

# Multifamily Selling and Servicing Guide

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# TABLE OF CONTENTS

Part III Section	on 1804.02 Credit Enhancement Instrument	3
<b>GLOSSARY</b>		4

Effective: 12/01/2025



#### **1804.02** Credit Enhancement Instrument



### Guidance

Fannie Mae's Credit Enhancement Instrument Loan Documents presume the Bond Issuer will:

- be the initial lender and secured party under the Security Instrument; and
- immediately assign the Multifamily Bond Note and Security Instrument to Fannie Mae and the Bond Trustee, as co-assignees.

### Requirements

You must ensure that Fannie Mae (not you or the Bond Issuer) is named as the counterparty or beneficiary in the Credit Enhancement Mortgage Loan agreements and collateral assignments.

## **Operating Procedures**

Fannie Mae and its counsel will:

- prepare the
  - Credit Enhancement Commitment Letter,
  - credit enhancement documents.
  - multifamily Note; and
- review and approve all Bond documents.

You may ask Fannie Mae's counsel to also prepare other Loan Documents, or your counsel may prepare these documents.

Effective: 12/01/2025



# **Glossary**

### $\mathbf{B}$

**Bond Trustee** 

Trustee for a Credit Enhancement Instrument.

### **Synonyms**

Bond Trustee's

### C

Commitment

Contractual agreement between you and Fannie Mae where Fannie Mae agrees to buy a Mortgage Loan at a future date in exchange for an MBS, or at a specific price for a Cash Mortgage Loan, and you agree to Deliver that Mortgage Loan.

### **Synonyms**

- Committed
- Commitments

# Credit Enhancement Instrument

Agreement between Fannie Mae and a Bond Trustee where Fannie Mae provides credit enhancement of a Credit Enhancement Mortgage Loan, Bonds issued to finance a Credit Enhancement Mortgage Loan, or an Interest Rate Hedge Agreement; and if applicable, a Bond liquidity facility.

### **Synonyms**

Credit Enhancement Instruments

### Credit Enhancement Mortgage Loan

Mortgage Loan financed by a Bond issuance where Fannie Mae provides credit enhancement by

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- a Credit Enhancement Instrument, or
- an MBS for Bonds.

### **Synonyms**

Credit Enhancement Mortgage Loans

### I



Issuer

Entity that:

- issues Bonds for a Credit Enhancement Mortgage Loan;
- packages mortgages for sale as a Security for an MBS;
  or
- issues a Letter of Credit.

### **Synonyms**

Issuers

L

**Loan Documents** 

All Fannie Mae-approved documents evidencing, securing, or guaranteeing the Mortgage Loan.

### **Synonyms**

- Loan Document
- Mortgage Loan Document
- Mortgage Loan Documents

N

Note

Instrument evidencing a Mortgage Loan obligation, including

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- Form 6010 series,
- any other Fannie Mae-approved note, and
- all applicable
  - addenda,
  - schedules, and
  - exhibits.

### **Synonyms**

Notes

S



# Security Instrument

Instrument creating a lien or encumbrance on 1 or more Properties and securing the Loan Document obligations.

Effective: 12/01/2025

### **Synonyms**

- Security Instruments
- Security Instrument's