

# Don't Be A Victim of Loan Fraud

## Protect Yourself from Predatory Lenders

Buying or refinancing your home may be one of the most important and complex financial decisions you'll ever make. Many lenders, appraisers and real estate professionals stand ready to help you get a nice home and a great loan. However, you need to understand the homebuying process to be a smart consumer. Every year, misinformed homebuyers, often first-time purchasers or seniors, become victims of predatory lending or loan fraud.

Don't let this happen to you!



# 11 tips on being a smart consumer

- 1 Before you buy a home, attend a homeownership education course offered by a U.S. Department of Housing and Urban Development (HUD)-approved, non-profit counseling agency.
- 2 Interview several real estate professionals (agents), and ask for and check references before you select one to help you buy or sell a home.
- 3 Get information about the prices of other homes in the neighborhood. Don't be fooled into paying too much.
- 4 Hire a properly qualified and licensed home inspector to carefully inspect the property before you are obligated to buy. Determine whether you or the seller is going to be responsible for paying for the repairs. If you have to pay for the repairs, determine whether or not you can afford to make them.
- 5 Shop for a lender and compare costs. Be suspicious if anyone tries to steer you to just one lender.
- 6 Do **NOT** let anyone persuade you to make a false statement on your loan application, such as overstating your income, the source of your down payment, failing to disclose the nature and amount of your debts, or even how long you have been employed. When you apply for a mortgage loan, every piece of information that you submit must be accurate and complete. Lying on a mortgage application is fraud and may result in criminal penalties.
- 7 Do **NOT** let anyone convince you to borrow more money than you know you can afford to repay. If you get behind on your payments, you risk losing your house and all of the money you put into your property.
- 8 Never sign a blank document or a document containing blanks. If information is inserted by someone else after you have signed, you may still be bound to the terms of the contract. Insert "N/A" (i.e., not applicable) or cross through any blanks.
- 9 Read everything carefully and ask questions. Do not sign anything that you don't understand. Before signing, have your contract and loan agreement reviewed by an attorney skilled in real estate law, consult with a trusted real estate professional or ask for help from a housing counselor with a HUD-approved agency. If you cannot afford an attorney, take your documents to the HUD-approved agency near you to find out if they will review the documents or can refer you to an attorney who will help you for free or at low cost.
- 10 Be suspicious when the cost of a home improvement goes up if you don't accept the contractor's financing.
- 11 Be honest about your intention to occupy the house. Stating that you plan to live there when, in fact, you are not (because you intend to rent the house to someone else or fix it up and resell it) violates federal law and is a crime.

# What is **PREDATORY LENDING?**

In communities across America, people are losing their homes and their investments because of predatory lenders, appraisers, mortgage brokers and home improvement contractors who:

- Sell properties for much more than they are worth using false appraisals.
- Encourage borrowers to lie about their income, expenses, or cash available for down payments in order to get a loan.
- Knowingly lend more money than a borrower can afford to repay.
- Charge high interest rates to borrowers based on their race or national origin and not on their credit history.
- Charge fees for unnecessary or nonexistent products and services.
- Pressure borrowers to accept higher-risk loans such as balloon loans, interest-only payments and steep pre-payment penalties.
- Target vulnerable borrowers for cash-out refinance offers when they know borrowers are in need of cash due to medical, unemployment or debt problems.
- “Strip” homeowners’ equity from their homes by convincing them to refinance again and again when there is no benefit to the borrower.
- Use high pressure sales tactics to sell home improvements and then finance them at high interest rates.



Housing counselors with a HUD-approved agency can help you be a smart consumer. To find a counselor near you, call 1-800-569-4287 or go to HUD’s web site [www.hud.gov](http://www.hud.gov).

## **WHAT TACTICS DO PREDATORS USE?**

- A lender or investor tells you that they are your only chance of getting a loan or owning a home. You should be able to take your time to shop around and compare prices and houses.
- The house you are buying costs a lot more than other homes in the neighborhood, but isn’t any bigger or better.
- You are asked to sign a sales contract or loan documents that are blank or contain information that is not true.
- You are told that the Federal Housing Administration insurance protects you against property defects or loan fraud — it does not.
- The costs or loan terms at closing are not what you agreed to.
- You are told that refinancing can solve your credit or money problems.
- You are told that you can only get a good deal on a home improvement if you finance it with a particular lender.

### **REMEMBER**

*If a deal to buy, repair or refinance a house sounds too good to be true, it usually is!*

