

Day means a calendar day.

Director means the Director of the Office of Federal Housing Enterprise Oversight of the Department of Housing and Urban Development.

Dwelling unit means a single, unified combination of rooms designed for use as a dwelling by one family and includes a dwelling unit in a single family property, multifamily property, condominium, cooperative, or planned unit development project.

EOA means the Equal Credit Opportunity Act, 15 U.S.C. 1691 *et seq.* Familial status has the same definition as is set forth at 24 CFR 100.20.

Family means one or more individuals who occupy the same dwelling unit.

Family size means, for purposes of reporting on single family mortgages purchased, the number of people in a family including the borrower, the borrower's dependents, the co-borrower, and the co-borrower's dependents.

Fannie Mae means the Federal National Mortgage Association and any affiliate thereof.

FHEFSSA or The Act means the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, codified generally at 12 U.S.C. 4501-4651.

Freddie Mac means the Federal Home Loan Mortgage Corporation and any affiliate thereof.

Government-sponsored enterprise or GSE means:

- (1) The Federal National Mortgage Association (or "Fannie Mae") and any affiliate thereof; and
- (2) The Federal Home Loan Mortgage Corporation (or "Freddie Mac") and any affiliate thereof.

Handicap has the same definition as is set forth at 24 CFR 100.201.

Lender means any entity that makes, originates, sells, or services mortgages, and includes the secured creditors named in the debt obligation and document creating the mortgage.

Low-income means:

- (1) In the case of owner-occupied units, income not in excess of 80 percent of area median income; and
- (2) In the case of rental units, income not in excess of 80 percent of area median income, with adjustments for smaller and larger families, as determined by the Secretary.

Low-income area or low-income census tract means a census tract in which the median income does not exceed 80 percent of the area median income.

Median income means, with respect to an area, the unadjusted median family income for the area, as most

recently determined and published by the Secretary. An area means the metropolitan statistical area (MSA) if the property is located in an MSA; otherwise, an area means the county in which the property is located.

Minority means any individual who is included within any one or more of the following racial and ethnic categories:

- (1) American Indian or Alaskan Native—a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition;
- (2) Asian or Pacific Islander—a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
- (3) African-American—a person having origins in any of the black racial groups of Africa; and
- (4) Hispanic—a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

Minority census tract means a census tract in which minority residents comprise 30 percent or more of the total population in the census tract.

Moderate-income means:

- (1) In the case of owner-occupied units, income not in excess of area median income; and
- (2) In the case of rental units, income not in excess of area median income, with adjustments for smaller and larger families, as determined by the Secretary.

Moderate-income census tract means a census tract in which the median income does not exceed 100 percent of the area median income.

Mortgage means a member of such classes of liens as are commonly given or are legally effective to secure advances on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, or a manufactured home that is personal property under the laws of the State in which the manufactured home is located, together with the credit instruments, if any, secured thereby, and includes interests in the stock or membership certificate issued to a tenant-stockholder or resident-member by a cooperative housing corporation, as defined in section 216 of the Internal Revenue Code of 1986, and on the proprietary lease, occupancy agreement, or right of tenancy in the dwelling unit of the tenant-stockholder or resident-member in such cooperative housing corporation.

Mortgage data means data obtained by the Secretary from the GSEs under sections 309 (m) and (n) of the Fannie Mae Charter Act and 307 (e) and (f) of

the Freddie Mac Act relating to the GSEs' mortgage purchases. Appendix D of this part lists and details this data.

Mortgage purchase means a transaction in which a GSE buys or otherwise acquires with cash or other thing of value, a mortgage for its portfolio or for securitization.

Multifamily housing means a residence consisting of more than 4 dwelling units.

New program means any program, including a pilot or demonstration program, for the purchasing, servicing, selling, lending on the security of, or otherwise dealing in, conventional mortgages that:

- (1) Is significantly different from programs that have been approved under the Act or that were approved or engaged in by Fannie Mae or Freddie Mac before October 28, 1992; or
- (2) Represents an expansion, in terms of the dollar volume or number of mortgages or securities involved, of programs above limits expressly contained in any prior approval.

OFHEO means the Office of Federal Housing Enterprise Oversight of the Department of Housing and Urban Development.

Ongoing program means a program that is expected to continue for the foreseeable future.

Owner-occupied unit or owner-occupied dwelling unit means a single family dwelling unit in which the borrower or co-borrower (on the mortgage that financed the dwelling unit) resides.

Participation means a fractional interest in the principal amount of a mortgage.

Portfolio of loans means 10 or more loans.

Proprietary information means all categories of information and data submitted to the Secretary by a GSE that contain trade secrets or privileged or confidential, commercial or financial information that, if released, would cause the GSE substantial competitive harm.

Public data means all mortgage data submitted to the Secretary by the GSEs that the Secretary determines is not proprietary and should be made publicly available.

Real estate mortgage investment conduit (REMIC) means multi-class mortgage securities issued by a tax-exempt entity.

Refinancing means a transaction where an existing mortgage is satisfied or replaced by a new mortgage undertaken by the same borrower. Refinancings do not include: