

## FORECLOSURE VS SHORT SALE HOMEOWNER CONSEQUENCES

ISSUE	FORECLOSURE	SUCCESSFUL SHORT SALE
Future Fannie Mae Loan-Primary Residence (effective May 21 <sup>st</sup> , 2008)	A homeowner who loses a home to foreclosure is ineligible for a Fannie Mae backed mortgage for a period of <b>5 years</b> .	A homeowner who successfully negotiates and closes a short sale will be eligible for a Fannie Mae backed mortgage after only <b>2 years</b> .
Future Fannie Mae Loan-Non Primary (effective May 21, 2008)	An investor who allows a property to go to Foreclosure is ineligible for a Fannie Mae backed investment mortgage for a period of <b>7 years</b> .	An investor who successfully negotiates and closes a short sale will be eligible for a Fannie Mae backed investment mortgage after only <b>2 years</b> .
Future Loan with any Mortgage Company	On any future 1003 application, a prospective borrower will have to answer <b>YES</b> to question C in section VIII of the standard 1003 that asks "Have you had property foreclosed upon or given title or deed in lieu thereof in the last 7 years?" this will affect future rates.	There is no similar declaration or question regarding a short sale.
Credit Score	Score may be lowered anywhere from <b>250 to over 300</b> points. Typically will affect score for over <b>3 years</b> .	Only late payments on mortgage will show and after sale mortgage will be reported as paid or negotiated. This will lower the score as little as <b>50 points</b> if all other payments are being made. A short sale's affect can be as brief as <b>12 to 18 months</b> .
Credit History	Foreclosure will remain as a public record on a person's credit history for <b>10 years or more</b> .	Short Sale is <b>not reported on a credit history</b> . There is no specific reporting item for 'short sale'. The loan is typically reported 'paid in full, settled'.
Security Clearances	Foreclosure is the <b>most challenging issue against a security clearance</b> outside of a conviction of a serious misdemeanor or felony. If a client has a foreclosure and is a police officer, in the military, in the CIA, Security, or any other position that requires a security clearance in almost all cases clearance will be <b>revoked and position will be terminated</b> .	A short Sale on its own <b>does not challenge most security clearances</b> .
Current Employment	Employers have the right and are actively checking the credit regularly of all employees who are in sensitive positions. A foreclosure in many cases is ground for immediate <b>reassignment or termination</b> .	A short sale is not reported on a credit report and is therefore <b>not a challenge to employment</b> .
Future Employment	Many employers are requiring credit checks on all job applicants. A foreclosure is one of the most detrimental credit items an applicant can have and in <b>most cases will challenge employment</b> .	A short sale is not reported on a credit report and is therefore <b>not a challenge to employment</b> .
Deficiency Judgment	In <b>100% of foreclosures</b> (except in those states where there is no deficiency) the bank has the right to pursue a deficiency judgment.	In some successful short sales it is impossible to convince the lender to <b>give up the right to pursue a deficiency judgment</b> against homeowner.
Deficiency Judgment (amount)	In a foreclosure the home will have to go through an REO process if it does not sell at auction. In most cases this will result in a lower sales price and longer time to sale in a declining market. This will result in a higher possible <b>deficiency judgment</b> .	In a properly managed short sale the home is sold at a price that should be close to market value and in almost all cases will be better than an REO sale resulting in a <b>lower deficiency</b> .