



P.O. Box 24606

West Palm Beach, FL 33416

## Home Equity Conversion Mortgage (HECM) Non-Borrowing Spouse Information Sheet

**Instructions:** Please provide the information requested below to assist in identifying spouses who may potentially be eligible to remain in the mortgaged property after the death of the last remaining HECM borrower.

Should you have questions regarding this effort, please contact your loan servicer, PHH Mortgage Services, at 1-866-503-5559 or email [Occupancy@PHHReverse.com](mailto:Occupancy@PHHReverse.com).

### HECM Loan Information

Street Address:

FHA Case Number:

City, State & Zip:

HECM Origination Date:

Name of Borrower:

### Basic Eligibility Questions

1. Is the borrower identified above currently single/unmarried? YES \_\_\_\_\_ NO \_\_\_\_\_

2. If "no", is the borrower's current spouse named on the HECM? YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

### Non-Borrowing Spouse Information

**If the answer to both questions above is "no":** The borrower's spouse may be eligible for a deferral, provided that the mortgagee election to assign the HECM to FHA. Please provide the following basic information concerning the non-borrowing spouse's potential eligibility. (If the non-borrowing spouse does not have a Social Security Number, the non-borrowing spouse's Taxpayer Identification Number may be provided). Note that satisfaction of the eligibility criteria does not guarantee or required that the mortgagee will elect the MOE Assignment.

**If the answer to one or both questions above is "yes":** It is not necessary to complete this section.

Please mail this form to the address listed below.

3. Spouse's Full Name:

4. Spouse's Social Security Number or Taxpayer Identification Number:

5. Spouse's Date of Birth (MM/DD/YYYY):

6. Date of Marriage (MM/DD/YYYY):

7. Do the HECM borrower and his/her spouse meet Requirement 2a or 2b in the provided fact sheet? YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, please supply supporting documentation.

**Please complete all information and return by email to [Occupancy@PHHReverse.com](mailto:Occupancy@PHHReverse.com).**

**If you are unable to return this form by email, please use one of the other methods below.**

**Mail:** Onity Mortgage | PO Box 24606 | West Palm Beach, FL 33416 **Fax:** 1-561-682-8644

## Home Equity Conversion Mortgage (HECM)

### Eligible Surviving Non-Borrowing Spouse Fact Sheet

HECM's with case numbers assigned prior to August 4, 2014, where the borrower has an Eligible Surviving Non-Borrowing Spouse, the mortgage lender might elect to assign the loan to FHA, thereby deferring the immediate obligation to pay off the loan after the last HECM borrower dies. If among other requirements, the following specific conditions are met and continue to be met throughout the duration of the deferral period.

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| 1. The HECM is not in default or eligible to be called due and payable for any reason other than the last borrower's death (e.g. failure to pay property taxes or make hazard insurance payments).   |
| 2. The borrower and their spouse were either: <ul style="list-style-type: none"><li>a. Legally Married<sup>1</sup> at the time the HECM closed and remained married until the HECM borrower's death <b>OR</b></li><li>b. Engaged in a committed relationship akin to marriage but were legally prohibited from marrying before the closing of the HECM because of the gender of the borrower and Non-Borrowing Spouse, if the spouses legally married before the death of the borrower and remained married until the death of the borrowing spouse.</li></ul> |

**AND**

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| 3. The Non-Borrowing Spouse lived in the property at loan closing and continues to live in the property as their Principal Residence <sup>2</sup> . |
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<sup>1</sup> "Legally married" means a marriage that is legal under either 1) the law of the state in which the spouse and borrower lived or 2) the state in which the spouses married.

<sup>2</sup> "Principal Residence" is defined as the dwelling where the borrower and Non-Borrowing Spouse maintain their permanent place of abode, and typically spend the majority of the calendar year. A person may have only one Principal Residence at any one time. The Property shall be considered to be the Principal Residence of any Non-Borrowing Spouse who is temporarily in a health care institution, as long as 1) the Property is the Principal Residence of the borrowing spouse, who physically resides in the property OR 2) there is no surviving borrower and the Eligible Surviving Non-Borrowing Spouse physically occupied the property immediately prior to entering the health care institution and the Eligible Surviving Non-Borrowing Spouse's residency in a health care institution does not exceed twelve consecutive months.