

CHAPTER 2
LOAN PROGRAMS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

GENERAL PROVISIONS

265—2.1(16) Administrative agents. The authority may contract with an administrative agent or agents to provide origination and servicing of mortgage and temporary loans on behalf of the authority, and to provide a level of services on behalf of the authority as it would customarily provide on mortgage or temporary loans made of its own account.

This rule is intended to implement Iowa Code sections 16.5 and 16.5C.
[ARC 1945C, IAB 4/1/15, effective 5/6/15]

TERMS AND CONDITIONS

265—2.2(16) Interest and fees. The authority may establish fees for its services and shall establish interest on all loans. Such fees and interest shall be based on its estimate of interest cost on its bonds and notes, administrative costs, and reserve requirements.

This rule is intended to implement Iowa Code sections 16.5 and 16.5C.
[ARC 1945C, IAB 4/1/15, effective 5/6/15]

265—2.3 Amortization. Rescinded IAB 4/3/91, effective 5/8/91.

265—2.4(16) Loan conditions. The loan to value ratio, maximum loan amount, amortization period, repayment, prepayment, assumption, and assignment terms of a permanent mortgage loan shall be determined by the authority. The terms of a temporary loan, repayment thereof and of partial payment on principal thereof and partial release of security therefor upon the sale of individual housing units (when appropriate) shall also be determined by the authority. All loan conditions shall be stated in a certificate of approval issued by or on behalf of the authority.

This rule is intended to implement Iowa Code sections 16.5 and 16.5C.
[ARC 1945C, IAB 4/1/15, effective 5/6/15]

265—2.5(16) Security for loans. The authority may take security for any loan. The form of such security may include but not be limited to one or more of the following:

1. Promissory note.
2. First real estate mortgage.
3. Assignment of option.
4. Assignment of lease.
5. Lien on personal property.

This rule is intended to implement Iowa Code sections 16.5 and 16.5C.
[ARC 1945C, IAB 4/1/15, effective 5/6/15]

265—2.6(16) Types of loans. The authority may make permanent mortgage loans to eligible applicants for rehabilitated, newly built or existing housing for eligible occupants. The authority may make temporary loans as follows:

1. For eligible costs associated with development activities set forth in the Iowa Code chapter 16,
2. For eligible costs associated with development of housing which, in the judgment of the authority, deals innovatively with the housing problems of eligible recipients.

This rule is intended to implement Iowa Code section 16.5C.
[ARC 1945C, IAB 4/1/15, effective 5/6/15]

265—2.7(16) Delinquency and foreclosure. Before the ninetieth day following the due date of the earliest unpaid installment of an authority mortgage loan, the administrative agent shall recommend either foreclosure or other appropriate servicing action based on the particular circumstances of each mortgage. The authority, upon determination that no other course of action will cure the delinquency, may direct the administrative agent to promptly initiate foreclosure proceedings.

This rule is intended to implement Iowa Code section 16.4(1).

265—2.8(16) Application processing. Procedures, instructions and guidelines for receipt and processing of applications for authority mortgage loans and temporary loans, and other actions necessary or desirable for implementation and administration of the authority's programs may be established and modified from time to time by the executive director, with the approval thereof by the authority, at all times consistent with the Act and these rules.

This rule is intended to implement Iowa Code section 17A.3(1) "b."

265—2.9(16) Mortgage purchase or loans to lenders for existing, newly built single-family or multifamily housing—general information. For the purpose of providing permanent mortgage loans for purchase or refinance of existing or newly built single-family or multifamily housing, the authority may provide loan funds to a mortgage lender either by a loan to such lender, or by authority purchase, or advance commitment to purchase a mortgage from a mortgage lender.

2.9(1) Eligible recipients. Families who are of low and moderate income.

2.9(2) Applicability to authority programs. The authority may, by means of a loan to a mortgage lender, or purchase of a mortgage from a mortgage lender, provide permanent mortgage loans for special needs housing, area preservation, or refinance of Iowa homesteading loans.

2.9(3) Application procedure for mortgage lenders. Specific instructions concerning application procedures will be contained in the authority's processing procedures, instructions and guidelines promulgated pursuant to 265—2.8(16).

2.9(4) Allocation of bond proceeds among mortgage lenders. The authority may allocate bond proceeds in principal amounts and at rates of interest among mortgage lenders on the basis of the total amount of funds available, the amount of funds and interest specified in the individual request of each mortgage lender, and the ability in the judgment of the authority, of each mortgage lender to fully utilize the funds for the purposes intended.

2.9(5) Discount of authority loans. In order to attain consistency between interest on authority obligations and on authority loans to lenders or mortgages purchased, the authority may, by means of discount of loan principal or mortgage purchase price, adjust the effective yield of such loans or mortgages purchased.

2.9(6) Procedures for commitment and disbursement by mortgage lenders with respect to new mortgage loans as a result of an authority loan or mortgage purchase. Specific instructions concerning procedures for commitment and disbursement by mortgage lenders will be contained in the authority's processing procedures, instructions and guidelines promulgated pursuant to 265—2.8(16).

This rule is intended to implement Iowa Code sections 16.5C, 16.38, and 16.39.

[ARC 1945C, IAB 4/1/15, effective 5/6/15]

265—2.10(16) Assumption of mortgages. Where such permission is required or contemplated by the mortgage documents, the Iowa finance authority will grant written permission for a subsequent buyer of a home financed by an IFA mortgage to assume the outstanding mortgage loan if all of the conditions established in these rules are met.

2.10(1) Eligible assumptions. The buyer or buyers meet all of the requirements of an eligible mortgagor under IFA guidelines relating to mortgages issued under a particular series of bonds except that no income restrictions shall apply.

2.10(2) Rate of prepayments. The prepayments received by the Iowa finance authority for a given series of mortgages must equal or exceed the rate of prepayments that was anticipated in structuring the principal repayment dates and amounts for that series of bonds.

This rule is intended to implement Iowa Code section 16.38.

[ARC 1945C, IAB 4/1/15, effective 5/6/15]

[Filed 5/11/77, Notice 4/6/77—published 6/1/77, effective 7/6/77]

[Filed 3/4/81, Notice 12/10/80—published 3/18/81, effective 4/22/81]

[Filed emergency 7/26/85—published 8/14/85, effective 7/26/85]

[Filed 3/19/91, Notice 10/17/90—published 4/3/91, effective 5/8/91]

[Filed ARC 1945C (Notice ARC 1763C, IAB 12/10/14), IAB 4/1/15, effective 5/6/15]