



Single Family Lending Program Bulletin

January 22, 2014

Program Bulletin #2014-02

To: CalHFA Approved Servicers

Proof of Claim (POC) Filing

Effective immediately, this Program Bulletin revises the deadline for filing the Proof of Claim (POC).

A POC is generally not required to be filed in a Chapter 7 bankruptcy unless it appears that there will be assets available for distribution to creditors (or the bankruptcy Retained Counsel has expressly advised that a POC must be filed).

For a Chapter 11, 12 or 13, a POC must be filed whether or not the loan is current. Typically, the POC will be filed within forty-five (45) days of receipt of the Notice, and in any event must be filed before the proof of claims bar date, as set forth either in the Notice or in a Chapter 11 case filed in certain districts, by separate notice.

Either the Servicer or Retained Counsel will need to prepare and file the POC within the required timeframes. The POC should be filed in CalHFA's name. MERS Members must have a MERS Certifying Officer execute and promptly record an assignment from MERS to CalHFA's name prior to filing a POC.

Failure to file or timely file a POC may result in a demand for indemnification for any losses CalHFA may incur or for repurchase of the loan(s).

For questions about this bulletin, contact your CalHFA Servicer Representative; by phone, email or by fax 916.455.8621.