

Becoming a Successor in Interest for a property — here's what you need to know.

It's important to know a Successor in Interest is required to have a vested interest in the property. If you're making this request because a borrower has passed away and you haven't already contacted our Estate Servicing Operations (ESO) team, please call us at 888.689.4466, Monday through Thursday, 8 a.m. to 9 p.m.; Friday 8 a.m. to 6 p.m. Eastern.

Before we can confirm your status and provide access to information and notices about this home loan, be sure to:

- Read the included Frequently Asked Questions.
- Review the section about becoming an authorized third party if you're an Executor or Successor Trustee.
- Complete and return the Request Form for Successor in Interest and Executor/Administrator Party/Successor Trustee we've included.
- Confirm your identity.
- Send us documents specific to your circumstances.

What you can do as a Successor in Interest

If we're able to confirm your ownership interest as a Successor in Interest, you can:

- Request specific information about this loan.
- Receive and/or request certain servicing notices and communications regarding the loan, such as periodic statements and payoff quotes.
- Apply to assume this loan, if applicable. Keep in mind, unless you assume the home loan obligation, you aren't legally liable for the loan and can't be required to use your assets to pay the loan. If the loan isn't paid, the lender has a security interest in the property and the right to foreclose on the property for nonpayment of the debt.
- Request a modification, assume the loan, and have mail sent to your address.

What you need to do to become a Successor in Interest

If you haven't already done so, we need you to complete and return the form we've included, along with the documents listed in the next section.

1. To protect the privacy of this loan, we'll need these items to confirm your identity:
 - Copy of your driver's license, passport, or other government-issued photo identification
 - Completed and signed *Successor in Interest Relationship and Identity Affidavit* form
2. Depending on your situation and your state's requirements, please see the *Specific circumstances* section and send only what applies to you. If you've already provided some of this information, you won't need to send those documents again

Specific circumstances

If you're claiming an interest due to the death of a borrower by operation of law, and the property is not subject to an estate administration or probate:

- Certified copy of the borrower's death certificate (you can mail a photocopy or send a legible fax)
- Copy of a recorded Transfer on Death (TOD) Deed valid under local law that shows it was recorded prior to the death of the borrower
- If the title vested in borrower and you as Joint Tenants with Right of Survivorship, Tenants by the Entireties, or Husband and Wife, or as Community Property in states, where applicable, provide the copy of the recorded deed
- If you were a spouse or legally recognized domestic partner of the deceased borrower, are not on the deed and are claiming an interest in the property as Community Property, Homestead, or other statutory share rights, please let us know so we can provide you with the additional requirements

If you're claiming an interest as a successor beneficiary of a trust in which the deceased borrower was a beneficiary:

- Copy of the Trust Agreement
- Copy of a Trust Certification signed by the current Trustee that includes:
 - Date of trust and Tax ID number
 - Statement that the trust hasn't been modified, amended, or revoked in a manner that would cause any statements to be incorrect or misleading
 - Statement showing that the Trustee has the sole authority to make the certification and establishes who the beneficiaries of the trust and that you are one of them

If this is a transfer to you, related to a divorce or legal separation:

- Certified copy of the Decree of Dissolution or a fully executed copy of the Legal Separation Agreement or Property Settlement Agreement that shows:
 - You're the spouse or former spouse of the borrower
 - You're awarded an interest in the property
- Recorded copy of any deed from the borrower to you as a result of the award

If you're a relative claiming an interest through estate administration or probate:

- Certified copy of the borrower's death certificate (you can mail a photocopy or send a legible fax)
- Court order, or signed and notarized affidavit by you, establishing you as a legal relative of the borrower by blood, marriage, or adoption
- Copy of any deed from the personal representative transferring the interest in the property to you. If a deed isn't available, please send us a court order showing the transfer of interest in the property to you
- If the court has appointed a legal representative for the deceased borrower's estate, a copy of the Letters Testamentary or Letters of Administration issued by the court handling the estate, along with the contact information for the representative
- If a legal representative was appointed, a copy of a report or other official finding by the representative, and/or a court order, establishing you as the beneficiary of an interest in the property
- If no representative of the estate was appointed, provide a copy of a small estate or similar affidavit filed with the court, or other judicial determination, establishing you as an heir to an interest in the property

If this is a transfer to you and you're a spouse or child of the borrower during the lifetime of the borrower:

- Evidence that you're either the spouse or a child of the borrower at the time of transfer. This could include an affidavit from the borrower, copy of marriage certificate, birth certificate, decree of adoption or a copy of the most recent tax returns of the borrower showing you as a spouse or dependent.
- Copy of the recorded deed from the borrower to you

If this is a transfer to an Inter Vivos Trust where the borrower is a beneficiary and the occupancy of property doesn't change:

- Copy of the trust and a Trust Certification signed by the trustee(s) showing:
 - The date of trust and Tax ID number
 - That the trust hasn't been revoked, modified, or amended in any manner that would cause the representations contained in the certification to be incorrect
 - That the certification requires no consent or action by any person other than the certifying trustee
 - The identities of the beneficiaries of the trust who are the Successors in Interest to the property
- Signed and notarized affidavit of the transferring borrower confirming that borrower's occupancy of the property hasn't changed as a result of the transfer

If you want to become an authorized third party

You can also request to become an authorized third party on the loan without becoming a Successor in Interest. Executors and Successor Trustees are roles typically provided in the court-approved last will and testament by the decedent or through a court order.

What you can do as an authorized third party

If we're able to confirm you as an Executor or Successor Trustee, you can:

- Request specific information about this loan.
- Request certain updates on the account.

What you need to do to become an authorized third party

Send us your request along with the court documents naming you as an Executor or Successor Trustee. Please remember to submit legible photocopies of documents — we're unable to return any originals you send.

How to send your documents

Please send us your documents one of these ways and be sure to include the full account number on all of them:

Fax:

866.200.5596

Mail:

Bank of America, N.A.
PO Box 31595
Tampa, FL 33631-3595

We're here to help

If you have any questions, please call us at 800.669.6607, Monday through Friday, 8 a.m. to 9 p.m. Eastern.

We hope this is helpful

Frequently Asked Questions

Question	Answer
What is a Successor in Interest?	<p>Under federal law, a Successor in Interest is defined as:</p> <ul style="list-style-type: none">• A person who has received an ownership interest in a property that's been transferred from a borrower.• The property is used to secure the mortgage loan that has been transferred. <p>To qualify, the transfer needs to be one of the following:</p> <ol style="list-style-type: none">1. A transfer by devise, descent, or operation of law on the death of a joint tenant or tenant by the entirety2. A transfer to a relative resulting from the death of a borrower3. A transfer where the spouse or children of the borrower become an owner of the property4. A transfer resulting from a decree of a dissolution of marriage, legal separation agreement or from an incidental property settlement agreement where the spouse of the borrower becomes an owner of the property5. A transfer into an inter vivos trust in which the borrower is, and remains, a beneficiary, and doesn't transfer their rights of occupancy in the property
When can I request to become a Successor in Interest?	<p>You can submit a request under these circumstances:</p> <ul style="list-style-type: none">• If you're a relative of a borrower who has died• If you're a spouse or child of a living borrower• Through a divorce decree, legal separation agreement, or settlement agreement by the spouse of the borrower• Through a living trust
What is a loan assumption?	<p>To assume a loan means the Successor in Interest becomes legally responsible for the repayment terms and other conditions of the loan.</p>
What's required to gain access to an account in the event of death?	<ul style="list-style-type: none">• If the Successor in Interest was on title before the customer's death or inherited the property through probate, access will generally be granted.• If they weren't on title before the customer's death, legal documentation identifying them as the administrator, executor or heir for the decedent's estate will be required.
Where can I send a request to change my name on the account, request access as the Successor in Interest or request consent to transfer title?	<p>You can fax your request to 866.200.5596, or mail it to:</p> <p>Bank of America, N.A. Mail Stop FL1-908-01-49 4909 Savarese Circle Tampa, FL 33634</p>

Frequently Asked Questions

Question	Answer
What documentation do I need to update an account, so it reflects that the borrower is deceased?	<ul style="list-style-type: none">• A copy of the certified death certificate• A deceased notification—this needs to be completed before requesting to become a Successor in Interest. If you haven't already notified us of the deceased borrower, please call Estate Servicing Operations (ESO) at 888.689.4466, Monday through Thursday, 8 a.m. to 9 p.m.; Friday 8 a.m. to 6 p.m. Eastern.
How will I know if additional documentation is required?	If we need additional documentation, we'll send you a notice asking for it three business days after receiving your request. Please allow additional time for mailing.
Who do I contact for a copy of the executed deed for the property?	You may contact the recorder's office for the county where the property is located.
Should I submit photocopies or original documents?	Please submit legible photocopies of documents—we're unable to return any originals you send.
Am I liable for mortgage payments?	You aren't financially responsible, but because the property is still subject to the terms of the mortgage, payments should be made to keep the loan in good standing. If the loan isn't kept up to date, we may take action to enforce the lien.
What would be an acceptable court document to send in?	If official documents are required, please be sure they're signed, notarized, recorded and/or court approved as needed. If a court order is needed, please make sure that the final order is provided—an application or a motion won't be accepted.

Request Form for Successor in Interest and Executor/Administrator Party/Successor Trustee

Request Type (select one)

Successor in Interest

Executor/Administrator/Successor Trustee

Borrower Information

Loan Number

First Name Last Name

Property Street Address

City State ZIP

Requestor Information

First Name Last Name

Street Address

City State ZIP

Phone Number

Signature Date

Where to send your request

Please fax this completed form and all related documents to the Name and Title Change Unit (NTCU) at 866.200.5596, or mail them to:

Name and Title Change Unit

PO Box 31595
Tampa, FL 33631-3595

Supporting documents

Be sure that all documents you send us are legible. Here's what you'll need to include with your request — please review the included letter for specific requirements:

- Successor in Interest requests — include any documentation related to the ownership interest in the property.
- Executor, Administrator, Successor Trustee requests — include a copy of the court order and/or other official document(s) confirming you as the Executor or Administrator of the estate.

After we receive your information, we'll complete your request within ten business days.

SUCCESSOR IN INTEREST IDENTITY/RELATIONSHIP AFFIDAVIT

TO BE COMPLETED BY THE SUCCESSOR IN INTEREST

Note: If there is more than one Successor in Interest, please complete individual forms.

Please return your completed/notarized form to one of the following:

FAX:

866.200.5596

MAIL:

PO Box 31595

Tampa, FL 33631-3595

Before me, the undersigned Notary Public, personally came and appeared the undersigned Successor in Interest, who being duly sworn did depose and state the following:

1. My full legal name is:

(First) (Middle) (Last) (Jr., Sr., III)

2. The address of my principal residence is:

(Street Address) (City) (State) (ZIP)

3. My primary phone number is: _____

4. My date of birth is: _____

(Month/Day/Year)

5. The State and number of my driver's license:

(Number) (State) (Issue Date) (Expiration Date)

6. Relationship to borrower (check the one that applies):

I am currently or have been married to the borrower.

I am divorced or legally separated from the borrower.

I am the Spouse or Child of the borrower.

I am another family member of the borrower. For example, parent, brother, sister, grandparent, grandchild, niece, or nephew.

Other (please complete) type of relationship to the borrower: _____

I have no relationship with the borrower.

7. Please list the names of any property owner(s): _____

I swear under oath that the information provided in this Affidavit is true and correct to the best of my knowledge, and that I am not aware of any agreements or court orders that would alter or affect my ownership interest. I consent to the transfer of the information contained in this Affidavit for the purposes of verifying my identity and preventing fraud.

Successor in Interest

Phone Number

State of: _____

County of: _____

Subscribe and sworn to (or affirmed) before me on this _____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: _____

Seal