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EXPRESS SELECT(QM)

## **Program Eligibility Guide**

EFFECTIVE 2/13/2017

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Express Select QM Eligibility Matrix  
Fixed Rate and Hybrid ARM Products

**PRIMARY RESIDENCE | PURCHASE, RATE/TERM REFINANCE**

Transaction Type	Units	FICO	Maximum LTV/CLTV/HCLTV	Maximum Loan Amount <sup>1</sup>
<b>PURCHASE</b>	1	760	85% <sup>2</sup>	\$1,000,000
		720	80%	\$1,500,000
		720	75%	\$2,000,000
		720	70%	\$2,500,000 <sup>3</sup>
		700	70%	\$1,000,000
	2	700	65%	\$1,000,000
		720	60%	\$1,500,000
<b>RATE AND TERM REFINANCE</b>	1	760	85% <sup>2</sup>	\$1,000,000
		720	80%	\$1,000,000
		720	75%	\$1,500,000
		720	70%	\$2,000,000
		700	70%	\$1,000,000
		720	60%	\$2,500,000 <sup>3</sup>
	2	700	65%	\$1,000,000
		720	60%	\$1,500,000

**PRIMARY RESIDENCE | CASH-OUT REFINANCE<sup>4</sup>**

Transaction Type	Units	FICO	Maximum LTV/CLTV/HCLTV	Maximum Loan Amount	Maximum Cash-Out
<b>CASH-OUT REFINANCE</b>	1	720	70%	\$1,000,000	\$250,000
		700	65%	\$1,000,000	\$250,000
		720	65%	\$1,500,000	\$500,000
		720	60%	\$2,000,000	\$500,000
		720	50%	\$2,500,000 <sup>3</sup>	\$750,000

**SECOND HOME | PURCHASE, RATE/TERM REFINANCE**

Transaction Type	Units	FICO	Maximum LTV/CLTV/HCLTV	Maximum Loan Amount <sup>1</sup>
<b>PURCHASE</b>	1	720	80% <sup>5</sup>	\$1,000,000
<b>PURCHASE OR RATE AND TERM REFINANCE</b>	1	720	75%	\$1,000,000
			70%	\$1,500,000
			65%	\$2,000,000
			50%	\$2,500,000 <sup>3</sup>

Express Select QM Eligibility Matrix  
Fixed Rate (20,25,30 year)

**SECOND HOME | CASH-OUT REFINANCE <sup>6</sup>**

Transaction Type	Units	FICO	Maximum LTV/CLTV/HCLTV	Maximum Loan Amount	Maximum Cash-Out
CASH-OUT REFINANCE	1	740	60%	\$1,000,000	\$250,000
			55%	\$1,500,000	\$500,000
			50%	\$2,000,000	\$750,000

**INVESTMENT | PURCHASE, RATE AND TERM REFINANCE <sup>7</sup>**

Transaction Type	Units	FICO	Maximum LTV/CLTV/HCLTV	Maximum Loan Amount
PURCHASE	1-4	740	65%	\$1,000,000
RATE & TERM REFINANCE	1-4	740	60%	\$1,000,000

<sup>1</sup>First-Time Homebuyers are subject to a maximum loan amount of \$1,000,000. Loan amounts up to \$1,500,000 allowed in CA.

~ See Eligible Borrower section for specific requirements for First-Time Homebuyers.

<sup>2</sup>The following requirements apply for transactions with LTVs greater than 80%:

- MI not required
- Secondary financing not allowed
- Maximum DTI 36%
- Non-permanent resident aliens not allowed
- Gift funds not allowed
- Agency High Balance loan amounts are ineligible
- Escrow/impound accounts required for LTVs greater than 80% unless prohibited by applicable laws

<sup>3</sup>Loan amounts >\$2,000,000 are available on 20, 25 and 30 year fixed rate product only.

<sup>4</sup>Texas 50 (a) (6) refinance (Texas Equity Loans) only allowed on 20, 25 and 30 year fixed rate and retail originations only. Additional restrictions apply, please see Jumbo Program Eligibility Supplement.

<sup>5</sup>Second Home Purchases with LTV/CLTV/HCLTVs between 75.01% and 80% are limited to 20, 25, 30 year fixed rate

<sup>6</sup>The following requirements apply for Second Home Cash-Out Refinance transactions:

20, 25, 30 year fixed rate only

<sup>7</sup>The following requirements apply for Investment Property Purchase and Rate and Term Refinance transactions:

- Florida condominiums limited to 50% LTV/CLTV/HCLTV
- Co-ops not allowed
- Gift funds not allowed
- Transaction must be arm's length
- Appraiser to provide rent comparable schedule
- If using rental income an executed lease agreement must be provided; see Rental Income requirements in the
- Income / Employment section for more details
- First-Time Homebuyers not allowed
- 20, 25, 30 year fixed rate only

**EXPRESS SELECT QM LOAN NOTES:**

1. Minimum loan amount is \$424,101 for 1 unit properties, or \$1 above the conforming loan limits for properties with 2-4 units.
2. Loan amounts between conforming loan limits and Agency High Balance loan limits are eligible except on loans with LTVs greater than 80%.
3. Exceptions may be granted on a case-by-case basis for loans with terms or characteristics that are outside of Express Select QM eligibility requirements. Approval of the exception must be granted by the Investor prior to the delivery of the loan.

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p align="center"><b>ELIGIBLE PRODUCTS</b></p>	<p>Fixed Rate</p>	<p>10, 15, 20, 25, 30 year</p>
	<p><b>ARM FEATURES:</b></p> <ul style="list-style-type: none"> <li>» 5/1, 7/1, 10/1 ARM Fully Amortizing, 30 year term</li> <li>» Margin: 2.25</li> <li>» Floor: 2.25</li> <li>» Caps 2/2/5 (Initial, Subsequent, Lifetime) 5/1, 7/1, 10/1 ARMs</li> <li>» Caps 5/2/5 allowed on 7/1, 10/1 ARM</li> <li>» Index: 1 Year LIBOR</li> <li>» Assumable</li> <li>» No Conversion Option</li> <li>» Qualifying Rate:                             <ul style="list-style-type: none"> <li>- 5/1 ARM, qualify with greater of the fully indexed rate or the Note rate +2%.</li> <li>- 7/1 ARM &amp; 10/1 ARM, qualify with the greater of the fully indexed rate or the Note rate.</li> </ul> </li> </ul>	
<p align="center"><b>INELIGIBLE PRODUCTS</b></p>	<ul style="list-style-type: none"> <li>» Higher Priced Mortgage Loans (HPML)</li> <li>» Non-Standard to Standard Refinance Transactions (ATR Exempt)</li> <li>» Higher Priced Covered Transactions (HPCT QM-Rebuttable Presumption)</li> <li>» Balloons</li> <li>» Graduated Payments</li> <li>» Interest only Products</li> <li>» Temporary buy downs</li> <li>» Loans with prepayment penalties</li> <li>» Convertible ARMs</li> </ul>	
<p align="center"><b>UNDERWRITING</b></p>	<ul style="list-style-type: none"> <li>» Manual underwrite is required.</li> <li>» AUS findings are not considered; no documentation waivers are considered.</li> <li>» Unless otherwise noted in CHMW guidelines, the more restrictive of the Fannie Mae Selling Guide or Appendix Q (to part 1026 to 12 CFR Chapter X-Truth-in-Lending Regulation Z) should be followed.</li> <li>» In all cases, the loan file must document the eight (8) ATR rules.</li> <li>» In some cases, exceptions to program eligibility may be acceptable when strong compensating factors exist to offset the risk. Prior exception approval required from the Investor.</li> </ul>	

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>ELIGIBLE BORROWERS</b></p>	<ul style="list-style-type: none"> <li>» <b>First-Time Homebuyers is defined as a borrower who has not owned a home in the last three (3) years. For loans with more than one (1) borrower, where at least one (1) borrower has owned a home in the last three (3) years, first-time homebuyer requirements do not apply.</b> <ul style="list-style-type: none"> <li>- Maximum loan amount is \$1,000,000.</li> <li>- For transactions located in CA, NJ, NY or CT, the maximum loan amount of \$1,500,000 is allowed if the following requirements are met.                             <ul style="list-style-type: none"> <li>• 720 Minimum FICO Score</li> <li>• No gift funds allowed</li> <li>• Primary residence only</li> <li>• Reserve requirements met for FTHB as specified in the Asset section</li> <li>• Maximum 80% LTV/CLTV/HCLTV</li> </ul> </li> </ul> </li> <li>» <b>US Citizens</b></li> <li>» <b>Permanent Resident Aliens with evidence of lawful residency</b> <ul style="list-style-type: none"> <li>- Must be employed in the US for the past twenty-four (24) months.</li> </ul> </li> <li>» <b>Non-Permanent Resident Aliens with evidence of lawful residency are eligible with the following restrictions:</b> <ul style="list-style-type: none"> <li>- Primary residence only</li> <li>- Maximum LTV/CLTV/HCLTV 75%</li> <li>- 20, 25, 30 year fixed rate only</li> <li>- No other financed properties in the US</li> <li>- Unexpired H1B, H2B, E1, L1 and G Series Visas only. G Series Visas must have no diplomatic immunity.</li> <li>- Credit tradeline requirements must be met, no exceptions.</li> <li>- Borrower must have a current 24 month employment history in the US.</li> </ul> </li> <li>» <b>Documentation evidencing lawful residency must be met (see Express Program Eligibility Supplement for requirements).</b></li> <li>» <b>Illinois Land Trust (see Express Select Program Eligibility Supplement for requirements).</b></li> <li>» <b>Inter Vivos Revocable Trust (see Express Select Program Eligibility Supplement for requirements).</b></li> <li>» <b>All borrowers must have a valid Social Security Number.</b></li> </ul>
<p><b>INELIGIBLE BORROWERS</b></p>	<ul style="list-style-type: none"> <li>» <b>Foreign Nationals</b></li> <li>» <b>Borrowers with diplomatic status</b></li> <li>» <b>Life Estates</b></li> <li>» <b>Non-Revocable Trusts</b></li> <li>» <b>Guardianships</b></li> <li>» <b>LLCs, Corporations or Partnerships</b></li> <li>» <b>Land Trusts, except for Illinois Land Trust</b></li> <li>» <b>Non-Occupant Co-Borrowers</b></li> </ul>
<p><b>ELIGIBLE OCCUPANCY TYPES</b></p>	<ul style="list-style-type: none"> <li>» <b>Primary residences for 1-2 units</b></li> <li>» <b>Second Home residences for 1 unit properties</b> <ul style="list-style-type: none"> <li>- Must be a reasonable distance away from borrower's primary residence.</li> <li>- Must be occupied by the borrower for some portion of the year.</li> <li>- Must be suitable for year-round use.</li> <li>- Must not be subject to a rental agreement and borrower must have exclusive control over the property.</li> <li>- Any rental income received on the property cannot be used as qualifying income.</li> </ul> </li> <li>» <b>Investment properties for 1/4 units</b></li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>DOCUMENTATION</b></p>	<ul style="list-style-type: none"> <li>» All loans must be manually underwritten and fully documented. No documentation waivers based on AUS recommendations permitted.</li> <li>» Income calculation worksheet or 1008 with income calculation. The Fannie Mae 1084, Freddie Mac Form 91 or equivalent is required for selfemployment analysis. If using the Fannie Mae Form 1084; for applications on or after 2.01.2016, the Form 1084 must be the most recent form dated 8.25.2015 and the new instructions within the Form 1084 followed.</li> <li>» Full income and asset verification is required.</li> <li>» All credit documents, including title commitment must be no older than 90 days from the Note date.</li> <li>» All appraisals must be no older than 120 days from the Note date. Recertification of value is not allowed. A new appraisal is required.</li> <li>» QM designation must be provided in the loan file. QM designation is not applicable for investment property transactions.</li> <li>» QM designation is QM Safe Harbor OR</li> <li>» QM designation is Not Applicable for investment property transactions when the transaction is exclusively for business purposes. (Refer to §1026.3(a) and the Official Interpretation to §1026.3(a))</li> <li>» Loan file must document the eight (8) Ability to Repay (ATR) rules identified in Part 1026-Truth-in-Lending (Regulation Z).</li> <li>» If subject transaction is paying off a HELOC that is not included in the CLTV/HCLTV calculation, the loan file must contain evidence the HELOC has been closed.</li> <li>» If the 1003, title commitment or credit documents indicate the borrower is a party to a lawsuit, additional documentation must be obtained to determine no negative impact on the borrower's ability to repay, assets or collateral.</li> </ul>
<p><b>DEBT-TO-INCOME RATIO (DTI)</b></p>	<ul style="list-style-type: none"> <li>» <b>Fixed Rate &amp; ARMs:</b> 43.00% for LTVs ≤80%. 36.00% for LTVs &gt;80%.</li> </ul>
<p><b>LTV/CLTV/HCLTV CALCULATIONS FOR REFINANCES</b></p>	<ul style="list-style-type: none"> <li>» If subject property is owned more than twelve (12) months, the LTV/CLTV/HCLTV is based on the current appraised value. The twelve (12) month time frame is defined as prior Note date to subject Note date.</li> </ul> <hr/> <ul style="list-style-type: none"> <li>» If subject property is owned less than twelve (12) months, the LTV/CLTV/HCLTV is based on the lesser of the original purchase price plus documented improvements made after the purchase of the property, or the appraised value. Documented improvements must be supported with receipts. The twelve (12) month time frame is defined as prior Note date to subject Note date.</li> </ul>

**REFINANCE  
TRANSACTIONS**

**RATE AN TERM REFINANCE:**

- » **The new loan amount is limited to pay off the current first lien mortgage, any seasoned non-first lien mortgages, closing costs and prepaid items.**
  - If the first mortgage is a HELOC, evidence it was a purchase money HELOC or it is a seasoned HELOC that has been in place for twelve (12) months and total draws do not exceed \$2000 in the most recent twelve (12) months.
  - A seasoned non-first lien mortgage is a purchase money mortgage or a mortgage that has been in place for 12 months.
  - A seasoned equity line is defined as not having draws totaling over \$2000 in the most recent 12 months. Withdrawal activity must be documented with a transaction history.
  - Max cash back at closing is limited to 1% of the new loan amount.
- » **Properties inherited less than twelve (12) months prior to application date can be considered for a Rate and Term refinance transaction if the following requirements are met:**
  - Must have clear title or copy of probate evidencing borrower was awarded the property.
  - A copy of the will or probate document must be provided, along with the buy-out agreement signed by all beneficiaries.
  - Borrower retains sole ownership of the property after the pay out of the other beneficiaries.
  - Cash back to borrower not to exceed 1% of loan amount

**DELAYED PURCHASE REFINANCING IS ALLOWED WITH THE FOLLOWING REQUIREMENTS:**

- » **Property was purchased by borrower for cash within six (6) months of the loan application**
- » **HUD-1/CD from purchase reflecting no financing obtained for the purchase of the property.**
- » **Preliminary title reflects the borrower as the owner and no liens.**
- » **Funds used to purchase the property are fully documented and sourced and must be the borrower's own funds (no borrowed funds, gift funds, business funds).**
- » **LTV/CLTV/HCLTV for Rate and Term refinances must be met. The loan is treated as a Rate and Term refinance.**
- » **If funds used to purchase the property were secured by a pledged asset or retirement account, it is not considered the borrower's own funds and the transaction would not be eligible for Delayed Financing. See cash-out section below for additional guidance.**
- » **Investment properties are allowed as long as borrower is not a builder or in the construction industry and prior transaction was arm's length.**

**CASH-OUT REFINANCE REQUIREMENTS:**

- » **Borrower must have owned the property for at least six (6) months. If the property is owned free and clear and six (6) month seasoning is not met, refer to Delayed Purchase Refinancing section above.**
- » **Maximum cash-out limitations include the payoff of any unsecured debt, unseasoned liens and any cash in hand.**
- » **Inherited properties may not be refinanced as a cash-out refinance prior to twelve (12) months ownership. See Rate and Term Refinances for requirements.**
- » **Cash-out refinances where the borrower is paying off a loan from a pledged asset/retirement account loan, secured loan, unsecured family loan or replenishing business funds used to purchase the property, the following guidelines apply:**
  - Cash-out limitation is waived if previous transaction was a purchase.
  - Seasoning requirement for cash-out is waived (borrower does not have to have owned for six (6) months prior to subject transaction).



**REFINANCE  
TRANSACTIONS**

- Funds used to purchase the subject property must be documented and sourced.
- HUD-1 for subject transaction must reflect payoff or pay down of pledged asset or retirement account loan. If cashout proceeds exceeds payoff of loans, excess cash must meet cash-out limitations.
- The purchase must have been arm's length.
- Investment properties are ineligible.

**CONTINUITY OF OBLIGATION:**

When at least one (1) borrower on the existing mortgage is also a borrower on the new refinance transaction, continuity of obligation requirements have been met. If continuity of obligation is not met, the following permissible exceptions are allowed for the new refinance to be eligible:

- » **The borrower has been on title for at least 12 months but is not obligated on the existing mortgage that is being refinanced and the borrower meets the following requirements:**
  - Has been making the mortgage payments (including any secondary financing) for the most recent 12 months or
  - Is related to the borrower on the mortgage being refinanced.
- » **The borrower on the new refinance transaction was added to title 24 months or more prior to the disbursement date of the new refinance transaction.**
- » **The borrower on the refinance inherited or was legally awarded the property by a court in the case of divorce, separation or dissolution of a domestic partnership.**
- » **The borrower on the new refinance transaction has been added to title through a transfer from a trust, LLC or partnership. The following requirements apply:**
  - Borrower must have been a beneficiary/creator (trust) or 25% or more owner of the LLC or partnership prior to the transfer.
  - The transferring entity and/or borrower has had a consecutive ownership (on title) for at least the most recent 6 months prior to the disbursement of the new loan.

**NOTE:** Transfer of ownership from a corporation to an individual does not meet the continuity of obligation requirement.

**SECONDARY  
FINANCING**

- » **Institutional Financing only. Seller subordinate financing not allowed.**
- » **Subordinate liens must be recorded and clearly subordinate to the first mortgage lien.**
- » **If there is or will be an outstanding balance at the time of closing, the monthly payment for the subordinate financing must be included in the calculation of the borrower's debt-to-income ratio.**
- » **Full disclosure must be made of the existence of subordinate financing and the subordinate financing repayment terms. The following are acceptable subordinate financing types:**
  - Mortgage terms with interest at market rate.
  - Mortgage with regular payments that cover at least the interest due, resulting in no negative amortization.
- » **Employer subordinate financing is allowed with the following requirements:**
  - Employer must have an Employee Financing Assistance Program in place.
  - Employer may require full repayment of the debt if the borrower's employment ceases before the maturity date.
  - Financing may be structured in any of the following ways.
    - Fully amortizing level monthly payments
    - Deferred payments for some period before changing to fully amortizing payments
    - Deferred payments over the entire term.
    - Forgiveness of debt over time
    - Balloon payment of no less than five (5) years, or the borrower must have sufficient liquidity to pay off the subordinate lien.
- » **LTV/CLTV/HCLTV guidelines must be met for loans with subordinate financing.**
- » **Secondary financing not allowed on LTVs >80%.**

<p><b>TEXAS 50 (A) (6)REFI- NANCE (TEXAS EQUITY LOANS)</b></p>	<p>» <b>Not Allowed</b></p>
<p><b>CONSTRUCTION-TO- PERMANENT FINANCING</b></p>	<p>» <b>The borrower must hold title to the lot which may have been previously acquired or purchased as part of the transaction.</b></p> <p>» <b>LTV/CLTV/HCLTV is determined based on the length of time the borrower has owned the lot. The time frame is defined as the date the lot was purchased to the Note date of the subject transaction.</b></p> <ul style="list-style-type: none"> <li>• For lots owned twelve (12) months or more, the appraised value can be used to calculate the LTV/CLTV/HCLTV.</li> <li>• For lots owned less than twelve (12) months, the LTV/CLTV/HCLTV is based on the lesser of the current appraised value of the property or the total acquisition costs (documented construction costs plus documented purchase price of lot).</li> </ul>
<p><b>CREDIT</b></p>	<p><b>TRADELINE REQUIREMENTS:</b></p> <p>» <b>Minimum three (3) tradelines are required. The following requirements apply:</b></p> <ul style="list-style-type: none"> <li>- One (1) tradeline must be open for 24 months and active within the most recent 6 months.</li> <li>- Two (2) remaining tradelines must be rated for 12 months and may be opened or closed.</li> </ul> <p><b>OR</b></p> <p>» <b>Minimum two (2) tradelines are acceptable if the borrower has a satisfactory mortgage rating for at least 12 months (opened or closed) within the last 24 months and one (1) additional open tradeline.</b></p> <p>» <b>Each borrower contributing income for qualifying must meet the minimum tradeline requirements; however borrowers not contributing income for qualifying purposes are not subject to minimum tradeline requirements.</b></p> <p>» <b>Authorized user accounts are not allowed as an acceptable tradeline</b></p> <p>» <b>Non-traditional credit is not allowed as an acceptable</b></p> <p><b>DISPUTED TRADELINES:</b></p> <p>» <b>All disputed tradelines must be included in the DTI if the account belongs to the borrower unless documentation can be provided that authenticates the dispute</b></p> <p>» <b>Derogatory accounts must be considered in analyzing the borrower's willingness to repay. However if a disputed account has a zero balance and no late payments, it can be disregarded.</b></p> <p><b>MORTGAGE/RENT HISTORY REQUIREMENTS:</b></p> <p>» <b>If the borrower(s) has a mortgage or rental history in the most recent 24 months, a VOM or VOR must be obtained reflecting 0X30 in the last 24 months. Applies to all borrowers on the loan.</b></p> <p>» <b>If the landlord is a party to the transaction or relative of the borrower, cancelled checks or bank statements to verify satisfactory rent history is required; otherwise if not related or a party to the transaction a satisfactory VOR can be provided.</b></p> <p><b>DEROGATORY CREDIT:</b></p> <p>» <b>Bankruptcy, Chapter 7, 11, 13 - Not Allowed.</b></p> <p>» <b>Foreclosure-Not Allowed</b></p> <p>» <b>Short Sale/Deed-in-Lieu-Not Allowed</b></p> <p>» <b>Mortgage accounts that were settled for less, negotiated or short payoffs-Not Allowed</b></p> <p>» <b>Loan Modification-Not Allowed, unless the modification is unrelated to hardship and there is no debt forgiveness as evidenced by supporting documentation.</b></p>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>CREDIT</b></p>	<p><b>OUTSTANDING JUDGMENTS/TAX LIENS:</b></p> <ul style="list-style-type: none"> <li>» Tax liens or judgments must be satisfied prior to or at closing.</li> <li>» Payment plans on prior year tax liens/liabilities are not allowed, must be paid in full.</li> </ul> <p><b>CREDIT INQUIRIES:</b></p> <ul style="list-style-type: none"> <li>» If the credit report indicates recent inquiries within the most recent 120 days of the credit report, the borrower must confirm that they did not obtain additional credit that is not reflected in the credit report or mortgage application. In these instances the borrower must explain the reason for the credit inquiry.</li> <li>» If additional credit was obtained, a verification of that debt must be provided and the borrower must be qualified with the monthly payment.</li> <li>» Confirmation of no new debt may be in the form of a new credit report, pre-close credit report or gap credit report.</li> </ul> <p><b>CREDIT REPORTS-FROZEN BUREAUS:</b></p> <ul style="list-style-type: none"> <li>» Credit reports with bureaus identified as “frozen” are required to be unfrozen and a current credit report with all bureaus unfrozen is required.</li> </ul>
<p><b>LIABILITIES</b></p>	<p><b>LIABILITY REQUIREMENTS:</b></p> <ul style="list-style-type: none"> <li>» The monthly payment on revolving accounts with a balance must be included in the borrower’s DTI, regardless of the number of months remaining. If the credit report does not reflect a payment and the actual payment cannot be determined, a minimum payment may be calculated using the greater of \$10 or 5%.</li> <li>» If the credit report reflects an open-end or net thirty (30) day account, the balance owing must be subtracted from liquid assets.</li> <li>» Loans secured by financial assets (life insurance policies, 401(k), IRAs, CDs, etc.) do not require a payment to be included in the DTI as long as documentation is provided to show the borrower’s financial asset as collateral for the loan.</li> <li>» For all student loans, whether deferred, in forbearance, or in repayment, the monthly payment to be used is the greater of the following:             <ul style="list-style-type: none"> <li>- 1% of the outstanding balance; or</li> <li>- The actual documented payment</li> <li>- If the actual documented payment is less than 1% of the outstanding balance and it will fully amortize the loan with no payment adjustments, the lower fully amortizing payment may be used in qualifying.</li> </ul> </li> <li>» HELOCs with a current outstanding balance with no payment reflected on the credit report may have the payment documented with a current billing statement. HELOCs with a current \$0 balance do not need a payment included in the DTI unless using for down payment or closing costs.</li> <li>» Lease payments, regardless of the number of payments remaining must be included in the DTI.</li> <li>» Installment debts lasting ten (10) months or more must be included in the DTI.</li> <li>» Alimony payments may be deducted from income rather than included as a liability in the DTI.</li> <li>» If the most recent tax return or tax extension indicate a borrower owes money to the IRS or State Tax Authority, evidence of sufficient assets to pay the debt must be documented if the amount due is within ninety (90) days of loan application date.</li> </ul>

## LIABILITIES

## CONTINGENT LIABILITIES:

- » **Co-Signed Loans:** The monthly payment on a co-signed loan may be excluded from the DTI if evidence of timely payments made by the primary obligor (other than the borrower) is provided and there are no late payments reporting on the account.
- » **Court Order:** If the obligation to make payments on a debt has been assigned to another person by court order, the payment may be excluded from the DTI if the following documents are provided.
  - Copy of court order
  - For mortgage debt, a copy of the document transferring ownership of property.
  - If transfer of ownership has not taken place, any late payments associated with the repayment of the debt owing on the mortgage property should be taken into account when reviewing the borrower's credit profile.
- » **Assumption with No Release of Liability:** The debt on a previous mortgage may be excluded from DTI with evidence the borrower no longer owns the property. The following requirements apply:
  - Payment history showing the mortgage on the assumed property has been current during the previous 12 months or
  - The value on the property, as established by an appraisal or sales price on the HUD-1 results in an LTV of 75% or less.

## DEPARTURE RESIDENCE PENDING SALE:

In order to exclude the payment for a borrower's primary residence that is pending sale but will close after the subject transaction the following requirements must be met:

- » **A copy of an executed sales contract for the property pending sale and confirmation all contingencies have been cleared/satisfied.**
- » **The closing date for the departure residence must be within 30 days of the subject transaction note date.**
- » **6 months liquid reserves must be verified for the PITIA of the departure residence.**

## DEPARTURE RESIDENCE SUBJECT TO GUARANTEED BUY-OUT WITH CORPORATION RELOCATION:

In order to exclude the payment for a borrower's primary residence that is part of a Corporate Relocation the following requirements must be met:

- » **Copy of the executed buy-out agreement verifying the borrower has no additional financial responsibility toward the departing residence once the property has been transferred to the 3rd party.**
- » **Guaranteed buy-out by the 3rd party must occur within 4 months of the fully executed guaranteed buy-out agreement.**
- » **Evidence of receipt of equity advance if funds will be used for down payment or closing costs.**
- » **Verification of an additional 6 months PITIA of the departure residence.**

<p style="text-align: center;"><b>LIABILITIES</b></p>	<ul style="list-style-type: none"> <li>» <b>Assumption with No Release of Liability:</b> The debt on a previous mortgage may be excluded from DTI with evidence the borrower no longer owns the property. The following requirements apply:             <ul style="list-style-type: none"> <li>- Payment history showing the mortgage on the assumed property has been current during the previous 12 months or</li> <li>-The value on the property, as established by an appraisal or sales price on the HUD-1 results in an LTV of 75% or less.</li> </ul> </li> </ul> <p><b>DEPARTURE RESIDENCE PENDING SALE:</b></p> <p>In order to exclude the payment for a borrower’s primary residence that is pending sale but will close after the subject transaction the following requirements must be met:</p> <ul style="list-style-type: none"> <li>» <b>A copy of an executed sales contract for the property pending sale and confirmation all contingencies have been cleared/satisfied.</b></li> <li>» <b>The closing date for the departure residence must be within 30 days of the subject transaction note date.</b></li> <li>» <b>6 months liquid reserves must be verified for the PITIA of the departure residence.</b></li> </ul> <p><b>DEPARTURE RESIDENCE SUBJECT TO GUARANTEED BUY-OUT WITH CORPORATION RELOCATION:</b></p> <p>In order to exclude the payment for a borrower’s primary residence that is part of a Corporate Relocation the following requirements must be met:</p> <ul style="list-style-type: none"> <li>» <b>Copy of the executed buy-out agreement verifying the borrower has no additional financial responsibility toward the departing residence once the property has been transferred to the 3rd party.</b></li> <li>» <b>Guaranteed buy-out by the 3rd party must occur within 4 months of the fully executed guaranteed buy-out agreement.</b></li> <li>» <b>Evidence of receipt of equity advance if funds will be used for down payment or closing costs.</b></li> <li>» <b>Verification of an additional 6 months PITIA of the departure residence.</b></li> </ul>
<p style="text-align: center;"><b>ASSETS</b></p>	<p><b>ASSET REQUIREMENTS:</b></p> <p>Beyond the minimum reserve requirements and in an effort to fully document the borrowers’ ability to meet their obligations, borrowers should disclose all liquid assets.</p> <p>Large deposits inconsistent with monthly income or deposits must be verified if using for down payment, reserves or closing costs. Lender is responsible for verifying large deposits did not result in any new undisclosed debt.</p>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

	Asset Type	% Eligible for Calculation of Funds	Additional Requirements
<b>ASSETS</b>	<b>Checking/ Savings/ Money Market/CDs</b>	100%	2 months most recent statements
	<b>Stocks, Bonds, Mutual Funds. Non-vested or restricted stock are not eligible.</b>	100%	2 months most recent statements. Non-vested stock is ineligible
	<b>Retirement Accounts (401k, IRAs etc.)</b>	If borrower is >59 ½, then 70% of the vested value after the reduction of any outstanding loans.	<ul style="list-style-type: none"> <li>» <b>Most recent statement covering a 2 month period</b></li> <li>» <b>Evidence of liquidation if using for down payment or closing costs</b></li> <li>» <b>Retirement accounts that do not allow for any type of withdrawal are ineligible for reserves</b></li> </ul>
		If borrower is <59 ½, then 60% of the vested value after the reduction of any outstanding loans.	
	<b>Cash Value of Life Insurance &amp; Annuities</b>	100% of value unless subject to penalties	Most recent statement(s) covering a 2 month period
	<b>1031 Exchange</b>	Allowed on second home and investment purchases only. Reverse 1031 exchanges not allowed.	<ul style="list-style-type: none"> <li>» <b>HUD-1/CD for both properties.</b></li> <li>» <b>Exchange agreement.</b></li> <li>» <b>Sales contract for exchange property.</b></li> <li>» <b>Verification of funds from the Exchange Intermediary.</b></li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<b>ASSETS</b>	<b>Business Funds</b>	<ul style="list-style-type: none"> <li>» 100% for down payment/closing costs.</li> <li>» Cannot be used for reserves.</li> </ul>	<ul style="list-style-type: none"> <li>» Cash flow analysis required using most recent 3 months business bank statements to determine no negative impact to business.</li> <li>» Borrower must be 100% owner of the business</li> </ul>
	<b>Gift Funds</b>	<ul style="list-style-type: none"> <li>» Gift funds may be used once borrower has contributed 5% of their own funds.</li> <li>» Gift funds not allowed for reserves.</li> <li>» Gift funds not allowed on LTVs &gt;80%.</li> <li>» Gift funds not allowed on investment properties.</li> </ul>	<ul style="list-style-type: none"> <li>» Donor must be immediate family member, future spouse or domestic partner.</li> <li>» Executed gift letter with gift amount and source, donor's name, address, phone number and relationship.</li> <li>» Lender must verify sufficient funds to cover the gift are either in the donor's account or have been transferred to the borrower's account.</li> <li>» Acceptable documentation includes the following:                             <ul style="list-style-type: none"> <li>- Copy of donor's check and borrower's deposit slip.</li> <li>- Copy of donor's withdrawal slip and borrower's deposit slip</li> <li>- Copy of donor's check to the closing agent</li> <li>- A settlement statement/CD showing receipt of the donor's gift check.</li> </ul> </li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

	Reserve Requirements		
	Occupancy	Loan Amount	# of Months
<b>ASSETS</b>	<b>Primary Residence</b>	≤ \$1,000,000 LTV ≤80%	6 months PITIA
		≤ \$1,000,000 LTV >80%	12 months PITIA
		\$1,000,001-\$1,500,000	9 months PITIA
		\$1,500,001-\$2,000,000	12 months PITIA
		\$2,000,001-\$2,500,000	24 months PITIA
	<b>Second Home</b>	≤ \$1,000,000	12 months PITIA
		\$1,000,001-\$1,500,000	18 months PITIA
		\$1,500,001-\$2,000,000	24 months PITIA
		\$2,000,001-\$2,500,000	36 months PITIA
	<b>Investment Property</b>	≤ \$1,000,000	18 months PITIA
	<b>First-Time Homebuyer</b>	≤ \$1,000,000 LTV ≤80%	12 months PITIA
		≤ \$1,000,000 LTV >80%	18 months PITIA
		\$1,000,001-\$1,500,000	15 months PITIA
	<b>ARM Products</b>	All loan amounts	Additional 3 months
	<b>Additional 1-4 Unit Financed Residential Properties Owned</b> (if excluded from the count of multiple financed properties, reserves are not required.)	All loan amounts	Additional 6 months reserves PITIA for each property



**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>FINANCING CONCESSIONS</b></p>	<ul style="list-style-type: none"> <li>» <b>Interested party contributions include funds contributed by the property seller, builder, real estate agent/broker, mortgage lender or their affiliates and/or any other party with an interest in the real estate transaction. The following restrictions for interested party contributions apply:</b> <ul style="list-style-type: none"> <li>- May only be used for closing costs and prepaid expenses and may not be used for down payment or reserves.</li> <li>- Maximum interested party contribution is limited to 6% for primary and second home transactions with LTVs ≤80%; 3% for primary residences with LTVs over 80%; 2% for investment properties regardless of LTV.</li> </ul> </li> </ul>
<p><b>SELLER CONCESSIONS</b></p>	<ul style="list-style-type: none"> <li>» <b>All seller concessions must be addressed in the sales contract, appraisal and HUD-1/CD. A seller concession is defined as any interested party contribution beyond the stated limits (as shown in the prior section, financing concessions) or any amounts not being used for closing costs or prepaid expenses.</b></li> <li>» <b>If a seller concession is present, both the appraised value and the sales price must be reduced by the concession amount for the purposes of calculation LTV/CLTV/HCLTV.</b></li> </ul>
<p><b>PERSONAL PROPERTY</b></p>	<ul style="list-style-type: none"> <li>» <b>Any personal property transferred with a property sale must be deemed to have zero transfer value as indicated by the sales contract and appraisal.</b></li> <li>» <b>If any value is associated with the personal property, the sales price and the appraised value must be reduced by the personal property value for purposes of calculating the LTV/CLTV/HCLTV.</b></li> </ul>
<p><b>INCOME / EMPLOYMENT</b></p>	<p><b>Stable monthly income must meet the following requirements to be considered for qualifying:</b></p> <ul style="list-style-type: none"> <li>• Stable - two (2) year history of receiving the income</li> <li>• Verifiable</li> <li>• High probability of continuing for at least three (3) years</li> </ul> <p><b>When the borrower has less than a two (2) year history of receiving income, the lender must provide a written analysis to justify the determination that the income used to qualify the borrower is stable.</b></p> <p><b>Declining Income:</b> When the borrower has declining income, the most recent twelve (12) months should be used. In certain cases, an average of income for a longer period may be used when the decline is related to a one-time capital expenditure and proper documentation is provided. In all cases, the decline in income must be analyzed to determine if the rate of decline would have a negative impact on the continuance of income and the borrower's ability to repay.</p> <p><b>If declining income is for a non-self-employed borrower, the employer or the borrower should provide an explanation for the decline and the underwriter should provide a written justification for including the declining income in qualifying.</b></p> <p><b>Gaps in Employment:</b> A minimum of two (2) years employment and income history is required to be documented.</p> <ul style="list-style-type: none"> <li>» <b>Select (QM):</b> Gaps in excess of thirty (30) days during the past two (2) years require a satisfactory letter of explanation and the borrower must be employed with their current employer for a minimum of six (6) months to include as qualifying income.</li> </ul>

**INCOME /  
EMPLOYMENT**

**GENERAL DOCUMENTATION REQUIREMENTS:**

- » **Tax transcripts for two (2) years are required to validate all income used for qualifying and must match the documentation in the loan file. For Tax Payer Identity Theft instructions, see Jumbo Program Eligibility Supplement. For cases where the IRS indicates "No Record Found" see Jumbo Program Eligibility Supplement.**
- » **4506-T must be signed and completed for all borrowers.**
  - A signatory attestation box has been added to the signature section of the 4506-T. The IRS will require the new form with the check box and require it be marked. (4506-T Rev. September 2015 Form) Required on all loans closed on or after 03/01/2016.
- » **Income calculation worksheet or 1008 with income calculation. The Fannie Mae 1084, or Freddie Mac Form 91 or equivalent is required for self-employment analysis. The most recent Form 1084 or Form 91 should be used based on application date. Instructions per Form 1084 or Form 91 must be followed.**
- » **Paystubs must meet the following requirements:**
  - Clearly identify the employee/borrower and the employer.
  - Reflect the current pay period and year-to-date earnings.
  - Computer generated.
  - Paystubs issued electronically via email or internet, must show the URL address, date and time printed and identifying information.
  - Year-to-date pay with most recent pay period at the time of application and no earlier than ninety (90) days prior to the Note date.
- » **W-2 forms must be complete and be a copy provided by the employer.**
- » **Verification of Employment Requirements:**

**Requirements below apply when income is positive and included in qualifying income:**

  - Verbal Verification of Employment (VVOE) must be performed no more than ten (10) business days prior to the Note date. The Verbal VOE should include the following information for the borrower:
    - Date of contact
    - Name and title of person contacting the employer
    - Name of employer
    - Start date of employment
    - Employment status and job title
    - Name, phone #, and title of contact person at employer
    - Independent source used to obtain employer phone number
- » **Verification of the existence of borrower's self-employment must be verified through a third party source and no more than thirty (30) calendar days prior to the Note date.**
  - Third party verification can be from a CPA, regulatory agency or applicable licensing bureau. A borrower's website is not acceptable third party source.
  - Listing and address of the borrower's business
  - Name and title of person completing the verification and date of verification.

**INCOME /  
EMPLOYMENT**

- » • Written Verification of Employment may be required for a borrower’s income sourced from commissions, overtime and or other income when the income detail is not clearly documented on W-2 forms or paystubs. Written VOEs cannot be used as a sole source for verification of employment, paystubs and W-2s are still required.

**TAX RETURNS MUST MEET THE FOLLOWING REQUIREMENTS WHEN USED FOR QUALIFYING:**

- » **Personal income tax returns (if applicable) must be complete with all schedules (W-2) forms, K-1s etc.) and must be signed and dated on or before the closing date.**
- » **Business income tax returns (if applicable) must be complete with all schedules and must be signed.**
- » **For unfiled tax returns for the prior year’s tax return, please see the Jumbo Program Eligibility Supplement.**

**UNACCEPTABLE SOURCES OF INCOME:**

- » **Any unverified source**
- » **Deferred compensation**
- » **Temporary income or one-time occurrence income**
- » **Rental income from primary residence or second home**
- » **Retained earnings**
- » **Education benefits**
- » **Trailing spouse income**
- » **Any income that is not legal in accordance with all applicable federal, state and local laws, rules and regulations. Federal law restricts the following activities and therefore the income from these sources are not allowed for qualifying:**
  - Foreign shell banks
  - Medical marijuana dispensaries
  - Any business or activity related to recreational marijuana use, growing, selling or supplying of marijuana, even if legally permitted under state or local law.
  - Businesses engaged in any type of internet gambling.

**Specific Income Documentation Requirements**

**Non-Self Employment Documentation Requirements:**

**Salaried income**

- » **YTD paystub**
- » **W-2s or personal tax returns- 2 years**
- » **VVOE**

**Hourly and Part-Time Income**

- » **YTD paystub**
- » **W-2s or personal tax returns- 2 years**
- » **VVOE**
- » **Stable to increasing income should be averaged over a 2 year period.**

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<b>INCOME / EMPLOYMENT</b>	<b>Commission Income</b>
	<ul style="list-style-type: none"> <li>» YTD paystub</li> <li>» 2 years W-2s if commissions are less than 25% of total income or</li> <li>» 2 years tax returns and W-2 forms required if commissions are <math>\geq</math> 25% of the total income. Unreimbursed business expenses (form 2106) must be subtracted from income.</li> <li>» VVOE</li> <li>» Stable to increasing income should be averaged for the 2 years.</li> </ul>
	<b>Overtime and Bonus Income</b>
	<ul style="list-style-type: none"> <li>» YTD paystub</li> <li>» W-2s or personal tax returns-2 years</li> <li>» VVOE</li> <li>» Stable to increasing income should be averaged for the 2 years</li> </ul>
	<b>2106 Expenses</b>
	<ul style="list-style-type: none"> <li>» Employee business expenses must be deducted from the adjusted gross income.</li> </ul>
	<b>Alimony/Child Support/Separate Maintenance</b>
	<ul style="list-style-type: none"> <li>» Considered with a divorce decree, court ordered separation agreement, or other legal agreement provided the income will continue for at least three (3) years.</li> <li>» If the income is the borrower's primary income source and there is a defined expiration date (even if beyond 3 years) the income may not be acceptable for qualifying purposes.</li> <li>» Evidence receipt of full, regular, timely payments for the most recent 12 months.</li> </ul>
<b>Asset Depletion</b>	
<ul style="list-style-type: none"> <li>» <b>Not allowed. Please see Select Non-QM and Choice Non-QM programs for asset depletion allowed as qualifying income.</b></li> </ul>	

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

**INCOME /  
EMPLOYMENT**

**Borrowers Employed by Family**

- » **YTD paystub**
- » **2 years W-2s and**
- » **2 years personal tax returns**
- » **VVOE**
- » **Borrower's potential ownership in the business must be addressed.**

**Capital Gains**

- » **Must be gains from similar assets for 3 continuous years to be considered as qualifying income.**
- » **If the trend results in a gain it may be added as income**
- » **If the trend results in a loss it may be deducted from total income**
- » **Personal tax returns- 3 years with a consistent history of gains from similar assets.**
- » **Document assets similar to the assets reported as capital gains to support the continuation of the capital gain income.**

**Dividends and Interest Income**

- » **Personal tax returns-2 years**
- » **Documented assets to support the continuation of the interest and dividend income**

**Foreign Income**

- » **YTD paystub**
- » **W-2 forms or the equivalent and personal tax returns reflecting the foreign earned income. Income must be reported on 2 years US tax returns.**
- » **VVOE**
- » **All income must be converted to US Currency.**

**K-1 Income/Loss on Schedule E**

- » **If the income is positive and not used for qualifying, the K-1 is not required.**
- » **If the income is negative, the K-1s for the applicable years are required and if ownership is 25% or greater, see self-employment requirements below.**

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>INCOME / EMPLOYMENT</b></p>	<p><b>Non-taxable Income</b> (Child support, military rations / quarters, disability, foster care, etc.)</p>
	<ul style="list-style-type: none"> <li>» <b>Documentation must be provided to support continuation for 3 years.</b></li> <li>» <b>Income may be grossed up by applicable tax amount. Tax returns must be provided to confirm income is non-taxable.</b></li> <li>» <b>If the borrower is not required to file a federal tax return, gross-up to 25%.</b></li> </ul>
	<p><b>Note Income</b></p>
	<ul style="list-style-type: none"> <li>» <b>Copy of the Note must document the amount, frequency and duration of the payment.</b></li> <li>» <b>Evidence of receipt for the past twelve (12) months and evidence of the Note income must be reflected on personal tax returns.</b></li> <li>» <b>Note income must have a three (3) year continuance.</b></li> </ul>
	<p><b>Projected Income</b></p>
	<p><b>Not allowed on Select QM. May consider on an exception basis if borrower has a non-revocable contract and employment starts within sixty (60) days of closing.</b></p>
	<p><b>Rental Income</b></p>
	<ul style="list-style-type: none"> <li>» <b>All properties (except departing primary residence)</b></li> <li>» <b>Lease agreements must be provided if rental income is used for qualifying purposes.</b> <ul style="list-style-type: none"> <li>- Current lease for each rental property, including commercial properties listed in Part 1 of Schedule E of the 1040s. Rent rolls are not allowed.</li> <li>- If the current lease amount is less than the rental income reported on the tax returns, justification for using the income from the tax returns must be provided and warrant the use of the higher income. If there is no justification, the lease amount less expenses will be considered for rental income/loss.</li> </ul> </li> <li>» <b>Personal tax returns - 2 years</b> <ul style="list-style-type: none"> <li>- For properties listed on Schedule E, rental income should be calculated using net rental income + depreciation + interest + taxes + insurance + HOA divided by applicable months minus PITIA.</li> <li>- If rental income is not available on the borrower's tax returns, net rental income should be calculated using gross rents X75% minus PITIA.</li> </ul> </li> <li>» <b>Net rental income must be added to the borrower's total monthly income.</b></li> <li>» <b>Net rental losses must be added to borrower's total monthly obligations.</b></li> <li>» <b>If the subject property is the borrower's primary residence and generating rental income, the full PITIA should be included in the borrower's total monthly obligations.</b></li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>INCOME / EMPLOYMENT</b></p>	<p><b>Rental Income-Departing Primary Residence</b></p>
	<p>» <b>If the borrower is converting their current primary residence to a rental property and using rental income to offset the payment the following requirements apply:</b></p> <ul style="list-style-type: none"> <li>- Borrower must have documented equity in departure residence of 25%.</li> <li>- Documented equity may be evidenced by an exterior or full appraisal dated within six (6) months of subject transaction OR</li> <li>- Documented equity may be evidenced by the original sales price and the current unpaid principal balance.</li> <li>- Copy of current lease agreement.</li> <li>- Copy of security deposit and evidence of deposit to borrower's account.</li> </ul>
	<p><b>Restricted Stock and Stock Options</b></p>
	<p>» <b>May only be used as qualifying income if the income has been consistently received for two (2) years and is identified on the paystubs, W-2s and tax returns as income and the vesting schedule indicates the income will continue for a minimum of three (3) years at a similar level as prior two (2) years.</b></p> <p>» <b>A two (2) year average of prior income received from RSUs or stock options should be used to calculate the income, with the continuance based on the vesting schedule using a stock price based on the 52 week low for the most recent twelve (12) months reporting at the time of closing. The income used for qualifying must be supported by future vesting based on the stock price used for qualifying and vesting schedule.</b></p>
	<p><b>Retirement Income (Pension, Annuity, 401k, IRA Distributions)</b></p>
	<p>» <b>Existing distribution of assets from an IRA, 401k or similar retirement asset must be sufficient to continue for a minimum of 3 years.</b></p> <ul style="list-style-type: none"> <li>- Distribution must have been set up at least six (6) months prior to loan application if there is no prior history of receipt OR</li> <li>- 2 year history of receipt evidenced.</li> <li>- Distributions cannot be set up or changed solely for loan qualification purposes.</li> </ul> <p>» <b>Document regular and continued receipt of income as verified by any of the following:</b></p> <ul style="list-style-type: none"> <li>- Letters from the organizations providing the income.</li> <li>- Copies of retirement award letters.</li> <li>- Copies of federal income tax returns (signed and dated on or before the closing date).</li> <li>- Most recent IRS W-2 or 1099 forms.</li> <li>- Proof of current receipt with 2 months bank statements.</li> </ul> <p><b>NOTE:</b> If any retirement income will cease within the first three (3) years of the loan, the income may not be used.</p>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

**Social Security Income**

- » **Social Security income must be verified by a Social Security Administration benefit verification letter. If benefits expire within the first three (3) years of the loan, the income may not be used.**
- » **Benefits (children or surviving spouse) with a defined expiration date must have a remaining term of at least three (3) years.**

**Trust Income**

- » **Income from trusts may be used if guaranteed and regular payments will continue for at least 3 years.**
- » **Regular receipt of trust income for the past 12 months must be documented.**
- » **Copy of trust agreement or trustee statement showing:**
  - Total amount of borrower designated trust funds
  - Terms of payment
  - Duration of trust
- » **Portion of income that is non-taxable. Non-taxable trust income must include proof of distribution.**

**Self-Employment**

**Self-Employed borrowers are defined as having 25% or greater ownership or receive 1099 statement to document income. The requirements below apply for Self-Employed borrowers.**

**Income calculations should be based on the Fannie Mae Form 1084 or Freddie Mac Form 91 or equivalent income calculation form. Year-to-date is defined as the period ending as of the most recent tax return through the most recent quarter ending one (1) month prior to the Note date. For tax returns on extension the entire unfiled year is also required. For example: 2014 returns in file and Note date is 7/14/2015 would require 2015 YTD documentation through Q1 or through March 31, 2015. Note date of 8/14/2015 would require YTD documentation covering Q1 and Q2 or through June 30, 2015.**

**Sole Proprietorship**

- » **2 years personal tax returns, signed on or before the closing date.**
  - » **YTD profit and loss statement**
  - » **YTD balance sheet. Tax returns for prior year is not a substitute for balance sheet if most recent quarter falls in previous tax year.**
  - » **Stable to increasing income should be averaged for 2 years.**
- NOTE: YTD P&L and YTD Balance Sheet may be waived if the borrower is a 1099 paid borrower who does not actually own a business if all of the following requirements are met:**
- Schedule C in Block 28 (Total Expenses) must be analyzed in relation to income in Block 7 (Gross Income). Expenses are less than 5% of income.
  - Analysis of Blocks 8 (Advertising), 11 (Contract Labor), 16a (Mortgage Interest, 20 (Rent/Lease) 26 (Wages) must indicate the borrower does not have expenses in these categories.
  - Analysis of Blocks 17 (Legal and Professional Services) and Block 18 (Office Expense) indicate nominal or \$0 expense.
  - Block C (Business Name) does not have a separate business name entity.
  - Year-to-date income in the form of a written VOE or pay history is provided by the employer paying the 1099. YTD income must support prior year's income.

**INCOME /  
EMPLOYMENT**



**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>INCOME / EMPLOYMENT</b></p>	<p>Partnership/ S-Corporation</p>
	<ul style="list-style-type: none"> <li>» <b>2 years personal tax returns, signed on or before the closing date.</b></li> <li>» <b>Two (2) years K-1s reflecting ownership percentage if counting any income from this source in qualifying (K-1 income, W-2 income, capital gains or interest/dividends) or if Schedule E reflects a loss.</b></li> <li>» <b>Two (2) years business tax returns (1065s or 1120s) signed if 25% or greater ownership. Business returns are not required if the income reporting is positive, not declining and not counted as qualifying income.</b></li> <li>» <b>YTD profit and loss statement if 25% or greater ownership.</b></li> <li>» <b>YTD balance sheet if 25% or greater ownership.</b></li> <li>» <b>Stable to increasing income should be averaged for 2 years.</b></li> </ul>
<p><b>MULTIPLE FINANCED PROPERTIES</b></p>	<p>Corporation</p>
	<ul style="list-style-type: none"> <li>» <b>2 years personal tax returns, signed on or before the closing date.</b></li> <li>» <b>2 years business returns (1120) signed if 25% or greater ownership.</b></li> <li>» <b>Business returns must reflect % of ownership for borrower.</b></li> <li>» <b>YTD profit and loss statement if 25% or greater ownership.</b></li> <li>» <b>YTD balance sheet if 25% or greater ownership.</b></li> <li>» <b>Stable to increasing income should be averaged for 2 years</b></li> </ul>
<p><b>PROPERTIES LISTED FOR SALE</b></p>	<ul style="list-style-type: none"> <li>» <b>The borrower(s) may own a total of four (4) financed, 1-4 unit residential properties including the subject property and regardless of the occupancy type of the subject property.</b> <ul style="list-style-type: none"> <li>- Second home cash-out transactions limit the number of financed properties to the subject property and a primary residence.</li> </ul> </li> <li>» <b>All financed 1-4 unit residential properties require an additional six (6) months reserves for each property, unless the exclusions below apply.</b></li> <li>» <b>1-4 unit residential financed properties held in the name of an LLC or other corporation can be excluded from the number of financed properties only when the borrower is not personally obligated for the mortgage.</b></li> <li>» <b>Ownership of commercial or multifamily (five (5) or more units) real estate is not included in this limitation.</b></li> </ul>
	<ul style="list-style-type: none"> <li>» <b>Properties currently listed for sale are not eligible.</b></li> <li>» <b>Properties listed for sale within six (6) months of the application date are acceptable if the following requirements are met.</b> <ul style="list-style-type: none"> <li>- Rate and Term refinance only.</li> <li>- Primary and second homes only.</li> <li>- Documentation provided to show cancellation of listing.</li> <li>- Acceptable letter of explanation from the borrower detailing the rationale for cancelling the listing.</li> </ul> </li> <li>» <b>Cash-out refinances are not eligible if the property was listed for sale within 12 months of the application date.</b></li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

**ELIGIBLE PROPERTIES**

- » **1-2 Unit Owner Occupied Properties**
- » **1 Unit Second Homes**
- » **1-4 Unit Investment Properties**
- » **Condominiums**
  - CPM or PERS allowed
  - Full Review required, warranty to Fannie Mae guidelines
  - Limited review allowed only for detached condominiums
  - Florida condominiums limited to 50% LTV/CLTV/HCLTV on investment transactions
- » **Cooperatives**
  - Must meet Fannie Mae project standards
  - Underlying Blanket Mortgage-any underlying/blanket mortgage for the project may be a balloon mortgage with a remaining term of less than three (3) years, but not less than six (6) months. If the balloon incorporates an adjustable rate feature, the current interest rate may not be subject to an interest rate adjustment prior to the maturity date.
  - Investment properties not allowed
- » **Modular Homes**
- » **Planned Unit Developments (PUDs)**
- » **Properties with ≤ 20 Acres**
  - Properties >10 acres ≤ 20 acres must meet the following:
    - *Maximum land value 35%*
    - *No income producing attributes*
- » **Properties Subject to Existing Oil/Gas Leases must meet the following:**
  - Title endorsement providing coverage to the lender against damage to existing improvements resulting from the exercise of the right to use the surface of the land which is subject to an oil and/or gas lease.
  - No active drilling. Appraiser to comment or current survey to show no active drilling.
  - No lease recorded after the home construction date. Rerecording of a lease after the home was constructed is permitted.
  - Must be connected to public water.

**NOTE:** Properties that fall outside these parameters can be considered on an exception basis.  
**Miscellaneous:** Properties with leased solar panels must meet Fannie Mae requirements.

**ACCEPTABLE FORMS OF OWNERSHIP:**

- » **Fee Simple with title vesting as:**
  - Individual
  - Joint tenants
  - Tenants in Common
- » **Leaseholds must meet Fannie Mae requirements.**
- » **Deed/Resale Restrictions must meet Fannie Mae requirements.**

**INELIGIBLE PROPERTIES**

- » **2-4 unit second home properties**
- » **3-4 unit owner occupied properties**
- » **Condotels / Condo Hotels**
- » **Manufactured Homes/Mobile Homes**
- » **Mixed-Use Properties**
- » **Non-Warrantable Condominiums**
- » **Properties with condition rating of C5/C6**
- » **Properties with construction rating of Q6**
- » **Properties located in Hawaii in lava zones 1 & 2**
- » **Properties > 20 acres**
- » **Unique properties**
- » **Working farms, ranches or orchards**

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

<p><b>NON ARMS-LENGTH TRANSACTIONS</b></p>	<p>A non-arm's length transaction exists whenever the borrower has a personal or business relationship with parties to the transaction which may include the seller, builder, real estate agent, appraiser, lender, title company or other interested party. The following non-arm's length transactions are eligible:</p> <ul style="list-style-type: none"> <li>» Family Sales or Transfers</li> <li>» Property seller acting as their own real estate agent</li> <li>» Borrower acting as their own real estate agent</li> <li>» Borrower is the employee of the originating lender and the lender has an established employee loan program. Evidence of employee program to be included in loan file.</li> <li>» Borrower purchasing from their current landlord (cancelled checks or bank statements required to verify satisfactory pay history between borrower and landlord).</li> </ul> <p>Investment property transactions must be arm's length. Other Non-Arm's Length transactions may be acceptable on an exception basis</p>
<p><b>DISASTER POLICY</b></p>	<p>See Commerce Home Mortgage Operations Policy</p>
<p><b>ESCROW HOLDBACKS</b></p>	<p>Not allowed.</p>
<p><b>APPRAISAL REQUIREMENTS</b></p>	<ul style="list-style-type: none"> <li>» Transferred appraisals are not allowed.</li> <li>» Appraisals must be completed for the subject transaction. Use of a prior appraisal, regardless of the date of the prior appraisal, is not allowed.</li> <li>» Recertification of value is not allowed. If appraisal is over 120 days old, a new full appraisal is required.</li> <li>» Investment properties must contain a rent comparable schedule.</li> <li>» Collateral Desktop Analysis (CDA) with accompanying MLS sheets ordered from Clear Capital is required to support the value of the appraisal. The Lender is responsible for ordering the CDA.             <ul style="list-style-type: none"> <li>- If the CDA returns a value that is "Indeterminate" or if the CDA indicates a lower value than the appraised value that exceeds a 10% tolerance then one (1) of the following requirements must be met:                 <ul style="list-style-type: none"> <li>• A Clear Capital BPO (Broker Price Opinion) and a Clear Capital Value Reconciliation of Three Reports is required. The Value Reconciliation will be used for the appraised value of the property. The Lender is responsible for ordering the BPO and Value Reconciliation through Clear Capital.</li> <li>• A field review or 2nd full appraisal may be provided. The lower of the two values will be used as the appraised value of the property. Borrower is responsible for the field review or 2nd full appraisal.</li> </ul> </li> </ul> </li> <li>» For properties purchased by the seller of the property within ninety (90) days of the fully executed purchase contract the following requirements apply:             <ul style="list-style-type: none"> <li>- Second full appraisal is required.</li> <li>- Property seller on the purchase contract is the owner of record.</li> <li>- The above requirements do not apply if the property seller is a bank that received the property as a result of foreclosure or deed in lieu.</li> </ul> </li> <li>» Appraisal requirements based on loan amount: See next page.</li> </ul>

**EXPRESS SELECT (QM) UNDERWRITING GUIDELINES**

**APPRAISAL  
REQUIREMENTS**

» **Appraisal requirements based on loan amount:**

First Lien Amount	Appraisal Requirements
<b>Purchase Transactions</b>	
≤ \$2,000,000	<b>1 Full Appraisal</b>
> \$2,000,000	<b>2 Full Appraisals</b>
<b>Refinance Transactions</b>	
≤ \$1,000,000	<b>1 Full Appraisal</b>
> \$1,000,000	<b>2 Full Appraisals</b>

» **When two (2) appraisals are required, the following applies:**

- Appraisals must be completed by two (2) independent companies.
- The LTV will be determined by the lower of the two (2) appraised values as long as the lower appraisal supports the value conclusion.
- Both appraisal reports must be reviewed and address any inconsistencies between the two (2) reports and all discrepancies must be reconciled.
- A CDA is required, see requirements listed above for CDAs.
- If the two (2) appraisals are done "subject to" and 1004Ds are required, it is allowable to provide one (1) 1004D. If only one (1) 1004D is provided, it should be for the appraisal that the value of the transaction is being based upon.