

From: Marybeth Green [mgreen@meritpm.com]
Sent: Monday, October 11, 2010 5:46 PM
To: !FHFA REG-COMMENTS
Subject: Guidance on Private Transfer Fee Covenants, (No. 2010-N-11) - Please Reject As Written

Mr. Pollard:

I am writing to urge you to REJECT the proposed guidance No. 2010-N-11 relating to private transfer fees as it is currently written. I live in Ladera Ranch, California and purchased my home here in September, 2003. At the time of purchase, I was provided with documentation explaining that my property would be subject to a fee to pay for Ladera's Community Services Organization (CSO). My husband and I purchased our home in Ladera BECAUSE of the CSO and the sense of community it provides for us and our two children, ages 9 and 7. Now the CSO that brings us family activities every year is in jeopardy of losing its funding because the FHFA wants to restrict loans to anyone interested in buying here. By doing so you will effectively eliminate our ability to sell our home.

Even if we wanted to, we can't "opt out" of belonging to the CSO without an expensive and arduous vote of all 8,500 members of our community. It would never happen and we would all be stuck in limbo. With a high percentage of mortgages (by some estimates 90 percent) insured or backed by Freddie Mac or Fannie Mae, this proposal would effectively preclude the use of transfer fees for community benefits, removing a critical tool for building strong communities and dealing another blow to homeowners at a time when the markets are struggling to recover.

Approval of this guidance as written is ill-advised and should be REJECTED. The FHFA should instead adopt transfer fee standards that protect community benefits while prohibiting abusive fees that are used solely for private gain.

At a minimum, the comment period should be delayed and extended for a significant time to allow for the thoughtful and transparent consideration of the impacts of such a change.

Sincerely,

Marybeth O. Green
Richard P. B. Green

Phone 949-533-9261 or e-mail mgreen@meritpm.com if you have any questions.

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