



Seller
Informational Short Sale Packet

Compliments of:

Fox Short Sale Negotiators



Seller Short Sale Checklist

Please provide the following information at the time of listing. All information needs to be signed and dated by all persons on the loan.

- Authorization to Release Information Form – See attached form***
- Copy of Mortgage Statement or Default Letter with Account # and Lender Information***
- Completed Information Form – See attached form***
- Hardship Letter Signed and Dated – Sample letter attached***
- Financial Worksheet Completed and Signed***
- Federal Tax Returns – Last Two Years***
- Bank Statements***
- Pay Stubs – Last 2 Months***
- Form 4506T – Signed and Dated***
- Homeowners Association Information, if applicable***
- Copy of Driver's License***

If you are unable to produce any of the above listed documents due to loss of employment or no bank account, please provide a written statement signed and dated explaining your reasons for not providing the information requested.



Personal Information

Property Address:	<input type="text"/>
Mailing Address (if different):	<input type="text"/>

Owner 1 Name:	<input type="text"/>	SS#:	<input type="text"/>
Home Phone:	<input type="text"/>	Cell Number:	<input type="text"/>
Work Phone:	<input type="text"/>	Email:	<input type="text"/>

Owner 2 Name:	<input type="text"/>	SS#:	<input type="text"/>
Home Phone:	<input type="text"/>	Cell Number:	<input type="text"/>
Work Phone:	<input type="text"/>	Email:	<input type="text"/>

Association Name (or write "does not apply"):	<input type="text"/>		
Assoc. Mgmt Co Name:	<input type="text"/>	Phone:	<input type="text"/>
Property Occupied? <input type="checkbox"/> Yes <input type="checkbox"/> No	Occupied by Tenant? <input type="checkbox"/> Yes <input type="checkbox"/> No		

Are you currently Employed? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Current or Former Employer's Name:	<input type="text"/>		
If retired or unemployed, last date of employment (approx.):	<input type="text"/>		
Are you presently in bankruptcy? <input type="checkbox"/> Yes <input type="checkbox"/> No	Date filed:	<input type="text"/>	
Bankruptcy Atty Name:	<input type="text"/>	Phone:	<input type="text"/>

Your First Lender's Name:	<input type="text"/>	Phone:	<input type="text"/>
Your First Lender's Account Number:	<input type="text"/>		
Your Second Lender's Name:	<input type="text"/>	Phone:	<input type="text"/>
Your Second Lender's Account Number:	<input type="text"/>		

If you have other information (additional owners, additional lenders, etc.) please use a second sheet of paper.



The Benefits of a Short Sale for the Homeowner

- Typically the lender pays for the costs involved in selling your real estate including real estate commissions, your real estate taxes and your attorney legal fees.
- Your property is sold “as is” so you will not be asked to make repairs by the buyer.
- There is less damage to your credit and you will be able to restore your credit much sooner than if your property would go in to foreclosure.
- Most often the bank will forgive the deficiency balance or the amount of money the bank will lose by allowing you to do a short sale as it is a less severe loss to the lender.
- If your property goes in to foreclosure, it is likely that your lender will get a judgment against you for your unpaid balance including their attorney fees and cost. They can even garnish your wages.
- You will be able to move in a manageable time frame with less impact to your family.

We will do everything we can to get the bank to accept the short sale, but ultimately the terms of the short sale and whether it will be allowed are up to the lenders who hold your mortgage.



Explanation Delinquent Mortgage Payments

To Whom It May Concern:

I am contacting you today to explain the circumstances which have caused us to become delinquent on our mortgage payments. Although I have done everything possible to improve my financial situation, I am still short on the money I owe to you. I would greatly appreciate the opportunity to obtain a short sale.

The reason that I have become delinquent in my mortgage payments is:

Since I do not have enough money to pay my regular monthly mortgage payments, I am falling further behind and will not be able to pay what is owed. Because of the current situation, I am being forced to sell my house. However, I am unable to sell my house for what I owe.

My home means a great deal to me, and I desire to keep it out of foreclosure. I am anxious to reach an agreement and appreciate your prompt response.

Respectfully,



Sample Hardship Letter

Date:

Name of Lender
Loss Mitigation Department
Telephone #
Loan #
Property Address

I am writing to request a short pay for my mortgage, loan number _____.

Last year I lost my job and have been unable to find any work. (Explain why you have missed mortgage payments).

Example: Job Transfer, Medical Expenses, Adjustable Mortgage, Illness.

The Lender needs to know that it is a hardship for you to remain in your home and that you are unable to sell your home without a loss due to the decline in the housing market.

Please let the lender know whether you are still living in your home and whether or not you are paying the utilities.

Sincerely,

Mr. and Mrs. Seller

IMPORTANT: The Hardship Letter must have your signature



Sample Hardship Letter

Date

Name of Lender
Account Number
Attn: Loss Mitigation
Property Address

I purchased my home in 2006 and we had enough income at the time to support the mortgage.

In early 2008 my mother was diagnosed with Alzheimer's and needed to be put in a nursing home, which was very expensive. During this time my husband lost his job and has since found a job for considerably less money. We love our home and do not want to lose it but we realize that we cannot afford to keep it.

I make \$35,000 annually and I have exhausted all of my savings, IRA's and my children's college funds. I used to keep my mortgage payments current but now have been unable to pay on a regular basis.

In May 2010, I inquired about partial payments, payment plans, and refinance but was denied on all accounts. In July, I put the house up for sale with (your agent's name and Brokerage Firm) who specializes in pre-foreclosure properties and short sales.

Since the house has been on this market, this is the only offer we have received. Please accept this offer as payment in full.

Sincerely,

Seller

IMPORTANT: The Hardship Letter must have your signature



Disclosure Statement / Short Sale Fee Agreement

Date:

Property Address:

Name of Mortgage Co.: Loan#:

Name of Mortgage Co.: Loan#:

The undersigned seller (s) are aware that Fox Short Sale Negotiators, LLC has agreed to submit a short sale package on the above referred property address.

The lenders involved in these short sales may not allow certain closing costs to be charged on the settlement statement. In the event this should occur, the seller is aware that any and all fees that the lender removes from the HUD-1 must be paid directly to Fox Short Sale Negotiators, LLC at the time of the closing. All funds must be in a cashier's check. In the event that the file should be cancelled, Fox Short Sale Negotiators, LLC will cancel all fees to the seller.

1. No upfront fees are being charged.
2. The fees being charged at the closing are higher than on a non-short sale transaction.
3. Even though Fox Short Sale Negotiators, LLC will be spending an incredible number of hours and, incurring fees on my transaction these fees and costs will be waived in the event that the short sale of the property does not occur.
4. We will not charge more than what the lender allows and will only charge what the lender will allow.
5. We, the sellers, will not be asked to bring money to the closing to compensate Fox Short Sale Negotiators, LLC.
6. The undersigned sellers acknowledge that the processing of their short sale transaction is primarily administrative and is carried out by non-attorneys who work at Fox Short Sale Negotiators, LLC. The sellers may terminate this agreement at any time without paying any fees or costs to Fox Short Sale Negotiators, LLC.
7. The escrow closing of the short sale will be handled by Fox Short Sale Negotiators, LLC.

Seller

Date

Seller

Date

Listing Agent

Date



Authorization to Negotiate Short Sale and Hold Harmless Agreement

The undersigned, hereafter referred to as Seller(s), hereby authorizes Fox Title Short Sale, LLC to negotiate on behalf of Seller(s) for the purpose of obtaining the consent from the Seller's mortgagee to permit a "Short Sale" of the Real Estate commonly known as:

The Seller(s) hereby authorizes any Financial Services Company, Real Estate Agency, Lender, Credit Reporting Agency, Employer, Investor or other person or entity with knowledge of Seller(s) financial status/history, upon receipt of a copy of this instrument, to disclose any and all information concerning seller(s) mortgage(s) loan, financial obligations and all other credit information to Fox Title Short Sale, LLC. All such information so obtained shall be held confidential by Fox Title Short Sale, LLC and its designated agents and employees. This information shall be used only for the purpose of "short sale" negotiations and the underlying lien holders. Any decision Fox Title Short Sale, LLC regarding the disclosure of such confidential information for the purpose of short sale negotiations shall be binding on the Seller(s) and no claim of any breach of confidentiality shall exist except upon conclusive proof of malicious conduct by Fox Title Short Sale, LLC and its designated agents and employees. For all purposes herein, listing and selling agents, brokers and the short sale buyer shall also be included within the scope of persons authorized to receive such confidential information. Fox Title Short Sale, LLC shall have no obligations to police the subsequent dissemination of such confidential information so long as disclosure to the initial recipients is proper. Consequently, Fox Title Short Sale, LLC shall have no liability whatsoever to Seller(s) in the event that such confidential information is later improperly published or disclosed by any such initial recipient.

Seller(s) further agrees to indemnify and hold Fox Title Short Sale, LLC harmless including all litigation expenses and attorney fees for any liability to any third party arising from its role as negotiator herein. Seller(s) represents and warrants the accuracy and completeness of all financial information whether conveyed directly by Seller(s) or delivered Fox Title Short Sale, LLC pursuant to this authorization. Disclosed to Fox Title Short Sale, LLC so that Fox Title Short Sale, LLC shall be conducted in Reliance upon the express and implied completeness and accuracy of financial information received by Fox Title Short Sale, LLC from or through Seller(s). Fox Title Short Sale, LLC has no obligation to independently investigate the completeness or accuracy of such financial information.

Any financial implications arising out of or resulting from and "Short Sale" or lack thereof negotiated by Fox Title Short Sale, LLC including but not limited to tax liability for relief of debt, risk of deficiency judgments, impact or credit score or any other financial consequences are the sole responsibility of the Seller(s) and should be discussed in advance with a tax professional and/or attorney. Fox Title Short Sale, LLC makes no representation or warranties regarding such financial implication and Seller(s) agree to indemnify and hold Fox Title Short Sale, LLC harmless (including any litigation expenses and attorney fees) from any and all adverse financial consequences, whether by lien, deficiency judgment, tax consequences or otherwise, allegedly imputed to Fox Title Short Sale, LLC as a result of any negotiations and short sale contemplated herein.

Seller(s) acknowledges the solemnity of this instrument and that the decision whether to seek legal counsel tax advisor to fully understand the consequences of this undertaking is solely within the discretion of Seller(s). Fox Title Short Sale, LLC has made no representations regarding the legal importance of this instrument or otherwise attempted to act as Seller(s) legal advisor.

Signature _____ Printed Name Date

Signature _____ Printed Name Date



Short Sale Disclosure Form

Brokerage	Listing Agent
Property Address	
Seller	Buyer

This disclosure will serve as an independent agreement and relates to the contract executed by the buyer and seller named above. It is expressly understood by all parties that the seller owes more than the amount of the contract and is unable to bring cash to closing, therefore the sale will require the approval of the lender. Please note that the property may remain on the market for the purpose of accepting backup offers until the lender approves a contract, and the property will be listed on MLS as undergoing a short sale.

Following are some potential issues that can affect a short sale:

1. After the lender receives the short sale packet, the lender may require at least 30-45 business days to approve the short sale. After approval, the sale must close within lender approved time frame, typically 30-45 calendar days.
2. The seller will receive no cash from this transaction (unless it is a HAFA short sale). Any funds usually due to the seller will be paid to the lender.
3. The seller has no additional cash and will be unable to pay for any closing costs, such as the buyer's appraisal or home warranty. Should the buyer desire a home warranty they are free to purchase one at closing.
4. The seller may be unable to pay for maintaining the property. The property will remain in the current condition through closing; the seller will not be able to make any repairs to the property.
5. The seller's broker will split the commission with the buyer's broker on any commission paid by the lender that is under what has been advertised in the MLS. Please note that since the lender is taking less than what is owed to them in a short sale, the lender in some cases may negotiate a lower commission percentage.
6. The seller's forgiven or cancelled debt may be taxable income. The seller should discuss this matter with a tax professional. This has no bearing whatsoever on the buyer.
7. In some cases the lender may pursue a deficiency judgment against the seller for any funds not collected at closing. This has no bearing whatsoever on the buyer.
8. By signing this disclosure, you acknowledge that you have read and understand these situations. Any changes to the commission rate will be provided by the lender at the time of the lender's final approval of this short sale.

Authorized By:

Seller's Signature	Date	Buyer's Signature	Date
Seller's Signature	Date	Buyer's Signature	Date
Listing Broker's Signature	Date	Seller's Broker's Signature	Date
Listing Broker/Company	Date	Selling Brokerage/Company	Date
Listing Agent	Date	Selling Agent	Date



FTC MARS Disclosure for Consumer-Specific Commercial Communication

IMPORTANT GOVERNMENT NOTICE:

You may stop doing business with us at any time. You may accept or reject the offer of mortgage assistance we obtain from your lender (or servicer). If you reject the offer, you do not have to pay us.

Fox Short Sale Negotiators, LLC is not associated with the government and our service is not approved by the government or your lender. Even if you accept this offer and use our service your lender may not agree to change your loan.

If you stop paying your mortgage you could lose your home and damage your credit rating.

Property Address

Seller

Date

Seller

Date

Name of Brokerage

Date

Name of Broker

Date

Request for Copy of Tax Return

(Rev. January 2011)

OMB No. 1545-0429

Department of the Treasury
Internal Revenue Service

► **Request may be rejected if the form is incomplete or illegible.**

Tip. You may be able to get your tax return or return information from other sources. If you had your tax return completed by a paid preparer, they should be able to provide you a copy of the return. The IRS can provide a **Tax Return Transcript** for many returns free of charge. The transcript provides most of the line entries from the original tax return and usually contains the information that a third party (such as a mortgage company) requires. See **Form 4506-T, Request for Transcript of Tax Return**, or you can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946.

1a Name shown on tax return. If a joint return, enter the name shown first.	1b First social security number on tax return, individual taxpayer identification number, or employer identification number (see instructions)
2a If a joint return, enter spouse's name shown on tax return.	2b Second social security number or individual taxpayer identification number if joint tax return
3 Current name, address (including apt., room, or suite no.), city, state, and ZIP code (See instructions)	
4 Previous address shown on the last return filed if different from line 3 (See instructions)	
5 If the tax return is to be mailed to a third party (such as a mortgage company), enter the third party's name, address, and telephone number. The IRS has no control over what the third party does with the tax return.	

Caution. If the tax return is being mailed to a third party, ensure that you have filled in line 6 and line 7 before signing. Sign and date the form once you have filled in these lines. Completing these steps helps to protect your privacy.

6 Tax return requested. Form 1040, 1120, 941, etc. and all attachments as originally submitted to the IRS, including Form(s) W-2, schedules, or amended returns. Copies of Forms 1040, 1040A, and 1040EZ are generally available for 7 years from filing before they are destroyed by law. Other returns may be available for a longer period of time. Enter only one return number. If you need more than one type of return, you must complete another Form 4506. ► _____

Note. If the copies must be certified for court or administrative proceedings, check here

7 Year or period requested. Enter the ending date of the year or period, using the mm/dd/yyyy format. If you are requesting more than eight years or periods, you must attach another Form 4506.

8 Fee. There is a \$57 fee for each return requested. Full payment must be included with your request or it will be rejected. Make your check or money order payable to "United States Treasury." Enter your SSN or EIN and "Form 4506 request" on your check or money order.	
a Cost for each return	\$ \$57.00
b Number of returns requested on line 7	
c Total cost. Multiply line 8a by line 8b	\$

9 If we cannot find the tax return, we will refund the fee. If the refund should go to the third party listed on line 5, check here

Signature of taxpayer(s). I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax return requested. If the request applies to a joint return, **either** husband or wife must sign. If signed by a corporate officer, partner, guardian, tax matters partner, executor, receiver, administrator, trustee, or party other than the taxpayer, I certify that I have the authority to execute Form 4506 on behalf of the taxpayer. **Note.** For tax returns being sent to a third party, this form must be received within 120 days of signature date.

		Telephone number of taxpayer on line 1a or 2a
Signature (see instructions)	Date	
Title (if line 1a above is a corporation, partnership, estate, or trust)		
Spouse's signature	Date	

General Instructions

Section references are to the Internal Revenue Code.

Purpose of form. Use Form 4506 to request a copy of your tax return. You can also designate a third party to receive the tax return. See line 5.

How long will it take? It may take up to 60 calendar days for us to process your request.

Tip. Use Form 4506-T, Request for Transcript of Tax Return, to request tax return transcripts, tax account information, W-2 information, 1099 information, verification of non-filing, and record of account.

Automated transcript request. You can quickly request transcripts by using our automated self-help service tools. Please visit us at IRS.gov and click on "Order a Transcript" or call 1-800-908-9946.

Where to file. Attach payment and mail Form 4506 to the address below for the state you lived in, or the state your business was in, when that return was filed. There are two address charts: one for individual returns (Form 1040 series) and one for all other returns.

If you are requesting a return for more than one year and the chart below shows two different RAIVS teams, send your request to the team based on the address of your most recent return.

Chart for individual returns (Form 1040 series)

If you filed an individual return and lived in:

Mail to the "Internal Revenue Service" at:

Florida, Georgia
(After June 30, 2011, send your transcript requests to Kansas City, MO)

RAIVS Team
P.O. Box 47-421
Stop 91
Doraville, GA 30362

Alabama, Kentucky, Louisiana, Mississippi, Tennessee, Texas, a foreign country, American Samoa, Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, or A.P.O. or F.P.O. address

RAIVS Team
Stop 6716 AUSC
Austin, TX 73301

Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, Wyoming

RAIVS Team
Stop 37106
Fresno, CA 93888

Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia

RAIVS Team
Stop 6705 P-6
Kansas City, MO 64999

Chart for all other returns

If you lived in or your business was in:

Mail to the "Internal Revenue Service" at:

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Hawaii, Idaho, Iowa, Kansas, Louisiana, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, a foreign country, or A.P.O. or F.P.O. address

RAIVS Team
P.O. Box 9941
Mail Stop 6734
Ogden, UT 84409

Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin

RAIVS Team
P.O. Box 145500
Stop 2800 F
Cincinnati, OH 45250

Specific Instructions

Line 1b. Enter your employer identification number (EIN) if you are requesting a copy of a business return. Otherwise, enter the first social security number (SSN) or your individual taxpayer identification number (ITIN) shown on the return. For example, if you are requesting Form 1040 that includes Schedule C (Form 1040), enter your SSN.

Line 3. Enter your current address. If you use a P.O. box, please include it on this line 3.

Line 4. Enter the address shown on the last return filed if different from the address entered on line 3.

Note. If the address on Lines 3 and 4 are different and you have not changed your address with the IRS, file Form 8822, Change of Address.

Signature and date. Form 4506 must be signed and dated by the taxpayer listed on line 1a or 2a. If you completed line 5 requesting the return be sent to a third party, the IRS must receive Form 4506 within 120 days of the date signed by the taxpayer or it will be rejected.

Individuals. Copies of jointly filed tax returns may be furnished to either spouse. Only one signature is required. Sign Form 4506 exactly as your name appeared on the original return. If you changed your name, also sign your current name.

Corporations. Generally, Form 4506 can be signed by: (1) an officer having legal authority to bind the corporation, (2) any person designated by the board of directors or other governing body, or (3) any officer or employee on written request by any principal officer and attested to by the secretary or other officer.

Partnerships. Generally, Form 4506 can be signed by any person who was a member of the partnership during any part of the tax period requested on line 7.

All others. See section 6103(e) if the taxpayer has died, is insolvent, is a dissolved corporation, or if a trustee, guardian, executor, receiver, or administrator is acting for the taxpayer.

Documentation. For entities other than individuals, you must attach the authorization document. For example, this could be the letter from the principal officer authorizing an employee of the corporation or the Letters Testamentary authorizing an individual to act for an estate.

Signature by a representative. A representative can sign Form 4506 for a taxpayer only if this authority has been specifically delegated to the representative on Form 2848, line 5. Form 2848 showing the delegation must be attached to Form 4506.

Privacy Act and Paperwork Reduction Act

Notice. We ask for the information on this form to establish your right to gain access to the requested return(s) under the Internal Revenue Code. We need this information to properly identify the return(s) and respond to your request. Sections 6103 and 6109 require you to provide this information, including your SSN or EIN, to process your request. If you do not provide this information, we may not be able to process your request. Providing false or fraudulent information may subject you to penalties.

Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation, and cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. We may also disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file Form 4506 will vary depending on individual circumstances. The estimated average time is: **Learning about the law or the form**, 10 min.; **Preparing the form**, 16 min.; and **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making Form 4506 simpler, we would be happy to hear from you. You can write to Internal Revenue Service, Tax Products Coordinating Committee, SE:W:CAR:MP:T:T:SP, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the form to this address. Instead, see *Where to file* on this page.