



## Power of Attorney (POA) APPROVAL REQUIREMENTS

1. Letter Of Explanation as to why they are using a Power of Attorney (POA)
2. Must read "Specific Power of Attorney"
3. The lender will be the name of the bank the loan is closing under. So, if the loan is closing under the correspondent's name then the POA should be in the name of the correspondent. If the loan is closing in the name of BankSouth, the lender should reflect BankSouth Mortgage Company, LLC.
4. Loan Amount required
5. Estimated closing date must be shown
6. Property address required
7. Expiration of POA must be no further out than 60 days from date of issuance of POA
8. Relationship of the POA to our borrower must be identified
  - Unallowable Attorneys-in-Fact under a Power of Attorney (per Fannie Mae)
    - a. The Lender
    - b. Any affiliate of the lender
    - c. Any employee of the lender or of any other affiliate of the lender
    - d. The loan originator
    - e. The employer of the loan originator
    - f. Any employee of the employer of the loan originator
    - g. The title insurance company providing the title insurance policy or any affiliate of such title insurance company (including, but not limited to the title agency closing the loan), or any employee of either such title company or any such affiliate; or
    - h. Any real estate agent with a financial interest in the transaction or any person affiliated with such real estate agent
9. The use of a POA is prohibited if the transaction is a cash-out refinance.
10. If you have a request for a POA on a file that is closing, please inform Julie Rainey, when requesting POA approval, if the initial file was disclosed electronically and e-signed. If the initial package was e-signed, we have two options:
  - a. No Power of Attorney can be used at closing or
  - b. Borrower must wet sign the initial 1003 (which must be placed in the e-folder) in order for POA approval to be granted.