



Fannie Mae®

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# Multifamily Selling and Servicing Guide

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## Section 105 Ground Leased Properties

### 105.01 Generally

#### Requirements

If the Property has a Ground Lease, the Mortgage Loan collateral must include a Lien on the Leasehold estate.

You must ensure that the Ground Lease complies with the Ground Lease Review Checklist ([Form 6479](#)), unless

- the ground lessor joins with the Borrower in executing the Security Instrument and grants a Lien on the ground lessor's fee estate, or
- the absence of the Leasehold estate would not have a material adverse effect on the Property's operation or value.

### 105.02 Ground Lease Rents

#### Requirements

You must:

- establish an escrow for ground rents;
- ensure the Borrower deposits sufficient funds; and
- make all payments due per the Ground Lease.

### 105.03 Ground Lease Estoppel Certificate

#### Requirements

You must obtain an executed Ground Lessor Estoppel Certificate ([Form 6495](#)).

### 105.04 Ground Lease Review

#### Requirements

You must:

- review and analyze the Ground Lease to ensure compliance with the requirements of this Section; and



- retain the completed [Form 6479](#) in your Servicing File.



## Glossary

### B

**Borrower** Person who is the obligor per the Note.

**Synonyms**

- Borrowers
- Borrower's

### G

**Ground Lease** Contract for the rental of land, usually on a long term basis.

### L

**Leasehold** Property held under a long-term lease or Ground Lease.

**Lien** Lien, mortgage, bond interest, pledge, security interest, charge, or encumbrance of any kind.

**Synonyms**

- Liens

### M

**Mortgage Loan** Mortgage debt obligation evidenced, or when made will be evidenced, by

- the Loan Documents, or
- a mortgage debt obligation with a Fannie Mae credit enhancement.

**Synonyms**

- Mortgage Loans
- Mortgage Loan's

### P



## Property

Multifamily residential real estate securing the Mortgage Loan, including the

- fee simple or Leasehold interest,
- Improvements, and
- personal property (per the Uniform Commercial Code).

### **Synonyms**

- Properties
- Property's

## **S**

## Security Instrument

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

### **Synonyms**

- Security Instruments
- Security Instrument's

## Servicing File

Your file for each Mortgage Loan serviced.

### **Synonyms**

- Servicing Files