

February 8, 2025

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

US Bank National Association,

Against

Tracie L. Green;  
Cardinal Pines Homeowners' Association, Inc;  
Palmetto Citizens Federal Credit Union

2022CP3200784

NOTICE OF REMOVAL

Removed from:

South Carolina Court of Appeals, County of  
Lexington/Richland County

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**RECEIVED**

**Feb 10 2025**

**SC Court of Appeals**

**ADDENDUM TO NOTICE OF REMOVAL**

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF LEXINGTON

U.S. Bank National Association,  
vs. PLAINTIFF,

Tracie L Green; Cardinal Pines Homeowners'  
Association, Inc.; Palmetto Citizens Federal  
Credit Union,  
DEFENDANT(S)

CERTIFICATION OF COMPLIANCE WITH  
THE CORONAVIRUS AID, RELIEF, AND  
ECONOMIC SECURITY ACT

(Foreclosures)

C/A NO:

My name is:  Sarah                      O                      Leonard  
*First Middle Last*

I am (check one)  the Plaintiff or  an authorized agent of the Plaintiff in the foreclosure case described at the top of this page. I am capable of making this certification. The facts stated in the certification are within my personal knowledge and are true and correct.

**1. Verification**

Pursuant to the South Carolina Supreme Court Administrative Orders 2020-04-30-02 and 2020-05-06-01 and based upon the information provided by the Plaintiff and/or its authorized servicer as maintained in its case management/database records, the undersigned makes the following certifications:

Plaintiff is seeking to foreclose upon the following property commonly known as:

123 Cardinal Pines Drive, Lexington, SC 29073  
*Street Address & Unit No. (if any) City County State ZIP*

I verify that this property and specifically the mortgage loan subject to this action:

is NOT a "Federally Backed Mortgage Loan" as defined by § 4022(a)(2) of the federal Coronavirus Aid, Relief, and Economic Security ("CARES") Act.

is a "Federally Backed Mortgage Loan" as defined by § 4022(a)(2) of the federal Coronavirus Aid, Relief, and Economic Security ("CARES") Act. Specifically, the foreclosure moratorium cited in Section 4022(c)(2) of the CARES Act has expired as of May 18, 2020, and the property and mortgage are not currently subject to a

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forbearance plan as solely defined in Sections 4022(b) and (c) of the CARES Act.

I hereby certify that I have reviewed the loan servicing records and case management/data base records of the Plaintiff or its authorized mortgage servicer, in either digital or printed form, and that this mortgage loan is not currently subject to a forbearance plan as solely defined in Sections 4022(b) and (c) of the CARES Act. Pursuant thereto, I certify that the facts stated in this Certification are within my personal knowledge, excepting those matters based upon my information and belief as to the said loan servicing records and case management/data base records of the Plaintiff or mortgage servicer, and to those matters I believe them to be true. *See*, Rule 11(c), SCRCP; *BB&T of South Carolina v. Fleming*, 360 S.C. 341, 601 S.E.2d 540 (2004).

**2. Declaration:**

**I certify that the foregoing statements made by me are true and correct. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment by contempt.**

My name is:	Sarah	O	Leonard		
	<i>First</i>	<i>Middle</i>	<i>Last</i>		
My address is:	240 Stoneridge Drive		Columbia	SC	29210
	<i>Street Address &amp; Unit No. (if any)</i>		<i>City</i>	<i>State</i>	<i>Zip</i>

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Signed on: March 4 2022 in Richland County, South Carolina.  
*Month Day Year*

s/Sarah O Leonard  
March 4, 2022  
John S. Kay (S.C. Bar No. 7914)  
Ashley Z. Stanley (S.C. Bar No. 74854)  
Alan M. Stewart (S.C. Bar No. 15576)  
Sarah O. Leonard (S.C. Bar No. 80165)  
Gregory Wooten (S.C. Bar No. 73586)  
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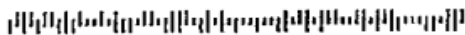


U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC



April 11, 2022

181343 7 51 T557 P1  
GREEN, TRACIE L  
123 CARDINAL PINES DR  
LEXINGTON, SC 29073-6082



Dear Mortgagor/s

You are receiving this letter because your mortgage is federally insured and we have reason to believe that you may need assistance with your mortgage. If you are current on your mortgage payments, on a mortgage payment forbearance, or working with your mortgage servicer, please disregard this letter.

*We understand that you may be struggling and unable to make your mortgage payments. If you are having difficulty paying your mortgage, we urge you to act now. Contact your mortgage servicer or a HUD-approved housing counseling agency to discuss your options for bringing your mortgage current or other relief that may be available to you. FHA requires your mortgage servicer to review your situation, determine which assistance option you are eligible for, and then help you to complete the option. There are two ways to get this information:*

- 1. Contact your mortgage servicer**, the entity to which you make your monthly mortgage payments. If you are unsure who your mortgage servicer is, check your monthly mortgage statement or other communications from your mortgage servicer for their contact information. You may also visit their website. If you are having trouble contacting your servicer or if your servicer is not offering information on ways to reshape your mortgage, we encourage you to consider this second option.
- 2. Get help from a HUD-approved Housing Counseling Agency.** To find a HUD-approved housing counseling agency, call (800) 569-4287, or use the online search at [hud.gov/housingcounseling](http://hud.gov/housingcounseling). Housing counselors are trained to assess your financial situation and explain the options available to you. A HUD-certified housing counselor may be able to help you work with your mortgage servicer.

In addition, federal, state, and local governments are implementing various mortgage relief options. For example, the Homeowner Assistance Fund (HAF) is a federal program to help households who have fallen behind on their mortgages or other housing-related expenses due to COVID-19. For more information about the HAF program in your state visit <https://www.ncsha.org/homeowner-assistance-fund/>.

Sincerely,

*HUD Office of Housing Counseling*

Beware of scams: You can view a copy of this letter on the U.S. Department of Housing and Urban Development's web site at: [hud.gov/housingcounseling](http://hud.gov/housingcounseling).

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# Archives

## HUD Archives: News Releases

HUD No. 21-115  
HUD Public Affairs  
(202) 708-0685

For Release  
Friday  
July 23, 2021

### FEDERAL HOUSING ADMINISTRATION ANNOUNCES ADDITIONAL COVID-19 RECOVERY OPTIONS FOR HOMEOWNERS

#### ***Streamlined COVID-19 Recovery "waterfall" includes broader payment reductions for those most in danger of losing their homes due to COVID-19 financial hardships***

WASHINGTON - The Federal Housing Administration (FHA) on July 23, 2021 announced streamlined [COVID-19 Recovery](#) options to help homeowners with FHA-insured mortgages who have been financially impacted by the COVID-19 pandemic bring their mortgage current and remain in their homes. The simplified COVID-19 Recovery waterfall allows mortgage servicers to offer eligible homeowners who cannot resume making their mortgage payments a reduction in the principal and interest portion of their monthly payments. The changes announced today will provide those most in danger of losing their homes a path to deep and sustained recovery, including lower income individuals, families of color, and young, first-time homeowners who have disproportionately suffered economic hardships due to the pandemic.

For homeowners who can resume making their existing monthly mortgage payments, FHA has established a revised COVID-19 Recovery Standalone Partial Claim.

Additionally, FHA is reinforcing today that President Biden's American Rescue Plan Homeowner Assistance Funds (HAF), administered to the States by the Department of Treasury, may be used in connection with FHA-insured mortgages or subordinate mortgages as permitted by the jurisdiction's HAF program and other requirements.

"Immediately upon taking office, President Biden prioritized the nation's public health and economic crises by passing the American Rescue Plan," said Housing and Urban Development Secretary Marcia L. Fudge. "As Americans get back to work and our economy continues to recover, we are taking targeted steps to make sure homeowners impacted financially by COVID-19 have the support they need to remain in their homes. Housing affordability is at its worst and losing your home now would devastate households. These options for FHA borrowers will ensure equitable relief and recovery to people who need it most."

#### **New COVID-19 Recovery Waterfall**

The new FHA COVID-19 Recovery waterfall streamlines and revises FHA's previous options for struggling homeowners, reduces required documentation, and allows mortgage servicers to provide greater payment reduction for eligible homeowners with FHA-insured Single Family Title II forward mortgages. The simple two-step waterfall options intended for properties that are occupied as the homeowner's primary residence are:

- 1. COVID-19 Recovery Standalone Partial Claim:** for homeowners who **can** resume making their current mortgage payments, the COVID-19 Recovery Standalone Partial Claim allows mortgage payment arrearages to be placed in a zero interest subordinate lien against the property that is repaid when the mortgage terminates, usually when the homeowner refinances or sells the home.
- 2. COVID-19 Recovery Modification:** for homeowners who **cannot** resume making their current monthly mortgage payments, the COVID-19 Recovery Modification extends the term of the mortgage to 360 months at a fixed rate and targets reducing the borrower's monthly principal and interest portion of their monthly mortgage payment. The COVID-19 Recovery Modification must include a Partial Claim if the homeowner has Partial Claim funds available.

For properties that are not occupied by the owner, mortgage servicers must offer **eligible** homeowners FHA's COVID-19 Recovery Non-Occupant Loan Modification, which extends the term of the mortgage to 360 months, or less if requested by the homeowner, at a fixed interest rate.

"This next step in the evolution of FHA's COVID-19 response is a significant and meaningful way to help those homeowners who will be at a critical point in their recovery in the coming months and transitioning out of forbearance

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to permanent sustainable payments," said Principal Deputy Assistant Secretary for FHA and the Office of Housing Lopa Kolluri. "We can help more homeowners who, through no fault of their own, continue to feel the financial impacts of the pandemic and are unable to make their previous mortgage payment amount. Deeper payment reduction is greatly needed for many of these homeowners to stay in their homes.

**COVID-19 Recovery Waterfall Implementation and Homeowner Assessments**

Servicers may begin offering the new COVID-19 Recovery waterfall as soon as operationally feasible but must begin using the new waterfall for eligible homeowners within 90 days. In addition, servicers must re-review homeowners for the new COVID-19 Recovery options in circumstances where an existing home retention option has not been completed, where the homeowner was previously ineligible for a COVID-19 home retention option, or if the homeowner has re-defaulted after a COVID-19 home retention option.

"FHA and mortgage servicers have a shared goal of helping as many homeowners as possible to return to sustainable homeownership, and the FHA team will continue to monitor closely the performance of our loss mitigation options to ensure that our policies successfully meet the needs of homeowners impacted by COVID-19," said FHA Deputy Assistant Secretary for Single Family Housing Julienne Joseph.

**The COVID-19 Advance Loan Modification**

The changes announced today work in tandem with the pre-waterfall FHA COVID-19 Advance Loan Modification (COVID-19 ALM) announced on June 25, 2021. The COVID-19 ALM requires mortgage servicers to review their FHA mortgage servicing portfolio and offer the COVID-19 ALM to eligible homeowners. Homeowners who choose to accept the COVID-19 ALM need to only review and sign and return the mortgage modification documents sent to them by their mortgage servicer.

**Important Information for Homeowners**

FHA urges those who are behind on their mortgage payments or are having difficulty complying with the terms of their reverse mortgage or Home Equity Conversion Mortgage (HECM), and have not yet contacted their mortgage servicer, to do so immediately. By contacting their servicer, homeowners can obtain a mortgage payment forbearance or a HECM extension. For FHA forward mortgages, FHA also urges homeowners to engage with their mortgage servicer when their mortgage servicer contacts them about the new COVID-19 ALM or how to bring their mortgage current. Homeowners who are seeking more information on the options available to them should also consider contacting a HUD-approved housing counseling agency.

###

HUD's mission is to create strong, sustainable, inclusive communities and quality affordable homes for all. More information about HUD and its programs is available at [www.hud.gov](http://www.hud.gov) and <https://espanol.hud.gov>.

You can also connect with HUD on social media and follow Secretary Fudge on Twitter and Facebook or sign up for news alerts on HUD's Email List.

HUD COVID-19 Resources and Fact Sheets



**Fact Sheet**

**Federal Housing Administration Assistance for Homeowners Struggling Financially Due to COVID-19**

U.S. Department of Housing and Urban Development - Marcia L. Fudge, Secretary

Office of Public Affairs, Washington, DC 20410

The Federal Housing Administration (FHA) remains committed to helping homeowners with FHA-insured mortgages who are struggling financially because of the COVID-19 pandemic to return to successful, sustainable homeownership. As of

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June 30, 2021, 750,628 homeowners with FHA-insured mortgages were 90 or more days delinquent on their mortgage payments. A majority of these homeowners are individuals and families of color.

On June 25, 2021, FHA extended its foreclosure and eviction moratoria for all FHA-insured single family properties, except those that are legally vacant or abandoned, through July 31, 2021. FHA also provided additional relief to homeowners described below.

**Immediate Relief for Homeowners**

- Servicers of FHA-insured mortgages are required to offer homeowners suffering financially due to COVID-19 a mortgage payment forbearance - a temporary pause or reduction in mortgage payments when the homeowner requests this assistance. FHA extended the timeframe for homeowners to request a mortgage payment forbearance from their mortgage servicer through September 30, 2021.
- FHA also extended the maximum allowable timeframes for COVID-19 Forbearance. Forbearance timeframes are based on the date of the initial forbearance request:

Initial Forbearance Date	Initial Forbearance Period	Additional Forbearance Period	Forbearance Extension	Maximum Forbearance Period
March 1, 2020-June 30, 2020	Up to 6 months	Up to 6 months	Up to 6 months (in 3 month increments)	Up to 18 months
July 1, 2020-September 30, 2020	Up to 6 months	Up to 6 months	Up to 3 months	Up to 15 months
October 1, 2020-June 30, 2021	Up to 6 months	Up to 6 months	0 months	Up to 12 months
July 1, 2021-September 30, 2021	Up to 6 months	0 months	0 months	Up to 6 months

No forbearance period may extend beyond June 30, 2022.

**Relief for Senior Homeowners with Home Equity Conversion Mortgages**

- To assist senior homeowners with Home Equity Conversion Mortgages (HECMs) who are struggling because of COVID-19:
  - Servicers of FHA-insured HECMs are required to offer homeowners suffering financially due to COVID-19 an extension when the homeowner requests this assistance. FHA extended the timeframe for homeowners to request an extension from their mortgage servicer through September 30, 2021.
  - FHA also extended the maximum allowable timeframes for COVID-19 extensions. These timeframes are based on the date of the initial request:

The following applies to all HECMs.

Initial Extension Start Date:	Initial Extension Period	Additional Extension Period	Additional Extensions	Maximum Extension Period
March 1, 2020-June 30, 2020	Up to 6 months	Up to 6 months	Up to 6 months (in 3 month increments)	Up to 18 months
July 1, 2020-September 30, 2020	Up to 6 months	Up to 6 months	Up to 3 months	Up to 15 months
October 1, 2020-June 30, 2021	Up to 6 months	Up to 6 months	0 months	Up to 12 months
July 1, 2021-September 30, 2021	Up to 6 months	0 months	0 months	Up to 6 months

No Extension period may extend beyond June 30, 2022.

**COVID-19 Recovery Options**

- As of July 23, 2021, FHA's loss mitigation home retention options for servicers to assist struggling homeowners with FHA-insured Single Family Title II forward mortgages contains the following:

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- The COVID-19 Advance Loan Modification (COVID-19 ALM) for eligible homeowners who can bring their mortgage payments current through a 30-year, fixed-rate mortgage modification that reduces the homeowners monthly P&I portion of the mortgage payment by 25 percent. Servicers proactively offer the COVID-19 ALM to homeowners in their FHA servicing portfolio who are 90 or more days delinquent or at the end of the COVID-19 Forbearance. All loss mitigation options will remain available to eligible borrowers that do not accept the COVID-19 ALM for any reason.
- A new COVID-19 Recovery Home Retention Waterfall, which replaces the existing options with the following:
  1. The COVID-19 Recovery Standalone Partial Claim for homeowners who can resume making their monthly mortgage payments. The COVID-19 Recovery Standalone Partial Claim allows mortgage payment arrearages to be placed in a zero interest subordinate lien that is repaid when the mortgage terminates, usually when the homeowner refinances or sells the home.
  2. The COVID-19 Recovery Modification for homeowners who cannot resume making their current monthly mortgage payments. The COVID-19 Recovery Modification extends the term of the mortgage to 360 months at a fixed rate and targets reducing the borrower's monthly principal and interest portion of their monthly mortgage payment by 25 percent.
  3. The COVID-19 Recovery Non-Occupant Loan Modification for homeowners who do not occupy the property as their primary residence. This option allows for a fixed-rate mortgage modification of up to 30 years, or less if requested by the borrower.
- For homeowners who cannot return to sustainable mortgage payments after all home retention options have been exhausted, FHA allows servicers to offer:
  1. **The COVID-19 Pre-foreclosure Sale** for homeowners who, after all home retention options are exhausted, are unable to keep their home. Also known as a Short Sale, the COVID-19 Pre-foreclosure Sale can be used to sell the property for an amount less than what is owed, without going through the foreclosure process, when lien holders agree to release their liens and forgive the deficiency balance on the real estate.
  2. **The COVID-19 Deed-in-Lieu of Foreclosure** for homeowners who, are unable to keep their home after all home retention options are exhausted, and who are unable to complete a pre-foreclosure sale. With a Deed-in-Lieu of Foreclosure, the homeowner voluntarily offers the deed to HUD in exchange for a release from all obligations under the mortgage.

**Important Notes About FHA COVID-19 Relief and Recovery Options**

- FHA does not require borrowers make a lump sum payment at the end of a COVID-19 Forbearance, nor does it require a lump sum payment to be eligible for any loss mitigation home retention options.
- Servicers of FHA-insured mortgages must assess homeowners for a COVID-19 Recovery loss mitigation home retention option at the end a homeowner's COVID-19 Forbearance and may assess homeowners for these options before the end of the homeowner's COVID-19 Forbearance.
- Servicers must re-review homeowners for the new COVID-19 Recovery options if:
  - they have not sent final documents for the homeowner to complete a COVID-19 home retention option under the previous waterfall as of **August 22, 2021**;
  - if the homeowner was previously ineligible for a COVID-19 home retention option; or
  - if the homeowner becomes delinquent due to the COVID-19 pandemic after reinstating their mortgage using a previous COVID-19 loss mitigation home retention option.
- President Biden's American Rescue Plan provides Homeowner Assistance Funds (HAF) through the U.S. Department of the Treasury. Servicers must inform borrowers that these additional resources may be available through their State. As permitted by the jurisdiction's HAF program, HAF funds may be used in connection with the Borrower's FHA-insured mortgage or any partial claim in a manner consistent with the respective mortgage documents and FHA requirements.

**Reminders for Mortgagees about Fair Housing Act Obligations**

Mortgagees are reminded that the Fair Housing Act prohibits discrimination because of race, color, national origin, sex (including sexual orientation and gender identity), religion, familial status, and disability. Mortgagees must avoid violations of the Fair Housing Act which can occur when there is disparate treatment of a Borrower because of race, or another characteristic protected by the Act or when there is an unjustified discriminatory effect because of a protected characteristic. For example, English-only communication procedures may have an unjustified discriminatory effect on Borrowers with limited English proficiency.

Mortgagees are also reminded of their obligations under the Fair Housing Act and the Americans with Disabilities Act (ADA) to make exceptions or modifications to rules, policies, practices, and services for Borrowers with disabilities who need them. Mortgagees should contact HUD's Office of Fair Housing and Equal Opportunity at 800-669-9777 (voice) or 800-927-9275 (TTY) if they believe FHA may need to consider a reasonable accommodation for a Borrower with a disability to any of the rules or policies described in this Mortgagee Letter. Mortgagees are further reminded of their

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ADA obligation to communicate effectively with, individuals with disabilities including individuals with vision disabilities who cannot read standard print notices and deaf individuals who use Relay Services to communicate by telephone.

###

Content Archived: January 1, 2023



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U.S. Department of Housing and Urban Development  
451 7th Street S.W.  
Washington, DC 20410  
Telephone: (202) 708-1112 TTY: (202) 708-1455

