

CHAPTER 7. ASSIGNMENT DECISION NOTIFICATION

7-1 Positive Decision Notification

A. The Field Office must notify the borrower using the Positive Decision Letter (Appendix A, ASGN-14). A forbearance agreement for the borrower to sign and return with a pre-addressed envelope must be enclosed. In preparing the forbearance agreement, the Field Office must:

1. Prepare the forbearance agreement letter using form HUD-92068-F and form-HUD-92208 that are on file.
 2. Request an updated form HUD-92068-F from the borrower if the financial information in the file is more than 60 days old.
 3. Review any forbearance agreement if the borrower reports that his or her financial situation changed after the Field Office Positive Decision Letter (Appendix A, ASGN-14) was issued.
 4. See Handbook 4330.2 (REV.1) Chapter 5, and Chapter 6, paragraphs 6-2 through 6-4, and refer to Appendix 23 and 24 (Forbearance Agreement Letters).
- B. The Field Office must also notify the lender using the Assignment Acceptance Letter to Lender (Appendix A, ASGN-15).
- C. Refer to paragraph 9-9 for guidance on assigning mortgages after they have been accepted.
- D. If the borrower has filed a bankruptcy petition and the automatic stay is in effect, see paragraph 9-8 for assignment processing guidelines.

7-2 Negative Decision Notification

- A. The Field Office must notify the borrower using the Field Office Negative Decision Letter (Appendix A, ASGN-16).
- B. The Field Office must also send a copy of this letter to the lender.
- C. The Field Office Negative Decision Letter must:
1. State the date of default in the subject line and in the body of the letter
 2. State verbatim the criterion or criteria not met

3. After each criterion, explain the facts and reasoning used to determine why the criterion is not met. The Field Office must make individual findings based on the facts of each case and state the reasoning, as it relates to those findings, why the criteria are not met.

4.If the decision to reject is based on lack of documentation and information, so state.

D.The borrower may appeal the negative decision. See Chapter 8 for the appeal process.

E.If the borrower does not contact HUD within 15 days of the date of the Field Office Negative Decision Letter (Appendix A, ASGN-16), to schedule an appeal conference the Field Office must:

1.Notify the lender in writing, using Appendix A, ASGN-12 that it may proceed with foreclosure.

2.Close out the case in the Automated Assignment Processing System.

NOTE:If the borrower contacts HUD after the 15 days, see "good cause" appeals in paragraph 9-3.
