

First-time Homebuyer Program 2014 CalHome Funding

LENDER HANDBOOK

City of Garden Grove Community Development Department Neighborhood Improvement Division 11222 Acacia Parkway Garden Grove, CA 92840

Timothy Throne, Program Administrator (714) 741-5789

Program Purpose

The purpose of the City of Garden Grove First-time Homebuyer Programs are to expand home ownership opportunities for low-income households in the City of Garden Grove by providing down payment assistance.

Funding Source

The City of Garden Grove was awarded \$1,000,000 through the State of California CalHome Program.

Program Start Date

The City of Garden Grove will accept reservations for the CalHome First-Time Homebuyer Program beginning February 15, 2016.

Program Information

The City maintains a website at www.HomeInGardenGrove.org where regular updates for home buyers, lenders and real estate agents about the City's First-Time Homebuyer Program are posted.

Assistance Provided

The CalHome First-Time Homebuyer Program provides up to \$60,000 in down payment assistance in the form of a deferred repayment ("silent") loan that requires no payment of principal or interest for thirty years.

The City's loan is intended to conform to the requirements of Fannie Mae, Freddie Mac and FHA for down payment assistance programs sponsored by governmental agencies. As such, the underwriting guidelines of these agencies allow for the exclusion of the City's loan when calculating the borrower's debt-to-income ratio.

Description of the City's Loan

- 30 Year Term
- Repayment of principal and interest is deferred during the term of the loan.
- Loan accrues three percent (3%) simple interest charges
- Full payment of principal and accrued interest is due upon:

- o The end of the 30-year term
- o A transfer of the Title prior to the end of the 30 year term
- o A senior debt reaches it's maturity date, or is fully repaid
- The home is no longer owner occupied
- o A refinance of the existing first mortgage and through the new loan the owner intends to receive cash back ("cash-out refinance"). In this case, the City's loan must be repaid in full as part of the refinanced loan before the owner receives any cash back. Normally, the City will agree to subordinate its loan to a new first mortgage if it is a "rate and term" (no cash out) refinance.
- The City's loan is secured by a promissory note, deed of trust and affordability agreements and covenants. The recorded instruments will be in second position to the buyer's new purchase money first mortgage deed of trust. The City's loan agreements and deed of trusts do not "run with the land" and are not intended to survive foreclosure by a first deed of trust lender. Copies of the City's loan documents are available at www.HomeInGardenGrove.org.
- There is no pre-payment penalty. The unpaid principal balance and accrued interest charges may be paid in full at any time prior to the 30-year term. The City is not equipped to accept partial repayments of principal or interest.

Funding of the City's Loan

The City of Garden Grove will disburse the proceeds of its loan to the borrower's title company at the close of escrow. The disbursement of the City's loan will occur at the same time the borrower's first mortgage is funded. Proceeds of the City's loan are not disbursed directly to the borrower.

Home Buyer Eligibility

In order to qualify for the City of Garden Grove First-Time Homebuyer Program, the applicant(s) must meet the following requirements:

- 1. The applicant(s)'s household income must fall within the low-income program income limits based on household size. See section titled "Income Eligibility" for further details.
- 2. All applicants must complete a comprehensive, eight-hour homebuyer education course through a provider approved by the US Department of Housing and Urban Development. The course

- must have been completed within the last year and prior to submission of a reservation request.
- 3. All applicants must intend to owner-occupy the home purchased.
- 4. All persons holding title to the home must be first-time homebuyers meaning they have not owned a home in the last three years.
- 5. The applicants must contribute at least one percent (1%) of the home purchase price from their own funds. The applicants are free to contribute more than one percent from other sources (e.g. personal savings, gift funds, retirement savings, etc.) but a minimum of one percent from their own sourced and seasoned funds is required.
- 6. The applicants must be approved for a conventional, FHA or VA first mortgage issued by a mortgage company or bank. Private money loans and seller financing are not allowed.
- 7. The property purchased must be located in the City of Garden Grove. The property purchased must be a single family manufactured home.
- 8. The maximum manufactured home purchase price is \$65,500.00.
- 9. The property must be in acceptable condition as determined by a pre-purchase inspection completed by the City of Garden Grove (discussed in more detail below).
- 10. Non-occupant co-signors are not permitted. All applicants to the program must also be borrowers on the loan, on title to the property and intend to owner-occupy the home.

City's Loan is a "Gap" Loan

The City of Garden Grove First-Time Homebuyer Program provides \underline{up} \underline{to} \$60,000 in assistance to qualified homebuyers. The City's loan is intended to fill the gap between the applicant's own buying capacity and the price of the home. Therefore, in some instances the City may approve a loan amount less than \$60,000 if that lesser amount will be sufficient to fill the affordability gap for that buyer. In determining the affordability gap the City will apply the following procedure:

If the applicant's housing debt-to-income ratio ("front end" ratio) is below 30%, then the first mortgage loan amount must be increased to the point where the housing ratio is at least 30% and then the City's loan will be reduced by a like amount. As an alternative to increasing the first mortgage loan amount, the applicant may choose to increase their personal contribution (down payment) to make up for the reduced City loan amount.

No Cash Back to Borrower at Closing

The City's funding instructions to the escrow company will stipulate that any escrow surplus that would otherwise be due to the borrower must be used instead to reduce the principal amount of the City's loan. It does not matter the source or reason of the overage, that amount will be returned to the City and treated as an immediate principal reduction to the City's loan.

Eligible Types of First Mortgages

The first mortgage must be originated by a mortgage company or bank. Private money loans or seller financing are not permitted. The first mortgage must be underwritten to Conventional (Fannie Mae / Freddie Mac), FHA or VA guidelines. The term of the loan may not be less than or more than 30 years. The interest rate must be fixed for the entire term. Loans with variable rates of interest are not permitted. Loans with risky features like pre-payment penalties, interest only, negative amortization, and balloon payment loans are not permitted.

Please note that if the first mortgage loan amount is 80% or less than value of the home, then, the first mortgage must be a conventional loan (not FHA). This avoids the additional cost of mortgage insurance required on an FHA loan. The only exception to this rule is if the lender can document that the borrower does not qualify for a conventional loan but does qualify for an FHA loan. Please include a letter in the City's loan file signed by the loan officer stating the reasons the borrower does not qualify for a conventional loan.

Income Eligibility

The City of Garden Grove First-Time Homebuyer Program is funded through the State of California CalHome grant program. The current income limits are shown below.

Number of Persons in Household

1 2 3 4 5 6 7 8

Lower Income

in \$53,950 \$61,650 \$69,350 \$77,500 \$83,250 \$89,400 \$95,550 \$101,750 Orange County

It is important to note that income eligibility is based on the current earnings for all adult household members (18 years of age or older), even those household members who are not intended to be borrowers on the loan and on title to the home. Household size is determined by counting all household members regardless of their age.

If the applicant has a non-borrowing spouse and the applicant filed their federal income tax return jointly with that spouse in the prior tax year, the City will assume that the spouse is currently a member of the applicant's household unless the applicant can provide a divorce decree or a court-approved legal separation agreement.

If the applicant includes a minor child on their application to the City that was not included as a dependent on their prior year tax return, the applicant must provide documentation to establish that the child is a household member such as a birth certificate, adoption or foster care order, or other evidence was shows that the applicant has legal responsibility for the child and that the child lives with the applicant at the time of application.

Lenders must include income information for adults currently residing in the applicant's household including persons who are not borrowers on the loan and will not be on title to the home. If an adult household member does not have income of any kind, then the lender must include a Certification of Zero Income signed by the adult household member in the applicant's loan file.

The City uses the U.S. Department of Housing and Urban Development's definition of annual income found at 24 CFR Part 5, or "Part 5". Exhibit D has copies of HUD approved income verification documents and affidavits. Lenders are encouraged to use these

forms, or their equivalent, when determining the income of an applicant.

Home Buyer Education Requirement

The City of Garden Grove offers a monthly HUD-approved home buyer education course, which meets the education requirements of the First-Time Homebuyer Program. This workshop is offered in two, four-hour sessions on the same day. Participants can complete both sessions on the same day or separately over different days. All applicants must complete the homebuyer workshop and Certification of Program Eligibility prior to receiving an application. A copy of the certificate of completion must be included in the funding reservation submitted by the lender.

Information about upcoming workshops dates, times and locations may be found at www.HomeInGardenGrove.org. Applicants may also satisfy the education requirement through workshops offered by other HUD-approved education providers providing the workshop is at least eight-hours.

Property Condition Requirements

Each home purchase assisted by the City of Garden must comply with housing quality standards as determined by the City during the home inspection. The City's inspector will provide a report to the lender after the inspection has been completed. If the inspection report shows that there have been serious illegal, non-permitted conversions to the home and/or there are deficiencies so serious that they cannot be repaired within 90 days after the close of escrow by the homeowner, the City will not approve the application.

Applicants will be required to sign an agreement acknowledging that any repairs identified in the City's inspection report must be completed with 90 days after the close of escrow at the applicant's expense.

Applicants should be counseled to avoid entering into purchase agreements for homes that require substantial renovation and/or have non-permitted conversions or additions to the home (e.g. garage converted to living or bedroom).

Please note that if the home was built before 1978, the City will also conduct a lead-based paint inspection and testing. This report will be provided to the lender and applicant. If the City determines that

serious lead based paint hazards exist that cannot be abated prior to occupancy of the home, the City will be unable to provide approval to the application.

Application Process

The City of Garden Grove First-Time Homebuyer Program consists of three phases: Reservation Phase, Submission Phase and Closing Phase. The lender is responsible for submitting all of the documentation related to each phase and cooperating with the City's requirements.

Reservation Phase

In order to reserve funds for the First-Time Homebuyer Program, lender(s) must submit the following to the City of Garden Grove:

- 1. Funding Reservation and Inspection Request Form (see Exhibit A)
- 2. A copy of the fully executed purchase agreement
- 3. A copy of the applicant's homebuyer education certificate.
- 4. A copy of the City's Certification of Program Eligibility (see Exhibit B to the handbook) completed by the homebuyer.

These documents may be submitted by FAX, email or in-person during normal business hours to:

FAX: (714) 741-5136

Email: timothyt@ci.garden-grove.ca.us

City of Garden Grove City Clerk's Office, 3nd Floor 11222 Acacia Parkway Garden Grove, CA 92840 ATTN: Timothy Throne

The reservation documents will have the date and time stamped on them, and a funding reservation notice will be sent to the lender after the documents have been reviewed. The funding reservation is good for 90 days. If the reservation documents are not acceptable the lender will be notified.

Submission Phase

As soon as possible after the opening of escrow, the lender should submit the application package to the City of Garden Grove Neighborhood Improvement Division. The application loan file must include all of the documents identified in the Loan Stacking Check List shown as Exhibit C to this handbook. Incomplete or partial application files will not be accepted. The documents should be secured in a legal size folder with the documents secured by an AVCO-style faster (two-hole punched). The applicant's name should be printed on the folder tab.

The City's review of the loan file may take up to three weeks. During this review the City may require additional documentation prior to issuing a loan approval notice. Delays in receiving the additional documentation from the lender will delay the closing process. Once the City has determined that the application meets all of the requirements of the First-Time Homebuyer Program, the City will issue a loan approval notice to the lender and the applicant.

Closing Phase

Once the loan has been approved, the City's transaction coordinator will prepare the City's loan documents, arrange for the documents to be signed by the borrowers and counter-signed by the City. The transaction coordinator will prepare the City's funding instructions to escrow and coordinate with the escrow officer, title insurance company, and lender to complete the funding and closing of the loan.

Closing Time Frame

It is reasonable to expect that the entire escrow process may take up to 60 days or longer. The City of Garden Grove cannot accommodate "rush" closing requests. However, the lender can help the process by sending in a complete Submission Phase file to the City as soon as possible after escrow has been opened.

Exhibits to Handbook

Exhibit A: Reservation and Inspection Request Form

Exhibit B: Certification of Program Eligibility
Exhibit C: Loan File Stacking Order Checklist
Exhibit D: City Income Verification Documents



CITY OF GARDEN GROVE CALHOME FIRST-TIME HOMEBUYER LOAN

RESERVATION AND INSPECTION REQUEST FORM

Property Information		
Address	:	
Purchase Price	:	
Property Type	:	
Year Built	:	
Property Type	: _	Single-Family Manufactured Home
Buyer(s)' Inforr	mat	tion:
Buye	er:	
Co-buye	er:	
Household Siz	ze:	
Gross, Anni	ual	\$
Household Incom	ie:	
Phone Number	er:	
Cell Number	er:	
E-Mail Addres	SS:	
For Property Ac	ces	SS:
Agent Name:		
Cell Phone:		Office:
Contact Email:		
Lock Box Code:		
Submitted By:		DATE:
Lende	er:	
Lender Conta	ct:	
Contact Phor	ie:	FAX:
Contact Ema	ail:	
1 st Loan Typ	e:	ConventionalFHAVA
1 st Loan Amour	nt:	\$
CalHome Loa	ın:	\$ (max. is \$60,000)
Applicant Contribution:		\$ (min. 1% of purchase price required)
Escrow Closing Date:		
Attach the follow	wir	ng documents with this completed form:
Purchase agreement signed by buyer and seller		
Homebuyer Education Certificate (8 hr HUD certified class)		
Lender's Loan Approval Letter		
Completed City Certification of Program Eligibility		

Send to City of Garden Grove, Attn: Timothy Throne FAX: (714) 741-5136 Email: timothyt@ci.garden-grove.ca.us

CITY OF GARDEN GROVE Calhome FIRST TIME HOMEBUYER LOAN PROGRAM

CERTIFICATION OF PROGRAM ELIGIBILITY

This Certification of Program Eligibility is ONLY intended to determine likely eligibility for the City of Garden Grove CalHome First Time Homebuyer Loan Program. This document is required before a preferred lender can consider any homebuyer eligible for a First Time Homebuyer Loan. If you are interested in this loan program, complete and sign this Certification of Program Eligibility and provide to any City preferred lender to obtain a first mortgage loan ("primary loan").

This Certification of Program Eligibility does not establish, expressly or by implication, that a potential applicant will be qualified for or will be approved for a Program Loan, nor does it guarantee that funding will be available at the time a full application for Program assistance is submitted.

I. PROGRAM ELIGIBILITY

PRO	SKAW ELIGIBILITY
A.	INCOME ELIGIBILITY
1.	Gross Household Income: \$
of the	ed as the combined gross annual income for ALL members be household who will establish as their principal residence ousing unit to be purchased under the Program.
Note	: Income information will be verified by both the

lender for the primary loan and City's Program Operator during the formal application process.

Household Size: _____

"Household" is defined as all persons who will establish as their
principal residence the housing unit to be purchased under the
Program. The occupants may be a single family, one person
living alone, two or more families living together or any other

group of related or unrelated persons who share living

arrangements.

2.

The current (2011) income limits for lower income households in Orange County pursuant to Section 6932 of Title 25 of the California Code of Regulations are set forth below:

2011 INCC	OME LIMITS ¹
	Maximum Allowable
	Income
Household	(Lower Income
Size	Households)
1	\$53,950
2	\$61,650
3	\$69,350
4	\$77,050
5	\$83,250
6	\$89,400
7	\$95,550
8	\$101,750

Locate your household size on the above Income Limits chart. Is your Gross Household Income less than the maximum allowable income limit?

Yes_		No	
IF N	O, THEN YO)U ARE	NOT ELIGIBLE FOR THIS PROGRAM
B.	CREDIT RA	ΓING	
Do y	ou have a m	inimum	credit rating of "fair"?
Yes_		No	
IF N	O, THEN YO	U ARE	NOT ELIGIBLE FOR THIS PROGRAM

I

C. SUFFICIENT FUNDS AVAILABLE

Total all personal funds you have available in the form of liquid assets (savings, checking account funds, and time deposits which are not subject to penalty for early withdrawal). Do NOT include any loans.

¹ Income Limits are provided by the California Department of Housing and Community Development (HCD) and are subject to change without notice

Downpayment Requirements:

By looking at the Downpayment Requirements table above, determine the required 1% minimum downpayment for the housing unit you'd like to purchase using this Program. Compare your total personal funds that you calculated on the previous page to this amount. Do you have enough liquid assets available for the minimum 1% downpayment?

avall	able for the minimum 1% downpayment?
Yes_	No
IF N	D, THEN YOU ARE NOT ELIGIBLE FOR THIS PROGRAM.
D.	Taking the total of your available liquid assets that you calculated in C and deducting the amount that you anticipate to use for the downpayment, is the remaining balance at least enough to pay three (3) months of your total anticipated housing costs (mortgage, taxes, insurance, etc.)?
Yes_	No
IF N	D, THEN YOU ARE NOT ELIGIBLE FOR THIS PROGRAM
E.	Have you had any Ownership Interest in any real property within the past three years?
Yes_	No
IE V	S THEN YOU ARE NOT ELICIPLE FOR THIS DROCDAM

IF YES, THEN YOU ARE NOT ELIGIBLE FOR THIS PROGRAM UNLESS YOU MEET THE DEFINITION OF A "FIRST-TIME HOMEBUYER" AS DEFINED BELOW:

According to Title 25 California Code of Regulations Section 8201(k), "first-time homebuyer" means an individual or individuals or an individual and his or her spouse who have not owned a home during the three-year period before the purchase of a housing unit with Program assistance, except that the following individual or individuals may not be excluded from consideration as a first-time homebuyer under this definition:

- A. A displaced homemaker who, while a homemaker, owned a home with his or her spouse or resided in a home owned by the spouse. A displaced homemaker is an adult who has not, within the preceding two years, worked on a full-time basis as a member of the labor force for a consecutive twelve-month period and who has been unemployed or underemployed, experienced difficulty in obtaining or upgrading employment and worked primarily without remuneration to care for his or her home and family;
- B. A single parent who, while married, owned a home with his or her spouse or resided in a home owned by the spouse. A single parent is an individual who is unmarried or legally separated from a spouse and has one or more minor children for whom the individual has custody or joint custody or is pregnant; and
- C. An individual or individuals who owns or owned, as a principal residence during the three-year period before the purchase of a housing unit with assistance, a dwelling unit whose structure is:
 - 1. not permanently affixed to a permanent foundation in accordance with local or state regulations; or
 - 2. not in compliance with state, local, or model building codes and cannot be brought into compliance with such codes for less than the cost of constructing a permanent structure.

Note: You will be required to submit supporting documentation (divorce decree and other information requested by the Program Operator and/or City) prior to final loan approval. Final determination of eligibility under this definition is at the sole discretion of the City and the Program Operator.

II. HOUSING UNIT INFORMATION (only complete if housing unit to be acquired has been identified)

Address of housing unit to be	
purchased:	

Α.

LOCATION

Is the housing unit located in the City of Garden Grove?
Yes No
IF NO, THEN THIS HOUSING UNIT IS NOT ELIGIBLE FOR THIS PROGRAM.
B. PURCHASE PRICE
Is the purchase price of the housing unit greater than \$65,500?
Yes No
IF YES, THEN THIS HOUSING UNIT IS NOT ELIGIBLE FOR THIS PROGRAM.
C. TYPE OF HOUSING UNIT
Is the housing unit you wish to purchase a single family manufactured home?
Yes No
IF NO, THEN THIS HOUSING UNIT IS NOT ELIGIBLE FOR THIS PROGRAM.
D. PRIMARY RESIDENCE
Do you intend to make the housing unit to be purchased through this Program your primary residence?
Yes No
IF NO, THEN THIS HOUSING UNIT IS NOT ELIGIBLE FOR THIS PROGRAM.
PROGRAM LOAN REPAYMENT TERMS
Do you understand that the financial assistance the City is providing is in the form of a deferred loan that is secured by a subordinate trust deed on the housing unit and must be paid back? There is no forgiveness of the Program Loan principal and interest under any circumstances.
Yes No

ш.

IF NO, THEN YOU SHOULD REFER TO THE PROGRAM GUIDELINES AND SPEAK TO YOUR LENDER OR THE CITY FOR CLARIFICATION PRIOR TO PROCEEDING.

Do you understand that if you purchase a housing unit using this Program, that you will not be able to withdraw equity from the housing unit in the future without first paying off the Program Loan and all interest accrued on the Program Loan (at 3% per year)?

Loan and all integration year)?	rest accrued on the Program Loan (at 3% per
Yes	No
GUIDELINES AN	YOU SHOULD REFER TO THE PROGRAM ND SPEAK TO YOUR LENDER OR THE CITY TION PRIOR TO PROCEEDING.
ownership or title	and that you will not be able to transfer the of this housing unit to another person without be Program Loan and all interest accrued on the 3% per year)?
Yes	No
GUIDELINES AN	YOU SHOULD REFER TO THE PROGRAM ND SPEAK TO YOUR LENDER OR THE CITY TION PRIOR TO PROCEEDING.
Do you understa homebuyer educa	and that you will be required to complete a ation course?
Yes	No
	VOLUME OF A THE OUT OF THE OUT OUT OF THE OUT OUT OF THE OUT

IF NO, THEN YOU SHOULD SPEAK TO THE CITY FOR CLARIFICATION PRIOR TO PROCEEDING.

IV. PRELIMINARY SELF-QUALIFICATION

If you have completed this Certification of Program Eligibility to the best of your ability and have determined that you may be eligible, the next step would be to contact one of the City's preferred lenders. A preferred lender will determine your eligibility for a primary loan, and will instruct you in the next steps necessary to submit a formal application to obtain City approval for participation in the Program.

HOW DO I FIND AN APPROVED LENDER? For a list of approved lenders, contact Neighborhood Improvement staff at (714) 741-5789, or see our website: http://www.ci.gardengrove.ca.us/?q=commdev/neighborhoodimprovement

V. APPLICANT INFORMATION Applicant: Co-applicant: Mailing Address: City, State, Zip Code: Home Phone _____ Cell Phone _____ Email: **Applicant Certification** I acknowledge and agree to the attached eligibility requirements and certify, under penalty of perjury under the laws of the State of California, that all information provided herein is true and correct. Income Verification will be provided. Applicant (print or type) Signature Date Co-Applicant (print or type) Signature Date

OFFICE USE ONLY - Eligible: Yes No

CITY OF GARDEN GROVE CALHOME LOAN PROGRAM

Loan File Stacking Order and Checklist

CalHome Certification of Program Eligibility Signed by ALL Applicants
Signed Affidavit of Intent to Owner Occupy Property
Evidence Property is Located Within Boundaries of City of Garden Grove
Home Buyer Education Certificate from HUD Approved Provider
Buyer's Signed Agreement to Complete Repairs in City Inspection Report
Within 90 Days of Closing (include copy of City Inspection Report)
Natural Hazard Disclosure Report
Loan Transmittal Summary (1008)
Loan Application (1003)
Tri-Merged Mortgage Credit Report
Letters of Explanation for Any Credit Items (If Applicable)
First Mortgage Loan Approval Letter (include loan amount, loan type, and
conditions to final approval)
Verification of Employment
Pay Stubs for past two months
Year-to-Date Profit & Loss Statement (If Applicable)
Income Documents for all Non-Borrowing Adult Household Member <u>OR</u>
Signed No-Income Certification Form.
Federal Income Tax Returns for Past Three Years
W2 Forms for Past Three Years
Bank Statement From All Accounts for Past Six Months (including
retirement savings)
Escrow Deposit Receipt
Fully Executed Purchase Agreement (include all addendums)
Escrow Instructions
Escrow's Estimated Closing Statement
Escrow Vesting Amendment
Appraisal Report (Print Legal Size Paper)
Preliminary Title Report
Good Faith Estimate
Truth in Lending
IRS Form 4506 T
Borrower Authorization & Certification
Misc Lender Disclosures

Use legal size folder with all documents bound by two-hole punch at top with AVCO-style fasteners. Deliver file to:

City of Garden Grove Community Development Department Attn: Timothy Throne 11222 Acacia Pkwy Garden Grove, CA 92840