 47 CFR 8.1(b) is "a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. This term also encompasses any service that the [Federal Communications] Commission finds to be providing a functional equivalent of the service described in the previous sentence or that is used to evade the protections set forth in this part."

13. payment assistance or principal reduction for Property Assessed Clean Energy (PACE) loans, where such expenditures would promote housing stability and prevent foreclosures or homeowner displacement.

If a contractor both plays an administrative role and provides housing counseling or other services, a grantee must allocate costs based on each such activity.

Arrearages of qualified expenses are eligible for purposes of HAF regardless of the date they were incurred, including if they arose before January 2020. Funding from the HAF may not be used for any use other than those provided for in this section. HAF participants may use program income earned during the period of performance as a result of implementing the objectives of the HAF award for eligible purposes outlined in this guidance. “Program income” is defined in 2 C.F.R. § 200.1 as gross income earned by a non-federal entity that is generated directly by a supported activity or earned as a result of the federal award during the period of performance except as provided by 2 C.F.R. § 200.307(f). Program income includes income from fees for services performed, the use or rental of real or personal property acquired under federal awards, and principal and interest on loans made with federal award funds. To the extent that HAF participants use HAF funds to supplement other loss-mitigation efforts, Treasury encourages participants to avoid using HAF funds in a manner that replaces other loss-mitigation resources that would otherwise be available. The HAF Plan (described below) will enable HAF participants to indicate whether they are requesting reimbursements under clause (9) above.

ELIGIBLE HOMEOWNERS

Homeowners³ are eligible to receive amounts allocated to a HAF participant under the HAF if they experienced a financial hardship after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date) and have incomes equal to or less than 150% of the area median income or 100% of the median income for the United States, whichever is greater. A HAF participant may provide HAF funds only to a homeowner with respect to qualified expenses related to the dwelling that is such homeowner’s primary residence.

HAF participants must require homeowners to attest that they experienced financial hardship after January 21, 2020. The attestation must describe the nature of the financial hardship (for example, job loss, reduction in income, or increased costs due to healthcare or the need to care for a family member).

The HAF does not preclude Tribes or TDHEs from providing assistance to members, or individuals otherwise eligible for HAF, who reside outside the tribal government’s geographic jurisdiction. Tribal authorities should confirm that any such assistance can be provided consistently with the Tribe’s constitution and governing law.

Income Determinations. With respect to each household applying for assistance, HAF participants may use HUD’s definition of “annual income” in 24 CFR 5.609 or use adjusted gross income as defined for purposes of reporting on Internal Revenue Service (IRS) Form 1040 series for individual federal annual income tax purposes.

³ A HAF participant may determine an individual to be a “homeowner” if the individual holds a vested legal or equitable ownership interest in the relevant dwelling, in accordance with applicable state law.

HAF participants must have a reasonable basis under the circumstances for determining income for purposes of the requirements described above under “Eligible Homeowners.” Two approaches for income verification are permissible: (1) the household may provide a written attestation as to household income together with supporting documentation such as paystubs, W2s or other wage statements, IRS Form 1099s, tax filings, depository institution statements demonstrating regular income, or an attestation from an employer; or (2) the household may provide a written attestation as to household income and the HAF participant may use a reasonable fact-specific proxy for household income, such as reliance on data regarding average incomes in the household’s geographic area. Grantees may make reasonable determinations as to what constitutes a household for the purposes of the required household income determination.

HAF participants may provide waivers or exceptions to this documentation requirement as reasonably necessary to accommodate extenuating circumstances, such as disabilities, practical challenges related to the pandemic, or a lack of technological access by homeowners; in these cases, the HAF participant is still responsible for making the required determination regarding household income and documenting that determination.

If a HAF participant chooses to require households to provide supporting documentation for purposes of income determination, Treasury encourages HAF participants to avoid establishing documentation requirements that are likely to be barriers to participation for eligible households, including those with irregular incomes such as from a small business. Treasury also encourages grantees to exclude public benefits, such as Supplemental Nutrition Assistance Program benefits, from the calculation of income.

Treasury discourages HAF participants from imposing additional eligibility criteria such as foreclosure status, credit score, bankruptcy status, the existence of liens on the property, or previous cash-out refinances. HAF participants that wish to include additional eligibility criteria beyond those described in this guidance and other program documentation issued by Treasury must explain with specificity how those criteria would further the objectives of the HAF, including how they would help the program reach eligible homeowners.

TARGETING

Not less than 60% of amounts made available to each HAF participant must be used for qualified expenses that assist homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 100% of the median income for the United States, whichever is greater. Any amount not made available to homeowners that meet this income-targeting requirement must be prioritized for assistance to socially disadvantaged individuals, with funds remaining after such prioritization being made available for other eligible homeowners.

INITIAL PAYMENTS

Treasury made initial payments from the HAF available to eligible entities that are approved to participate in the HAF in an amount equal to 10% of the total amount allocated to the eligible entity. In order to receive this initial payment, the eligible entity was required to (1) enter into the financial assistance agreement with Treasury described above and (2) commit to use the funds only for qualified expenses (other than those under clause (9) of the “Qualified Expenses” section above). Treasury made these payments to the eligible entity or agency of the eligible entity

identified on the eligible entity's notice of funds request. No more than 50% of the initial payment was permitted to be used for planning, community engagement, needs assessment, and administrative expenses described in clause (10) of the "Qualified Expenses" section above. Any eligible entity that elected not to receive this initial payment would receive its allocated funds after Treasury approves its HAF plan, as described below.

Treasury encouraged HAF participants to use these initial payments to create or fund pilot programs to serve targeted populations, and to focus on programs that are most likely to deliver resources most quickly to targeted populations, such as mortgage reinstatement programs.

HAF PLAN

To receive the remainder of its allocation, an eligible entity must develop and submit a plan for its use of HAF funding. These HAF plans will describe in detail the needs of homeowners within the relevant jurisdiction, the design of each program the eligible entity proposes to implement using HAF funds, performance goals, and information regarding the eligible entity's readiness to implement the programs. In developing HAF plans, Treasury expects that eligible entities will follow their state open meeting or "sunshine" laws (with associated public hearings conducted in a manner appropriate for local public health conditions), and Treasury encourages eligible entities to post draft HAF plans for public comment and hold public hearings. HAF participants will receive their remaining funds under the HAF only after Treasury approves a HAF plan. Treasury has provided eligible entities with a template for the HAF plan, which includes the following elements.

HAF PLAN SUBMISSION

Treasury will open a portal online for HAF participants to enter and submit their HAF plan. Treasury is extending the deadline for each State to submit a completed HAF plan or provide Treasury with an estimated date by which a HAF plan will be submitted to 14 days after the portal becomes accessible.

A HAF participant may elect to submit a single, comprehensive HAF plan that describes the intended uses for the participant's entire HAF allocation, or multiple, partial HAF plans that each describe only a portion of the intended uses for the participant's allocation. Submission of partial HAF plans may allow HAF participants to proceed more quickly to implement portions of their plan while conducting planning and community engagement for other aspects. Treasury will promptly begin reviewing HAF plans that are submitted before the deadline.

HAF PLAN COMPONENTS

The HAF plan template provided by Treasury includes sample language and term sheet templates that HAF participants may use to develop their plans. Treasury encourages HAF participants to use these examples and templates to promote consistency across programs, minimize operational complexity, and promote a common understanding of eligibility criteria. If deviating from these examples and templates, HAF participants should specifically explain how their approach would further the objectives of the HAF, including the targeting and prioritization requirements.

HAF plans will address the following issues.

- **Homeowner Needs and Engagement:**
 - *Data-Driven Assessment of Homeowner Needs:* HAF participants must provide information and data that they use to design their programs in a way that effectively targets eligible homeowners. HAF participants must include data about financial hardships of target homeowners and socially disadvantaged individuals, including data on mortgage delinquencies, defaults, foreclosures, post-foreclosure evictions, and the loss of utilities or home energy services, including trends over time disaggregated by demographic categories and geographic areas.
 - *Evidence of Public Participation and Community Engagement:* HAF participants should seek input from organizations and individuals representing eligible homeowners regarding the data-driven assessment of homeowner needs. HAF plans must describe the extent to which their information on homeowner needs reflects their engagement with organizations and individuals representing eligible homeowners, and how the HAF participant will allow for public participation in the development of the HAF plan, including any public hearings.
- **Program Design:**
 - *Program Descriptions:* HAF participants must describe each program for which they will use HAF funding. The description must describe the targeted population of homeowners and the financial challenges the program would address based on the data-driven assessment of homeowner needs (e.g., the immediate challenge of mortgage delinquency, or displacement prevention). Each program description must include a description of eligibility requirements; the intended impact on eligible homeowners; the application process; conditions or limitations, including the maximum dollar amount that the program will provide to each homeowner for each type of qualified expense; a description of the payment process; and other available sources of assistance for targeted homeowners. HAF participants must have one or more programs intended to reduce mortgage delinquency among targeted populations.⁴ Treasury encourages HAF participants to consider homeownership preservation programs for low-income households in areas where property taxes and utility costs are increasing, including for households that do not have mortgages. Treasury also encourages HAF participants to consider program designs that leverage utility assistance from other federal programs that have been created expressly for that purpose before using HAF funds for utility assistance.
 - *Equity and Accessibility:* HAF participants should design programs to be as accessible as possible to homeowners in different circumstances, including by offering multiple intake formats, engaging with nonprofit organizations to provide additional pathways into the program, and providing culturally and linguistically

⁴ Tribes and tribal entities are exempt from the requirement to provide one or more programs intended to reduce mortgage delinquency when the tribe or tribal entity's circumstances indicate such requirement would not best serve the homeowners in its community. Such circumstances may include the scarcity of mortgages eligible for assistance in the relevant community; a sufficiently small total HAF allocation such that provision of mortgage assistance is impractical; or evidence that housing needs other than those met by mortgage-delinquency assistance are more pressing in the community and qualified expenses related to such needs will exhaust substantially all of the tribe or tribal entity's total HAF allocation.

relevant outreach.

- *Methods for Targeting HAF Funding:* The HAF plan must describe how the HAF participant will effectively target HAF resources to (1) homeowners having incomes equal to or less than 100% of the area median income or equal to or less than 100% of the median income for the United States, whichever is greater; and (2) socially disadvantaged individuals. The HAF participant must describe its targeting strategies according to disaggregated characteristics of the targeted population such as income ranges, racial and ethnic demographics, and/or geographic areas (including rural communities), as appropriate for the relevant jurisdiction. Targeting methods may include marketing, community engagement strategies, partnerships with housing counseling agencies or legal aid organizations, or other educational services that are aligned with the HAF participant's program design, in a manner that is culturally and linguistically relevant to the targeted communities.

Treasury encourages HAF participants to prioritize assistance to homeowners who have Federal Housing Administration (FHA), Department of Veterans Affairs (VA), or U.S. Department of Agriculture (USDA) mortgages and homeowners who have mortgages made with the proceeds of mortgage revenue bonds or other mortgage programs that target low- and moderate-income borrowers. In addition, homeowners with private mortgages may be at greater risk of foreclosure due to limited options for loss mitigation, so the HAF plan must describe how the HAF participant will determine and address these needs.

- *Best Practices and Coordination with Other HAF participants:* The HAF participant must describe the extent to which its program descriptions or models are based on best practices and/or the participant's effective implementation of a previous program, including those funded with the initial payment under HAF. The HAF participant should describe its efforts to coordinate with other HAF participants, or plan for coordination, including with respect to engagement with mortgage servicers that operate in multiple states or with recipients of other large federal grants or financial assistance funds. Treasury encourages HAF participants to develop and participate in information-sharing with servicers through a Common Data File format. Further, HAF participants should describe any relevant coordination with federal agencies including FHA, VA, and USDA, as well as with state or local agencies that hold mortgage portfolios that have covenants or targeting requirements that match the HAF participants' HAF targeting strategies and goals.

- **Performance Goals:**

- Each HAF participant must establish goals and benchmarks, by program and by targeted population, for assistance using HAF funds. The performance goals must identify how they address homeowner needs identified by the HAF participant in its plan. Performance goals must be disaggregated by key characteristics such as mortgage type, racial and ethnic demographics, and/or geographic areas (including rural communities), as appropriate for the jurisdiction. Each HAF

participant must include a goal focused on reducing mortgage delinquency among targeted populations.

- **Readiness:**
 - *Staffing and Systems:* The HAF participant must describe the staffing and systems in place or planned to ensure effective program delivery, compliance, and reporting, in a manner consistent with applicable program requirements and guidance using the programs described in the plan.
 - *Contracts and Partnerships:* The HAF participant must describe the contractors, partners, and other organizations that are critical to the HAF participant's program delivery, compliance, and reporting.
 - *Existing and Pilot Programs:* The HAF participant must describe in detail how it used its initial 10% payment, if applicable (as described above under "Initial Payments").
- **Budget:**
 - The HAF participant must provide a budget, by qualified expense category, using a template that Treasury will provide.

In lieu of the detailed HAF plans described above, Treasury has provided a streamlined template to be submitted by any HAF participant that is allocated less than \$5 million of HAF funds. Other HAF participants must submit a more detailed HAF plan as described above.

HAF PLAN ASSESSMENTS AND APPROVALS

Treasury will assess HAF plans based on the following factors:

- **Alignment of Community Needs and Program Design:** The extent to which programs are responsive to community needs and based on a best practice model or evidence of the HAF participant's effective implementation of a previous program or pilot program.
- **Alignment of Performance Goals with Data on Targeted Populations:** The extent to which the performance goals would address the needs of specific eligible populations within targeted communities, in a manner that is appropriate to the jurisdiction.
- **Methods of Targeting:** The extent to which the HAF participant describes targeting methods reasonably likely to result in HAF assistance being made available to eligible homeowners consistent with the targeting requirements described in the ARP and in applicable guidance issued by Treasury. Recognizing that homeowners earning up to 100% of the area median income are overrepresented in portfolios of government-backed and guaranteed mortgages compared to the market as a whole, Treasury will favorably consider the prioritization of assistance to homeowners who have FHA, VA, or USDA mortgages, and to homeowners who have mortgages made with the proceeds of mortgage revenue bonds or other mortgage programs that target low- and moderate-income borrowers, when assessing a HAF participant's proposed methods of targeting HAF funds.
- **Readiness:** The extent to which the HAF participant demonstrates readiness to implement a program at scale, including having in place policies and procedures for the program and an appropriate mix of staffing, contractors, and partners. Implementation of a pilot program or pre-existing program that successfully targeted resources to the

targeted populations will be a strong indication of readiness.

- **Alignment of Budget with Performance Goals:** The extent to which the funding budgeted by program reasonably supports the achievement of the performance goals.

Treasury may approve a HAF plan in whole or in part. If Treasury approves a HAF plan only in part, the HAF participant will be provided an opportunity to address the weaknesses identified by Treasury. Treasury may also return a HAF plan to the HAF participant with recommendations for improvement and resubmission to Treasury for reconsideration. In addition, to enable HAF participants to rapidly receive approval for certain HAF-funded programs that can be developed quickly, a HAF participant may elect to submit multiple HAF plans over time regarding different programs it proposes to implement. After Treasury approves a HAF plan in whole or in part, Treasury will inform the HAF participant of the schedule for disbursements to the participant for purposes of the approved portions of the plan.

In the event that the information required in the HAF plan is not available to a Tribe, Treasury will accept alternative information regarding the relevant community. In addition, a HAF plan submitted by a Tribe whose population consists largely or entirely of socially disadvantaged individuals may be tailored to reflect the limited effort necessary to target its programs for those individuals.

A HAF participant must seek prior approval from Treasury to reallocate funding from a program as described in the approved HAF plan to be used for a different purpose if any of the following is true:

- the aggregate reallocations from any qualified expense category equals or exceeds 10% of the amount allocated to that qualified expense category in the HAF plan approved by Treasury;
- the HAF participant is proposing to allocate funding to a new qualified expense category or is creating a new program or terminating a previously approved program; or
- the reallocation redirects 1% or more of the participant's total HAF allocation from program costs to administrative costs.

REPORTING AND MONITORING

HAF participants will be required to submit quarterly reports to Treasury that include financial data, targeting data, and other information. Treasury will release additional guidance regarding HAF reporting. HAF participants will be subject to the reporting requirements under 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to the HAF.


HAF participants will also be required to submit an annual program report to Treasury regarding the impact of the HAF program.

SANCTIONS

In the event of a HAF participant's noncompliance with applicable law or HAF program requirements or guidance, Treasury may impose additional conditions on the receipt of additional HAF funds by the HAF participant, terminate further payments from the HAF, seek the repayment of previous HAF payments, or take other available remedies.

Resources



 Search for articles...

All Collections > Portal Resources > Court Website Links (by Jurisdiction)

Court Website Links (by Jurisdiction)

Links to Program Rules & Procedures, Documents, Forms, Motions, Program Information, BK Jurisdiction Websites. MMM, LMP Programs



Written by Nate Jeffries
Updated over a week ago

United States Bankruptcy Court



States and Jurisdictions using the Web Portal & docUmods

Arizona District of Arizona

Phoenix | Prescott | Tucson | Yuma

[Mortgage Modification Mediation](#)

California - Central District

Los Angeles | Riverside | Santa Ana | Santa Barbara | Woodland Hills

[Loan Modification Management Pilot Program](#)

California - Northern District

Oakland | San Francisco | San Jose | Santa Rosa

[Mortgage Modification Mediation \(MMM\) Program](#)

District of Columbia

All

[Mortgage Modification Mediation](#)

** Please see Rule 6004-3 and Appendix E*

Florida - Middle District

Fort Myers | Jacksonville | Orlando | Tampa

[Mortgage Modification Mediation](#)

Florida - Northern District

Gainesville | Panama City | Pensacola | Tallahassee

[Mortgage Modification Mediation](#)

Florida - Southern District

All Divisions

[Mortgage Modification Mediation Program](#)

Illinois - Northern District

All Divisions

[Chapter 13 Mortgage Modification Mediation Program](#)

Indiana - Northern District

Hammond

[Loss Mitigation Program \(Judge Grant Cases ONLY\)](#)

Indiana - Southern District

Evansville | Indianapolis | New Albany | Terre Haute

[Mediation and Loss Mitigation](#)

Michigan - Western District

Grand Rapids | Marquette | Kalamazoo | Lansing | Traverse City

[Mortgage Modification Program Procedures](#)

Nevada - District of Nevada

Las Vegas | Reno

[Mortgage Modification Program](#)

New Jersey - District of New Jersey

Camden | Newark | Trenton

[Loss Mitigation Program](#)

North Carolina - Eastern District

Fayetteville | Greenville | New Bern | Raleigh | Wilmington | Wilson

[Loan Modification Management Program](#)

North Carolina - Middle District

Durham | Greensboro | Winston Salem

[Loan Modification Management Program](#)

North Carolina - Western District

Asheville | Bryson City | Charlotte, Statesville | Shelby

[Loan Modification Management Program](#)

Ohio - Southern District

Cincinnati | Columbus | Dayton

[Mortgage Modification Mediation Program](#)

Pennsylvania - Middle District

Harrisburg | Wilkes Barre

[Mortgage Modification Mediation Program](#)

Pennsylvania - Western District

Western All Divisions

[Loss Mitigation Program](#)

South Carolina - District of South Carolina

Columbia

[Home Mortgage Modification](#)

Texas - Northern District

Dallas | Fort Worth | All Other Divisions

[Northern District of Texas - Bankruptcy Court](#)

Texas - Western District

Austin | El Paso | Midland | San Antonio | Waco

[Chapter 13 Loan Modification Program](#)

Wisconsin - Eastern District

Milwaukee

[Mortgage Modification Mediation](#)

Wisconsin - Western District

Western All Divisions

[Chapter 13 Mortgage Modification Mediation Program](#)

Did this answer your question?



Resources

[Go To Stretto Default Solutions](#)



We run on Intercom

Faculty

Rachel L. Foley is the founder of Foley Law, PC in Independence, Mo., and handles consumer chapter 7s and 13s in both Kansas and Missouri. She began her bankruptcy career with the United Auto Workers, representing GM and Ford employees in chapter 13 and 7 cases. She was the only bankruptcy attorney for the Missouri auto workers, and it was not unusual for her to manage three to four times the regular attorney caseload at any given time. Ms. Foley previously was a risk manager for Clarkson Regional Health Center and has 20 years of experience in the emergency room as a Registered Respiratory Therapist. She is the inaugural winner of the K. Colleen Nunnally Award by the National Association of Consumer Bankruptcy Attorneys and is recognized by her peers as being the Best of the Kansas City Bar in the area of bankruptcy. She also has been named to the Pro Bono Wall of Fame by the Missouri Bar Association. Ms. Foley frequently speaks nationally and locally on consumer bankruptcy topics. She is a member of the National Association of Consumer Bankruptcy Attorneys, ABI, the Kansas City Bankruptcy Bar Association, the Kansas City Metro Bar Association and the International Women's Restructuring & Insolvency Confederation. Ms. Foley received her undergraduate degree in the sciences and medicine from Creighton University and her J.D. from Creighton School of Law.

Jon J. Lieberman is a partner at Sottile & Barile LLC in Cincinnati, where he primarily represents mortgage lenders and servicers as head of the firm's national bankruptcy litigation and appellate practice. Nationally, he is very active with ABI, the Federal Bar Association and the Turnaround Management Association. Mr. Lieberman serves as both an associate editor and a coordinating editor of the *ABI Journal* and co-authored ABI's *Thorny Issues in Consumer Bankruptcy Cases, Second Edition*. He is former co-chair of ABI's Consumer Bankruptcy Committee, for which he was designated Committee Person of the Year; a former co-chair of ABI's Legislation Committee; and a former Education Director of ABI's Commercial and Regulatory Law Committee. He currently serves as Special Projects Leader of ABI's Bankruptcy Litigation Committee. A former Air Force Officer, Mr. Lieberman is co-chair of Outreach for ABI's Veterans and Servicemembers Task Force, and he served a term on ABI's 40 Under 40 Selection Committee. He currently serves on the editorial board of *The Federal Lawyer*, the journal of the Federal Bar Association, and is secretary of the FBA's national Bankruptcy Law Section. Locally, Mr. Lieberman is former co-chair of the Consumer Bankruptcy Subcommittee of the U.S. Bankruptcy Court for the Southern District of Ohio Attorney Advisory Committee, and is currently a member of its Chapter 11 Subcommittee. He also is a board officer of the Southern District of Ohio Bankruptcy Bench-Bar Conference and a former leader of the Southern District of Ohio's American Bankruptcy Law Forum. Mr. Lieberman is a former member of the Board of Trustees of the Cincinnati Bar Association and a former chair of the CBA's Real Property Law Committee. He is a Louise Taft Semple Classics Scholar, Phi Beta Kappa, *summa cum laude*, distinguished military graduate of the University of Cincinnati and received his J.D. from the University of Cincinnati College of Law in 1990.

Igor Roitburg is a managing director with Stretto in New York and has more than 25 years of combined legal, bankruptcy industry and technology proficiency. Prior to joining Stretto, he served as COO at Default Mitigation Management LLC (DMM), acquired by Stretto, where he co-created the DMM Portal, the industry's leading technology platform specifically designed to facilitate mortgage

and student loan debt resolution. Mr. Roitburg is responsible for overseeing the day-to-day development and integration of the DMM Portal. He directs a team of subject-matter experts who are focused on expanding the adoption of both the mortgage and student loan modification programs with the goal of making debt-resolution a more simplified process for an increased number of nationwide borrowers. Mr. Roitburg has a thorough understanding of the consumer bankruptcy process and the administrative hurdles both lawyers and their clients must navigate to ensure a successful resolution. He received his J.D. from Cornell Law School.

Laurie K. Weatherford is the chapter 13 standing trustee for the Middle District of Florida in Orlando. Prior to her appointment in 1996, Ms. Weatherford was Of Counsel with the law firm of McGuire, Voorhis & Wells, representing primarily debtors and creditor committees in chapter 11 cases, and was a chapter 7 panel trustee. She tried a jury trial in the *In re Braniff* case and helped develop the Mortgage Modification Mediation Program for the U.S. Bankruptcy Court in Orlando. Ms. Weatherford frequently lectures on mortgage modification, student loan and various chapter 13 issues. Ms. Weatherford is a member of the National Association of Chapter 13 Trustees and serves on its Mortgage Committee. She also has served on the board of directors of the Central Florida Bankruptcy Law Association and is a past chairman of the Bankruptcy Committee of Orange County, Fla. Ms. Weatherford received her B.A. with honors from the University of Florida and her J.D. with honors from Cumberland School of Law, where she was an honor court justice, a member of the International Law Moot Court Team and copy editor for the *Cumberland Law Review*.