



**State of North Carolina**  
**OFFICE OF THE COMMISSIONER OF BANKS**

BEVERLY E. PERDUE  
GOVERNOR

April 30, 2010

JOSEPH A. SMITH, JR.  
COMMISSIONER OF BANKS

**To: Licensed Mortgage Servicers & Mortgage Lenders Servicing Loans**

**From: Charlie Fields, Jr., Director, Non-Depository Entities Division**

**Re: New Servicing Rules Effective June 1, 2010 (04 NCAC 03M .0702 & .0703)**

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The NC Rules Review Commission approved two rules on April 16<sup>th</sup> to improve opportunities for homeowners to avoid foreclosure. The NC Office of the Commissioner of Banks (“NCCOB”) first proposed these rules in November 2009 due to its concerns that homeowners often face foreclosure when alternative solutions exist that would benefit both the homeowners and the mortgage company.

- [Rule 702](#) requires a mortgage servicer to respond promptly and clearly to homeowner requests for assistance.
- [Rule 703](#) requires a mortgage servicer to stop foreclosure efforts pending the consideration of a request by the homeowner for assistance.

Please review these rules in detail to ensure that your company’s policies and procedures adhere to the requirements notated within the rules. To provide guidance and clarification to questions that may arise when creating policies and procedures pertaining to these rules the NCCOB has created a list of FAQs. These and other FAQs are available via the NCCOB website at [www.nccob.gov](http://www.nccob.gov).