

From: kenneth myers [myers_ken_laura@msn.com]

Sent: Thursday, September 23, 2010 8:51 PM

To: !FHFA REG-COMMENTS

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

September 24, 2010

3128 Parkside Lane

Williamsburg, VA 23185

Re: Legislative Action Regarding Transfer Fees (No. 2010-N-11)

The housing market is so depressed and this legislation proposal would nearly make it impossible for buyers to get loans and prohibit Fannie Mae, Freddie Mac, and all federal home loan banks from purchasing mortgages for properties in communities with deed based transfer fees. While the target of the regulation appears to be private transfer fees that require a payment to a third party each time a property is sold, the proposed rule would include deed based transfer fees used by many community associations.

As a home owners association member of Governorsland Community in James City County, Virginia, I am asking that this legislation should not be enacted. My Community property owners are very upset and can not believe that Congress expects to send this proposal to Congress for approval. This passage would frustrate the people of Virginia and cause more separation of political parties in the fall election.

The impact of such a rule with such restrictions may make properties unmarketable. The reason for this is Fannie Mae, Freddie Mac, and The Federal Home Loan Banks originate most mortgages. If they cannot purchase such mortgages from banks, banks will likely not lend money to these properties. To further complicate matters, it is difficult, if not impossible, to remove a deed restriction, as it usually requires a super-majority vote of the property owners to approve such changes.

The governing homeowners documents as written, have a transfer fee assessment of 50% of the annual assessment. If this legislation is passed, the association would have the expense of amending the governing documents to comply with legislation and the loss of income from transfer fees. Also, if this legislation is passed, until the Association and members could amend the governing documents, the marketability of their homes would be affected.

Many homeowners in our community are sending letters or contacting our congressional representative and state senators to put pressure on your agency to reconsider your action.

Homeowner,
Mr. & Mrs. Kenneth Myers