

## Farm Service Agency, USDA

§ 766.51

APPENDIX B TO SUBPART C OF PART 766—  
FSA-2512, NOTICE OF AVAILABILITY OF  
LOAN SERVICING TO BORROWERS WHO ARE  
CURRENT, FINANCIALLY DISTRESSED, OR  
LESS THAN 90 DAYS PAST DUE

APPENDIX C TO SUBPART C OF PART 766—FSA-  
2514, NOTICE OF AVAILABILITY OF LOAN  
SERVICING TO BORROWERS IN NON-MONE-  
TARY DEFAULT

766.357 Involuntary liquidation of real prop-  
erty and chattel.

766.358-766.400 [Reserved]

### Subpart I—Exception Authority

766.401 Agency exception authority.

AUTHORITY: 5 U.S.C. 301 and 7 U.S.C. 1981d  
and 1989.

SOURCE: 72 FR 63316, Nov. 8, 2007, unless  
otherwise noted.

### Subpart A—Overview

#### § 766.1 Introduction.

(a) This part describes the Agency's  
servicing policies for direct loan bor-  
rowers who:

- (1) Are financially distressed;
- (2) Are delinquent in paying direct  
loans or otherwise in default;
- (3) Have received unauthorized assist-  
ance;

(4) Have filed bankruptcy or are in-  
volved in other civil or criminal cases  
affecting the Agency; or

(5) Have loan security being liq-  
uidated voluntarily or involuntarily.

(b) The Agency services direct FLP  
loans under the policies contained in  
this part.

(1) Youth loans:

(i) May not receive Disaster Set-  
Aside under subpart B of this part;

(ii) Will only be considered for re-  
scheduling according to § 766.107 and de-  
ferred according to § 766.109.

(2) The Agency does not service Non-  
program loans under this part except  
where noted.

(c) The Agency requires the borrower  
to make every reasonable attempt to  
make payments and comply with loan  
agreements before the Agency con-  
siders special servicing.

#### § 766.2 Abbreviations and definitions.

Abbreviations and definitions for  
terms used in this part are provided in  
§ 761.2 of this chapter.

§§ 766.3-766.50 [Reserved]

### Subpart B—Disaster Set-Aside

#### § 766.51 General.

(a) DSA is available to borrowers  
with program loans who suffered losses  
as a result of a natural disaster.

### Subpart D—Homestead Protection Program

766.151 Applying for Homestead Protection.

766.152 Eligibility.

766.153 Homestead Protection transfer-  
ability.

766.154 Homestead Protection leases.

766.155 Conflict with State law.

766.156-766.200 [Reserved]

### Subpart E—Servicing Shared Appreciation Agreements and Net Recovery Buyout Agreements

766.201 Shared Appreciation Agreement.

766.202 Determining the shared appreciation  
due.

766.203 Payment of recapture.

766.204 Amortization of recapture.

766.205 Shared Appreciation Payment  
Agreement rates and terms.

766.206 Net Recovery Buyout Recapture  
Agreement.

766.207-766.250 [Reserved]

### Subpart F—Unauthorized Assistance

766.251 Repayment of unauthorized assist-  
ance.

766.252 Unauthorized assistance resulting  
from submission of false information.

766.253 Unauthorized assistance resulting  
from submission of inaccurate informa-  
tion by borrower or Agency error.

766.254-766.300 [Reserved]

### Subpart G—Loan Servicing For Borrowers in Bankruptcy

766.301 Notifying borrower in bankruptcy of  
loan servicing.

766.302 Loan servicing application require-  
ments for borrowers in bankruptcy.

766.303 Processing loan servicing requests  
from borrowers in bankruptcy.

766.304-766.350 [Reserved]

### Subpart H—Loan Liquidation

766.351 Liquidation.

766.352 Voluntary sale of real property and  
chattel.

766.353 Voluntary conveyance of real prop-  
erty.

766.354 Voluntary conveyance of chattel.

766.355 Acceleration of loans.

766.356 Acceleration of loans to American  
Indian borrowers.