

# HOME PRESERVATION PROGRAM

## Introduction



Thank you for your interest in Bay Federal Credit Union's Home Preservation Program. If you are experiencing a temporary or long-term hardship and need help, a thorough evaluation of your current financial status and ability to make loan payments is required as part of the application process. You must disclose information about you and your co-borrower(s), and your intentions to either keep or transition out of your home; the property's status; personal bankruptcy and your credit counseling agency, if any.

This cover page also lists the minimum required income documentation that must be submitted with your application. On the Financial Information and Explanation of Hardship Application you must disclose information about all of your income, expenses and assets, and fully disclose the nature of your hardship.

This application includes the following documents for you to complete, sign, and return to Bay Federal. To prevent delays, please make sure the information you provide to us is complete and accurate.

- Home Preservation Plan Financial Information and Explanation of Hardship Application
- Dodd Frank Certification Form
- Information Disclosure Authorization
- Non-disclosure Agreement
- 4506-T – Request for Transcript of Tax Return

### DOCUMENTS TO INCLUDE

In order to review your request all borrowers and co-borrowers must sign the application and provide the most recent of the following (when applicable):

- Signatures of all Borrower(s) and Co-Borrower(s)
- Mortgage statements from any mortgage(s) with other financial institutions
- Complete tax returns from previous two years
- W-2's or 1099's from previous two years
- Most recent pay-stubs for all borrowers
- 401(k) statements
- IRA statements
- Annuity statements
- Proof of paid homeowners insurance
- Most recent space rent statement
- Most recent HOA statement
- Two most recent bank, credit union, and/or investment account statements (all pages)
- Two most recent Social Security/Disability distribution statements
- All modification agreements from any other mortgage loan
- Most recent 12 months of business bank statements from self-employed borrowers

Please note that pay-stubs must be dated within 30 days of the date of submission. Asset statements must be the most recent available to you and not dated more than 90 days prior to date of submission. In certain situations, Bay Federal Credit Union may ask for additional documents that are not included in this form. In those cases, please submit the requested information no more than 10 days from the date of the request. Failure to respond to future requests can result in cancellation or denial of your application.

Due to the disclosure of your hardship please know that all loans and open lines of credit at Bay Federal will be re-evaluated and any available credit may be immediately reduced or suspended, regardless of the outcome of the request for mortgage assistance.

In the event that we need to obtain a current valuation of your property, an appraisal fee will be added to the balance of your loan. In most cases, the fee will range between \$125 - \$200; however, if your property requires a full appraisal, the fee may be up to \$600. If we plan to order a full appraisal, we will obtain your prior written approval.

In addition, when you sign and date this form, you will make important certifications, representations, and agreements including certifying that all of the information in this Home Preservation Program request is accurate and truthful and any identified hardship has contributed to this request for assistance.

## NEXT STEPS

Once you have fully completed this application and gathered all necessary documents and information, please drop them off at any Bay Federal Credit Union branch, or you can submit them to us in one of the following ways:

**Mail:**

Bay Federal Credit Union  
Attn: Home Preservation Program  
3333 Clares Street  
Capitola, Ca 95010

**Fax:**

Bay Federal Credit Union  
Attn: Home Preservation Program  
831.476.6721

Thank you for allowing Bay Federal Credit Union to serve you.

## HUD COUNSELING NOTICE

**It is not necessary to pay a third party to arrange for a loan modification or other form of foreclosure alternative assistance from your mortgage lender or servicer. You may contact your lender directly to ask for a change in your loan terms. Nonprofit housing counseling agencies also offer these and other forms of borrower assistance free of charge. A list of nonprofit housing counseling agencies approved by the United States Department of Housing and Urban Development (HUD) is available from your local HUD office by calling 800.569.4287 or TTY/TDD 800.877.8339 or you may visit [www.hud.gov](http://www.hud.gov).**

# HOME PRESERVATION PROGRAM

## Financial Information and Explanation of Hardship Application



Member Name			Account Number		Member Number	
Best Contact Phone		<input type="checkbox"/> Cell	<input type="checkbox"/> Home	<input type="checkbox"/> Work	Best Time to Call	
				Alternative Phone		<input type="checkbox"/> Cell <input type="checkbox"/> Home <input type="checkbox"/> Work
Email Address				Other Contact Information (if any)		
I want to: <input type="checkbox"/> Keep the property <input type="checkbox"/> Vacate the Property <input type="checkbox"/> Sell the Property <input type="checkbox"/> Undecided						
The property is currently: <input type="checkbox"/> My Primary Residence <input type="checkbox"/> Second Home <input type="checkbox"/> An Investment Property						
The property is currently: <input type="checkbox"/> Owner Occupied <input type="checkbox"/> Renter Occupied <input type="checkbox"/> Vacant						

### FINANCIAL INFORMATION

Borrower's Name				Social Security Number	
Co-Borrower's Name				Social Security Number	
Co-Borrower's Name				Social Security Number	
Home Phone Number		Cell Phone Number		Work Phone Number	
Property Address			Mailing Address (if different from Property Address)		
-----			-----		
-----			-----		
-----			-----		
Have you filed for Bankruptcy? <input type="checkbox"/> Yes <input type="checkbox"/> No					
If yes: <input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Other: _____					
If yes, what is the filing date? _____					
Has your bankruptcy been discharged? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Bankruptcy Case					
Number: _____					
Is any borrower an active duty service member? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Has any borrower been deployed away from his/her primary residence or received a permanent change of orders?					
<input type="checkbox"/> Yes <input type="checkbox"/> No					
Is any borrower the surviving spouse of a deceased service member who was on active duty at the time of death?					
<input type="checkbox"/> Yes <input type="checkbox"/> No					
Present Employer (Borrower)			Date of Employment		<input type="checkbox"/> Full Time
					<input type="checkbox"/> Part Time
Present Employer (Co-Borrower)			Date of Employment		<input type="checkbox"/> Full Time
					<input type="checkbox"/> Part Time
Present Employer (Co-Borrower)			Date of Employment		<input type="checkbox"/> Full Time
					<input type="checkbox"/> Part Time

**MONTHLY INCOME INFORMATION**

Description	Income (Borrower)	Income (Co-Borrower)	Income (Co-Borrower)
Gross Wages*			
Self Employment Income†			
Commissions/Bonuses			
Child Support/Alimony (copy of legal agreement filed with court)			
Social Security			
Annuities or other Retirement Plans			
Unemployment Income			
Rental Income			
Food Stamps/ Other Public Benefit			
Other Income (Explain)			
<b>TOTAL INCOME</b>			

**ASSETS**

Description	Estimated Value	Balance Owed	Comments
Bay Federal Secured Property			
Other Real Estate (Explain)			
Automobile (Year, Make and Model)			
Automobile (Year, Make and Model)			
Checking Accounts (Bay Federal)			
Savings Accounts (Bay Federal)			
Checking Accounts (Other Institution)			
Savings Accounts (Other Institution)			
Money Market Accounts			
IRA and Keogh Accounts			
401(K) and ESOP Accounts			

\*For each borrower who is a salaried employee or paid by the hour, include pay stub(s) reflecting the most recent 30 days or four weeks earnings and documentation reflecting year-to-date earnings, if not reported on the pay stubs (e.g. verification of employment or printout from employer).

†For each borrower who receives self employment income, include a complete, signed individual federal income tax return and, as applicable, the business tax return. Self employed borrowers must also provide the 2 most recent signed and dated quarterly or year-to-date profit/loss statement that reflects activity for the most recent three months and, as applicable, copies of bank statements for the business account for the most recent 12 months evidencing continuation of business activity.

**ASSETS (CONTINUED)**

Stocks, Bonds, Certificates, etc.			
Life Insurance (Cash Value)			
Other (explain)			

**REQUIRED INCOME DOCUMENTATION**

Do you earn a salary or hourly wage?  Yes  No

Are you self-employed?  Yes  No

For each borrower who is a salaried employee or paid by the hour, include pay-stub(s) reflecting the most recent 30 days or four weeks earnings and documentation reflecting year-to-date earnings, if year-to-date is not reported on the pay-stubs (e.g. signed letter or printout from employer).

For each borrower who receives self-employment income, include a complete, signed individual federal income tax return and, as applicable, 2 most recent business tax returns, 2 most recent signed and dated quarterly or year-to-date profit/loss statements that reflect activity for the most recent three months, and the most recent 12 months of business account statements.

Do you have any additional sources of income?  Yes  No

Provide for each borrower; as applicable:

“Other Earned Income” such as bonuses, commissions, housing allowance, tips or overtime:

- Reliable third-party documentation describing the amount and nature of the income (e.g., paystub, employment contract or printouts documenting tip income).

Social Security, disability, unemployment or death benefits, pension, public assistance, or adoption assistance:

- Documentation showing the amount and frequency of the benefits, such as letters, exhibits, disability policy or benefits statement from the provider; AND
- Documentation showing the receipt of payment, such as copies of the two most recent bank statements showing deposit amounts.

Rental Income:

- Copy of the most recent filed federal tax return with all schedules, including Schedule E --Supplement Income and Loss. Rental income for qualifying purposes will be 75% of the gross rent you reported, reduced by the monthly debt service on the property, if applicable; OR
- If rental income is not reported on Schedule E --Supplement Income and Loss, provide a copy of the current lease agreement with either bank statements or cancelled rent checks demonstrating receipt of rent.

Investment Income:

- Copies of the two most recent investment statements or bank statements supporting receipt of this income.

Alimony, child support, or separation maintenance payments as qualifying income:\*

- Copy of divorce decree, separation agreement, or other written legal agreement filed with a court, or court decree that states the amount of the alimony, child support, or separation maintenance payments and the period of time over which the payments will be received; AND
- Copies of your two most recent bank statements or other third-party documents showing receipt of payment.

\*Notice: Alimony, child support, or separate maintenance income need not be revealed if you do not choose to have it considered for repaying this loan.

**LIABILITIES**

Description	Monthly Payment	Balance Due & Interest Rate	Company Name & Phone Number
First Mortgage Payment			
Second Mortgage/ HELOC			
Mortgage Payment on Other Properties			
Rent			
Homeowners Insurance			
Property Taxes			
Property Maintenance			
HOA/Condo Space Rent and Fees			
Automobile Payment/Lease			
Automobile Payment/Lease			
Credit Card Payment			
Credit Card Payment			
Other Loan Payment			
Health Insurance/ Medical Expenses			
Child Care Expenses			
Transportation Expenses			
Food and Grocery Expenses			
Utilities			
Any Other Liens (mortgage liens, mechanics liens, tax liens, etc)			
Other (explain)			

## EXPLANATION OF HARDSHIP

**Please be very specific about the nature and cause of your hardship, as this will be included in the decision of your individual Home Preservation Plan.**

1. What caused you to become concerned about making or getting behind on your mortgage payments?

2. What occurred in the last 12 months to cause this hardship (please explain)?

3. Is this an ongoing hardship, and if so, are there any additional monthly expenses associated with the problem?

4. Is this a long-term or permanent disability, serious illness of a borrower/co-borrower or dependent family member? If so, please provide a written statement or other documentation verifying disability and proof of monthly insurance benefits or government assistance (if applicable).

5. Have you previously received mortgage assistance from Bay Federal? If so, what steps have you taken to improve your personal financial situation since receiving assistance?

6. Have any of your mortgage loans ever been modified?  Yes  No  
If the answer is yes, please provide copies of the modification documents.

7. Is there a divorce/separation of borrowers? If so, please provide court signed divorce/separation decree and recorded quitclaim deed evidencing that the non-occupying borrower/co-borrower has relinquished all rights to the property.

**EXPLANATION OF HARDSHIP (CONTINUED)**

8. Is this hardship due to the death of a borrower or death of either the primary or secondary wage earner in the household? If so, please provide death certificate.

9. Is the property currently in a Trust? If so, please provide complete trust documentation.

10. Have you contacted a credit counseling agency for help paying your mortgage or other debt?  Yes  No

If yes, complete the counselor contact information below:

Counselor's Name: \_\_\_\_\_

Agency's Name: \_\_\_\_\_

Counselor's Phone Number: \_\_\_\_\_

Counselor's Email Address: \_\_\_\_\_

11. If you are currently delinquent on your monthly mortgage payment(s), how much extra can you pay to bring your account up to date? What plans do have to cure the default? (i.e., sale of assets/property, borrow from family, sale of property, etc.)

12. Is the home listed for sale?  Yes  No

If yes, please share your realtor's name and contact number. Please include a copy of the contract you signed with your realtor.

Realtor's Name: \_\_\_\_\_

Realtor's Phone Number: \_\_\_\_\_

If listed for sale, Have you received an offer on the property?  Yes  No

Date of Offer: \_\_\_\_\_ Amount of Offer: \_\_\_\_\_



**EXPLANATION OF HARDSHIP (CONTINUED)**

13. Is your homeowner's insurance current or expired?  Current  Expired

Please share your agent's name and contact number.

Agent's Name: \_\_\_\_\_

Agent's Phone Number: \_\_\_\_\_

14. Are Property Taxes current or past due?  Current  Past Due

If past due, what is the amount due and are you on a workout plan with the county to resolve your past due amount?

15. Are Space Rents/HOA fees current or past due?  Current  Past Due

If past due, what is the amount due and are you on a workout plan with the park/board to resolve your past due amount?

16. Please share any other information related to your recent hardship.

**BORROWER/CO-BORROWER ACKNOWLEDGEMENT AND AGREEMENT**

I certify, acknowledge, and agree to the following:

1. All of the information in this Borrower Assistance Form is truthful and the hardship that I have identified contributed to my need for mortgage assistance.
2. The accuracy of my statements may be reviewed by Bay Federal, owner or guarantor of my mortgage, their agent(s), or an authorized third party,\* and I may be required to provide additional supporting documentation. I will provide all requested documents and will respond promptly to all communications from Bay Federal or authorized third-party about this application.
3. Knowingly submitting false information may violate Federal and other applicable laws and may be subject to penalty of perjury.
4. If I have intentionally defaulted on my existing mortgage, engaged in fraud or misrepresented any fact(s) in connection with this request for mortgage assistance or if I do not provide all required documentation, Bay Federal may cancel any mortgage assistance granted and may pursue foreclosure on my home and/or pursue any other available legal remedies.
5. Bay Federal is not obligated to offer me assistance based solely on the representations in this document or other documentation submitted in connection with my request.
6. In the event that we need to obtain a current valuation of your property, an appraisal fee will be added to the balance of your loan. In most cases the fee will range between \$125 - \$200; however, if your property requires a full appraisal, the fee may be up to \$600. If we plan to order a full appraisal, we will obtain your prior written approval.
7. I may be eligible for a trial period plan, repayment plan, or forbearance plan. If I am eligible for one of these plans I agree that:
  - a. All the terms of this Acknowledgment and Agreement are incorporated into such plan by reference as if set forth in such plan in full.
  - b. My first timely payment under the plan will serve as acceptance of the terms set forth in the notice of the plan sent by Bay Federal or other authorized third party\* or servicer.
  - c. Bay Federal's acceptance of any payments under the plan will not be a waiver of any acceleration of my loan or foreclosure action that has occurred and will not cure my default unless such payments are sufficient to completely cure my entire default under my loan.
  - d. Payments due under a trial period plan for a modification may contain escrow amounts. If I was not previously required to pay escrow amounts, and my trial period plan contains escrow amounts, I agree to the establishment of an escrow account and agree that any prior waiver is revoked. Payments due under a repayment plan or forbearance plan may or may not contain escrow amounts, I agree to the establishment of an escrow account and agree that any prior escrow waiver is revoked, at the option of the servicer.
8. A condemnation notice has not been issued for the property.
9. Bay Federal or authorized third party\* will obtain a current credit report on all borrowers obligated on this Note.
10. Bay Federal or authorized third party\* will collect and record personal information that I submit in this Home Preservation Package and during the evaluation process. This personal information may include, but is not limited to: (a) my name, address, telephone number, (b) my Social Security number, (c) my credit score, (d) my income, and my payment history and information about my account balances and activity. I understand and consent to Bay Federal or authorized third party\* as well as any investor or guarantor (such as Fannie Mae or Freddie Mac), disclosing my personal information and terms of any relief or foreclosure alternative that I receive to the following:
  - a. Any investor, insurer, guarantor, or servicer that owns, insures, guarantees, or services my first lien or subordinate lien (if applicable) mortgage loan(s) or any companies that perform support services to them; and
  - b. The U.S. Department of Treasury, Fannie Mae and Freddie Mac, in conjunction with their responsibilities under the Making Home Affordable program, or any companies that perform services to them.
11. I acknowledge that due to the disclosure of my hardship, that all loans and open lines of credit at Bay Federal will be re-evaluated and any available credit limits may be immediately reduced or suspended, regardless of the outcome of the request for mortgage assistance.
12. I understand that I may be required to enroll in automatic payments if I accept a modification offer from the Credit Union.
13. The United States Department of Housing and Urban Development (HUD), can help you find a HUD-certified housing counseling agency by calling 800-569-4287 or TTY/TDD 800-877-8339 or you may visit [www.hud.gov](http://www.hud.gov).
14. I consent to being contacted concerning this request for mortgage assistance at any telephone number, including mobile telephone number, or email address I have provided to Bay Federal, servicer, or authorized third party.\*

**ALL BORROWERS AND CO-BORROWERS MUST SIGN THIS FORM**

Borrower Signature <b>X</b>	Date
Co-Borrower Signature <b>X</b>	Date
Co-Borrower Signature <b>X</b>	Date

\*An authorized third party may include, but is not limited to, a counseling agency, Housing Finance Agency (HFA), or other similar entity that is assisting me in obtaining a foreclosure alternative.

# HOME PRESERVATION PROGRAM

## Dodd-Frank Certification Form



*Making a real difference*

The following information is requested by the federal government in accordance with the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111-203). You are required to furnish this information. The law provides that no person shall be eligible to receive assistance from the Making Homes Affordable Program, authorized under the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5201 et seq.), or any other mortgage assistance program authorized or funded by that Act, if such person, in connection with a mortgage or real estate transaction, has been convicted, within the last 10 years, of any one of the following: (A) felony larceny, theft, fraud or forgery, (B) money laundering or (C) tax evasion.

BORROWER	CO-BORROWER	CO-BORROWER
<input type="checkbox"/> I have not been convicted within the last 10 years of any one of the following in connection with a mortgage or real estate transaction: (a) felony larceny, theft, fraud or forgery, (b) money laundering or (c) tax evasion	<input type="checkbox"/> I have not been convicted within the last 10 years of any one of the following in connection with a mortgage or real estate transaction: (a) felony larceny, theft, fraud or forgery, (b) money laundering or (c) tax evasion	<input type="checkbox"/> I have not been convicted within the last 10 years of any one of the following in connection with a mortgage or real estate transaction: (a) felony larceny, theft, fraud or forgery, (b) money laundering or (c) tax evasion

In making this certification, I/we certify under penalty of perjury that all of the information in this document is truthful and that I/we understand that the Servicer, the U.S. Department of the Treasury, or their agents may investigate the accuracy of my statements by performing routine background checks, including automated searches of federal, state and county databases, to confirm that I/we have not been convicted of such crimes. I/we also understand that knowingly submitting false information may violate Federal law.

Borrower Signature <b>X</b>	Date
Co-Borrower Signature <b>X</b>	Date
Co-Borrower Signature <b>X</b>	Date

# HOME PRESERVATION PROGRAM

## Information Disclosure Authorization



IMPORTANT: All borrowers must sign this authorization.

To Whom it May Concern:

I/We hereby authorize Bay Federal Credit Union to verify my past and present employment earnings records, bank accounts, home/property insurance, stock holdings, title, mortgage loan rating, and any other asset balances that are needed to process my mortgage loan application.

I further authorize Bay Federal Credit Union to order a consumer credit report and verify other credit information, including past and present mortgage and landlord references.

It is understood that a photocopy of this form also will serve as authorization.

The information Bay Federal Credit Union obtains is confidential and only to be used in the processing of my application for Home Preservation Program assistance.

Borrower Signature

X

Date

Co-Borrower Signature

X

Date

Co-Borrower Signature

X

Date

# HOME PRESERVATION PROGRAM

## Non-Disclosure Agreement



This Non-Disclosure Agreement ("Agreement") is entered into on \_\_\_\_\_, \_\_\_\_\_, between Bay Federal Credit Union, a federally-chartered credit union ("BFCU"), and the undersigned member ("Borrower").

### RECITALS

A. Borrower is borrower on a certain loan product provided by BFCU ("Loan") and desires for BFCU to provide him/her with different terms with respect to such Loan;

B. BFCU is willing to disclose to Borrower different available options with respect to restructuring such Loan subject to Borrower's agreement to keep such information as well as the revised Loan terms strictly confidential.

NOW, THEREFORE, in consideration of the mutual provisions contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

- Confidential Information.** All proposals for revised Loan terms and conditions, financial information, new contractual provisions and financial terms, any other information disclosed by BFCU to Borrower incidental to the proposed restructuring of the Loan (whether such Loan is restructured or not), and the terms and conditions of the restructured Loan, shall be deemed to be Confidential Information, regardless of whether marked or identified as "CONFIDENTIAL" or "PROPRIETARY." Notwithstanding anything else to the contrary, including a temporary forbearance of terms or default actions, BFCU is not obligated to disclose any new Loan terms or to enter into any permanent Loan restructuring agreement with Borrower.
- Scope.** The parties agree that the Confidential Information shall be reviewed by Borrower only incidental to negotiating proposed new terms for the Loan, and for no other purpose. BFCU retains the sole and exclusive ownership to the Confidential Information, and no license or any other interest in the Confidential Information is granted to Borrower. Borrower acknowledges that all Confidential Information received from BFCU is provided without any warranty by BFCU that such information will be suitable for Borrower's situation.
- Restrictions.** Borrower agrees to protect the Confidential Information with the same degree of care that is uses to protect its own confidential information, but in all events will use at least a reasonable degree of care. In addition to such degree of care, Borrower shall not in any way disclose or otherwise transfer the Confidential Information to any third party at any time, including consultants, except as approved by BFCU in writing in advance; and/or (b) disclose the parties' discussions about the Confidential Information and/or their business relationship to any third party, except as approved by BFCU in writing in advance. The provisions of this Section shall survive the termination of this Agreement.
- Exceptions.** The obligations and restrictions herein shall not apply to Confidential Information that is released pursuant to a court order or otherwise required by law (including without limitations as required under federal or state laws) provided that Borrower immediately notifies BFCU of such court order or legal requirement, and gives BFCU a reasonable opportunity and cooperates with BFCU to contest, limit or condition the scope of such required disclosure.
- Liquidated Damages.** In the event that Borrower breaches the provisions of this Agreement, then Borrower shall pay to BFCU an amount equal to the lesser of ("Penalty"): (i) Twenty Five Percent (25%) of the unpaid principal (as of the date hereof) of the Loan; or (ii) the amount of Fifty Thousand Dollars (\$50,000). Payment of the Penalty to BFCU pursuant to this Section 5 shall be considered liquidated damages in accordance with the following:

THE TERMS THAT BFCU NEGOTIATES WITH EACH BORROWER ARE CONFIDENTIAL AND KEEPING SUCH INFORMATION CONFIDENTIAL IS CRITICAL TO BFCU BEING ABLE TO NEGOTIATE WITHOUT PREJUDICE WITH ITS BORROWERS AS REQUIRED FOR EACH OF THEIR PARTICULAR SITUATION. INSOFAR AS IT WOULD BE EXTREMELY IMPRACTICABLE AND DIFFICULT TO ESTIMATE THE DAMAGE AND HARM WHICH BFCU WOULD SUFFER IN THE EVENT OF THE BREACH OF THIS AGREEMENT BY BORROWER AND THE DISCLOSURE OF CONFIDENTIAL INFORMATION HEREUNDER TO THIRD PARTIES, BFCU SHALL BE ENTITLED TO THE PENALTY AS LIQUIDATED DAMAGES SET FORTH IN THIS SECTION.

BFCU: \_\_\_\_\_  
Initials

Borrower: \_\_\_\_\_  
Initials

Co-Borrower: \_\_\_\_\_  
Initials

Co-Borrower: \_\_\_\_\_  
Initials

6. Return of Materials. All copies of Confidential Information, whether in tangible or machine readable form, shall be promptly returned to BFCU upon BFCU's request. Borrower shall thereafter retain no copies, transcriptions or summaries of any portion of the Confidential Information save the Borrower's copy of any executed agreement.
7. Governing Law/Venue. This Agreement shall be interpreted and enforced according to the substantive laws of the State of California without application of its conflicts or choice of law rules. Both parties irrevocably submit to the jurisdiction of the state and/or Federal courts in Santa Cruz County, California for any action or proceeding regarding this Agreement.
8. Entire Agreement. This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and supersedes all prior or contemporaneous understandings, oral or written. This Agreement can only be amended by a writing signed by both parties.
9. Assignment. Neither party shall have the right to assign or otherwise transfer, in whole or in part, any of its rights or obligations under this Agreement.
10. Validity. If any provision hereof is found by a court of competent jurisdiction to be invalid, void or otherwise unenforceable, the remaining provisions shall remain in full force and effect, and the affected provisions shall be revised so as to reflect the original intent of the parties hereunder to the maximum extent permitted by applicable law.
11. Attorney's Fees. In the event a dispute arises regarding this Agreement, the prevailing party shall be entitled to recover reasonable attorney's fees and costs in addition to any other relief to which it is entitled.
12. Waiver. The failure to enforce any provisions of this Agreement shall not be deemed a waiver or a continuing waiver of the same or other provision of this Agreement unless such waiver is in writing and signed by the party to be charged.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

**BAY FEDERAL CREDIT UNION**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**BORROWER**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

**CO-BORROWER**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

**CO-BORROWER**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_

### Request for Transcript of Tax Return

OMB No. 1545-1872

- ▶ Do not sign this form unless all applicable lines have been completed.
- ▶ Request may be rejected if the form is incomplete or illegible.
- ▶ For more information about Form 4506-T, visit [www.irs.gov/form4506t](http://www.irs.gov/form4506t).

**Tip.** Use Form 4506-T to order a transcript or other return information free of charge. See the product list below. You can quickly request transcripts by using our automated self-help service tools. Please visit us at [IRS.gov](http://IRS.gov) and click on "Get a Tax Transcript..." under "Tools" or call 1-800-908-9946. If you need a copy of your return, use **Form 4506, Request for Copy of Tax Return**. There is a fee to get a copy of your return.

<b>1a</b> Name shown on tax return. If a joint return, enter the name shown first.	<b>1b</b> First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
<b>2a</b> If a joint return, enter spouse's name shown on tax return.	<b>2b</b> Second social security number or individual taxpayer identification number if joint tax return

**3** Current name, address (including apt., room, or suite no.), city, state, and ZIP code (see instructions)

**4** Previous address shown on the last return filed if different from line 3 (see instructions)

**5** If the transcript or tax information is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number.  
**Bay Federal Credit Union, a Federally Chartered Credit Union**  
**C/O DataVerify, Inc. 875 Greentree Road 8 Parkway Center, Pittsburgh, PA 15220**

**Caution:** If the tax transcript is being mailed to a third party, ensure that you have filled in lines 6 through 9 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy. Once the IRS discloses your tax transcript to the third party listed on line 5, the IRS has no control over what the third party does with the information. If you would like to limit the third party's authority to disclose your transcript information, you can specify this limitation in your written agreement with the third party.

**6 Transcript requested.** Enter the tax form number here (1040, 1065, 1120, etc.) and check the appropriate box below. Enter only one tax form number per request. ▶ \_\_\_\_\_

- a Return Transcript**, which includes most of the line items of a tax return as filed with the IRS. A tax return transcript does not reflect changes made to the account after the return is processed. Transcripts are only available for the following returns: Form 1040 series, Form 1065, Form 1120, Form 1120-A, Form 1120-H, Form 1120-L, and Form 1120S. Return transcripts are available for the current year and returns processed during the prior 3 processing years. Most requests will be processed within 10 business days . . . . .
  - b Account Transcript**, which contains information on the financial status of the account, such as payments made on the account, penalty assessments, and adjustments made by you or the IRS after the return was filed. Return information is limited to items such as tax liability and estimated tax payments. Account transcripts are available for most returns. Most requests will be processed within 10 business days . . . . .
  - c Record of Account**, which provides the most detailed information as it is a combination of the Return Transcript and the Account Transcript. Available for current year and 3 prior tax years. Most requests will be processed within 10 business days . . . . .
- 7 Verification of Nonfiling**, which is proof from the IRS that you **did not** file a return for the year. Current year requests are only available after June 15th. There are no availability restrictions on prior year requests. Most requests will be processed within 10 business days . . . . .
- 8 Form W-2, Form 1099 series, Form 1098 series, or Form 5498 series transcript.** The IRS can provide a transcript that includes data from these information returns. State or local information is not included with the Form W-2 information. The IRS may be able to provide this transcript information for up to 10 years. Information for the current year is generally not available until the year after it is filed with the IRS. For example, W-2 information for 2011, filed in 2012, will likely not be available from the IRS until 2013. If you need W-2 information for retirement purposes, you should contact the Social Security Administration at 1-800-772-1213. Most requests will be processed within 10 business days . . . . .

**Caution:** If you need a copy of Form W-2 or Form 1099, you should first contact the payer. To get a copy of the Form W-2 or Form 1099 filed with your return, you must use Form 4506 and request a copy of your return, which includes all attachments.

**9 Year or period requested.** Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than four years or periods, you must attach another Form 4506-T. For requests relating to quarterly tax returns, such as Form 941, you must enter each quarter or tax period separately.

|    /    /    |    /    /    |    /    /    |    /    /    |

**Caution:** Do not sign this form unless all applicable lines have been completed.

**Signature of taxpayer(s).** I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax information requested. If the request applies to a joint return, at least one spouse must sign. If signed by a corporate officer, 1 percent or more shareholder, partner, managing member, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506-T on behalf of the taxpayer. **Note:** This form must be received by IRS within 120 days of the signature date.

**Signatory attests that he/she has read the attestation clause and upon so reading declares that he/she has the authority to sign the Form 4506-T.** See instructions.

Phone number of taxpayer on line 1a or 2a

**Sign Here**

Signature (see instructions)	Date
Title (if line 1a above is a corporation, partnership, estate, or trust)	
Spouse's signature	Date



Section references are to the Internal Revenue Code unless otherwise noted.

## Future Developments

For the latest information about Form 4506-T and its instructions, go to [www.irs.gov/form4506t](http://www.irs.gov/form4506t). Information about any recent developments affecting Form 4506-T (such as legislation enacted after we released it) will be posted on that page.

## General Instructions

**Caution:** Do not sign this form unless all applicable lines have been completed.

**Purpose of form.** Use Form 4506-T to request tax return information. You can also designate (on line 5) a third party to receive the information. Taxpayers using a tax year beginning in one calendar year and ending in the following year (fiscal tax year) must file Form 4506-T to request a return transcript.

**Note:** If you are unsure of which type of transcript you need, request the Record of Account, as it provides the most detailed information.

**Tip.** Use Form 4506, Request for Copy of Tax Return, to request copies of tax returns.

**Automated transcript request.** You can quickly request transcripts by using our automated self-help service tools. Please visit us at [IRS.gov](http://IRS.gov) and click on "Get a Tax Transcript..." under "Tools" or call 1-800-908-9946.

**Where to file.** Mail or fax Form 4506-T to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual transcripts (Form 1040 series and Form W-2) and one for all other transcripts.

If you are requesting more than one transcript or other product and the chart below shows two different addresses, send your request to the address based on the address of your most recent return.

## Chart for individual transcripts (Form 1040 series and Form W-2 and Form 1099)

### If you filed an individual return and lived in:

	Mail or fax to:
Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	Internal Revenue Service RAIVS Team Stop 6716 AUSC Austin, TX 73301
Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	855-587-9604
Alabama, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming	Internal Revenue Service RAIVS Team Stop 37106 Fresno, CA 93888
Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia	Internal Revenue Service RAIVS Team Stop 6705 P-6 Kansas City, MO 64999
	855-821-0094

## Chart for all other transcripts

### If you lived in or your business was in:

	Mail or fax to:
Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address	Internal Revenue Service RAIVS Team P.O. Box 9941 Mail Stop 6734 Ogden, UT 84409
	855-298-1145
Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin	Internal Revenue Service RAIVS Team P.O. Box 145500 Stop 2800 F Cincinnati, OH 45250
	855-800-8015

**Line 1b.** Enter your employer identification number (EIN) if your request relates to a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.


**Line 3.** Enter your current address. If you use a P.O. box, include it on this line.

**Line 4.** Enter the address shown on the last return filed if different from the address entered on line 3.

**Note:** If the addresses on lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address. For a business address, file Form 8822-B, Change of Address or Responsible Party — Business.

**Line 6.** Enter only one tax form number per request.

**Signature and date.** Form 4506-T must be signed and dated by the taxpayer listed on line 1a or 2a. The IRS must receive Form 4506-T within 120 days of the date signed by the taxpayer or it will be rejected. Ensure that all applicable lines are completed before signing.

 **CAUTION** You must check the box in the signature area to acknowledge you have the authority to sign and request the information. The form will not be processed and returned to you if the box is unchecked.

**Individuals.** Transcripts of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506-T exactly as your name appeared on the original return. If you changed your name, also sign your current name.

**Corporations.** Generally, Form 4506-T can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer. A bona fide shareholder of record owning 1 percent or more of the outstanding stock of the corporation may submit a Form 4506-T but must provide documentation to support the requester's right to receive the information.

**Partnerships.** Generally, Form 4506-T can be signed by any person who was a member of the partnership during any part of the tax period requested on line 9.

**All others.** See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

**Note:** If you are Heir at law, Next of kin, or Beneficiary you must be able to establish a material interest in the estate or trust.

**Documentation.** For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the letters testamentary authorizing an individual to act for an estate.

**Signature by a representative.** A representative can sign Form 4506-T for a taxpayer only if the taxpayer has specifically delegated this authority to the representative on Form 2848, line 5. The representative must attach Form 2848 showing the delegation to Form 4506-T.

### Privacy Act and Paperwork Reduction Act Notice.

We ask for the information on this form to establish your right to gain access to the requested tax information under the Internal Revenue Code. We need this information to properly identify the tax information and respond to your request. You are not required to request any transcript; if you do request a transcript, sections 6103 and 6109 and their regulations require you to provide this information, including your SSN or EIN. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506-T will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form**, 10 min.; **Preparing the form**, 12 min.; and **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506-T simpler, we would be happy to hear from you. You can write to:

Internal Revenue Service  
Tax Forms and Publications Division  
1111 Constitution Ave. NW, IR-6526  
Washington, DC 20224

Do not send the form to this address. Instead, see *Where to file* on this page.