

From: dabada2@aol.com
Sent: Wednesday, September 22, 2010 2:27 PM
To: !FHFA REG-COMMENTS
Subject: Guidance on Private Transfer Fee Covenants, (No. 2010-N-11)

Mr. Alfred Pollard
General Counsel
Federal Housing Finance Agency
1700 G Street, NW
Washington DC 20552
ATTN: Public Comments "Guidance on Private Transfer Fee Covenants, (No.2010-N-11)

On August 16, 2010, the Federal Housing Finance Agency (FHFA) announced that it is going to ban certain fees that homeowners associations across the nation (including mine) use to fund maintenance projects and to build up savings for unanticipated expenses. If FHFA bans these fees, my entire community will be cut off from most mortgage financing. This will devastate my community and make it almost impossible to sell my home.

One out of every five Americans lives in a community or homeowners association. The vast majority of these associations require all new homeowners to make an upfront payment to fund the ongoing obligations of the association. These fees are disclosed to buyers, along with the rate of regular assessments that all association residents pay, prior to closing.

FHFA's proposal to prohibit Fannie Mae, Freddie Mac and the Federal Home Loan Banks (the GSEs) from buying or investing in mortgages on homes in community associations with deed-based transfer fees will cause further harm. Since the fees are embedded in the properties' deeds, it is almost impossible to remove them. Most communities will immediately become off-limits for the GSEs. Without access to credit, homeowners will suffer, not because they made a bad decision, but because FHFA was trying to "help." A survey of Community Associations Institute's member communities suggests that up to a quarter of the more than 24 million housing units in community associations could be blocked from mortgage financing under this rule.

If FHFA wants to help, the agency should focus its efforts on examining the impact of fees payable to third parties not connected to the underlying property or community associations. These fees are a recent development and deserve close examination by regulators. Fees that directly support the underlying property, and concern the land in question, have a more than a 30-year track record of benefiting communities.

I request you write FHFA and demand the agency revise or withdraw its ill-conceived GSE mortgage purchasing guidance on transfer fees. Please let me know what you are doing to stop FHFA and help our housing market to recover.

Sincerely,
John and Eileen Ferrarie