

***Servicing Guide* Announcement SVC-2012-23**

November 21, 2012

Change in Maximum Allowable Attorney Fees

***Servicing Guide*, Part VIII, Section 106.04: Attorney (or Trustee) Fees**

This Announcement updates Fannie Mae's maximum allowable foreclosure attorney (or trustee) fees for mortgage loans, participation pool mortgage loans, and MBS mortgage loans serviced under the special servicing option secured by properties located in the states listed in the Attachment.

The fee revisions for the states of Maryland and Massachusetts are effective for loans referred to an attorney on or after June 1, 2012. The fee for uncontested trials in Florida is effective for trials which take place on or after October 1, 2012. All other fee revisions for states in this Announcement are effective for mortgage loans referred to an attorney (or trustee) on or after October 1, 2012. These fees include all steps required to complete a judicial or non-judicial foreclosure, as the case may be, other than fees for mediations and settlement conferences.

Fannie Mae's Regional Counsel must review and approve proceeding judicially in states identified as "On Approval" states. Servicers must request such approval by sending an email to nonroutine_litigation@fanniemae.com. Fannie Mae will provide procedural instructions and approve applicable fees at the time it grants approval.

The [Allowable Attorney and Trustee Foreclosure Fees](#) available on Fannie Mae's website has been updated to reflect the fee changes in the Attachment and shall be effective until further notice from Fannie Mae.

Servicers should contact their Servicing Consultant, Portfolio Manager, or Fannie Mae's National Servicing Organization's Servicing Solutions Center at 1-888-FANNIE5 (888-326-6435) with any questions on this Announcement.

Gwen Muse-Evans
Senior Vice President
Chief Risk Officer for Credit Portfolio Management

Attachment

Changes in Allowable Foreclosure Attorney Fees

In states identified as “On Approval” states, Fannie Mae's Regional Counsel must review and approve proceeding judicially.

The complete list of [Allowable Attorney and Trustee Foreclosure Fees](#) (including the changes noted below) is available on Fannie Mae's website.

Jurisdiction Name	Old Non-Judicial Fee	New Non-Judicial Fee	Old Judicial Fee	New Judicial Fee
Arizona	\$625	\$925	On Approval	On Approval
Arkansas	\$600	\$1,050	On Approval	On Approval
California	\$650	\$1,000 ¹	On Approval	On Approval
Florida	N/A	N/A	\$2,250	\$2,250 ²
Maryland	\$1,600	\$2,100	On Approval	On Approval
Massachusetts	N/A	N/A	\$1,600	\$2,000
Mississippi	\$550	\$900	On Approval	On Approval
Nebraska	\$600	\$900	On Approval	On Approval
Rhode Island	\$900	\$1,300	On Approval	On Approval
West Virginia	\$550	\$1,000	On Approval	On Approval

¹ This fee applies to completed foreclosures. If the mortgage loan is reinstated after recordation of the Notice of Default (but before mailing of the Notice of Sale), the maximum fee is \$500 or the maximum allowed by statute, whichever is less. If the mortgage loan is reinstated after mailing of the Notice of Sale but before the Trustee's Sale, the maximum fee is \$750 or the maximum allowed by statute, whichever is less

² The allowable fee for foreclosures in Florida, where judgment is obtained as a result of an uncontested trial, is \$3,000.