

# NATIONAL FORECLOSURE MITIGATION COUNSELING PROGRAM

## Privacy Agreement

**GreenPath** is an IRC 501(c)(3) non-profit financial and credit counseling agency. Through its membership in the National Foundation for Credit Counseling (“NFCC”), GreenPath participates in the National Foreclosure Mitigation Counseling Program (“NFMCP”). The NFMCP is a program created and funded by Congress and administered by NeighborWorks America (“NWA”). By participating in the NFMCP, GreenPath is able to provide you with assistance and counseling in dealing with your mortgage concerns. However, in order to provide you with the NFMCP assistance and counseling, it is necessary to collect non-public personal information about you and your financial situation (“Personal Information”), and to submit that information to the NFCC and NWA for purposes of administering the program. Accordingly, we are required to ask your acknowledgement of, and consent to, the following:

- I understand that GreenPath receives funds appropriated by Congress for the NFMCP to NWA as part of the NFCC Intermediary.
- I understand that through the NFMCP, GreenPath provides mortgage and foreclosure mitigation counseling services. As part of the counseling services, I will receive a written action plan consisting of recommendations for handling my finances, possibly including referrals to other entities as may be appropriate.
- As a condition of participation in the NFMCP, I understand that GreenPath is required to collect and share some or all of my Personal Information with the NFCC, NWA, their administrators, program monitors, and agents for purposes of program monitoring, compliance and evaluation of this federal program.
- I acknowledge that I have received a document entitled “Privacy Principles” which outlines the types of Personal Information that GreenPath will collect and may share, and with whom that information may be shared.
- As part of the NFMCP, I authorize GreenPath to collect my Personal Information, as defined in the Privacy Principles, and to disclose or share it with the NFCC, NWA, or their administrators, subsidiaries, program monitors and agents.
- I understand that this consent to the disclosure or sharing of my Personal Information will remain in effect until it is revoked or modified by me, and that this revocation or modification may occur at anytime by contacting GreenPath.
- I understand that the revocation or modification of my consent will result in the termination of the NFMCP mortgage and foreclosure mitigation counseling services provided to me because GreenPath cannot provide NFMCP services without disclosing my Personal Information as outlined.
- I understand that other services offered by GreenPath may be recommended, or that I may be referred to other entities, as appropriate, to assist with particular concerns that have been identified. I understand that I am not obligated to use any of the services offered to me.
- I understand that GreenPath’s counselors may answer questions and provide information, but cannot provide any legal advice. If legal advice is required, I may be referred for appropriate assistance.

# National Foreclosure Counseling Mitigation Program

## Client Consent

1. I have read the NFMCP Privacy Agreement and hereby acknowledge and consent to all of the provisions of the program.

Client's signature \_\_\_\_\_ Date \_\_\_\_\_

2. May the administrators of the NFMCP contact you to follow-up for purposes of monitoring and evaluating the program? (**Please note:** Participation in the follow-up is strictly voluntary, and is not required in order to provide you with services.)

YES \_\_\_\_\_

NO \_\_\_\_\_

Scanned? (check   ) Date \_\_\_\_\_ (*for internal use only*)

## Authorization for Release of Information (use as applicable)

Description - In order to present a full range of foreclosure prevention options, a counselor may attempt to obtain information specific to the mortgage from the lender and/or servicer. Due to valid privacy concerns for borrowers, few servicers will release information to a counseling agency without written authorization from the borrower(s).

**I/We are working with GreenPath Debt Solutions, a HUD approved, non-profit housing counseling agency. Their assistance includes, but is not limited to, a plan to resolve our mortgage delinquency. We hereby authorize you to release any and all information concerning our account to GreenPath at their request. We further authorize you to discuss our case with our GreenPath counselor. He/she is working to help us address our overall financial situation and to potentially propose a loss mitigation plan which is within your guidelines.**

**Lastly, you may release additional information to GreenPath in the future without further authorization.**

Client's Name (please print) \_\_\_\_\_

Client's signature \_\_\_\_\_ Date \_\_\_\_\_

# **NATIONAL FORECLOSURE MITIGATION COUNSELING PROGRAM**

## **Privacy Principles**

### **INTRODUCTION**

GreenPath is an IRC 501(c)(3) non-profit financial and credit counseling agency. Through its membership in the National Foundation for Credit Counseling (“NFCC”), GreenPath participates in the National Foreclosure Mitigation Counseling Program (“NFMCP”). The NFMCP is a federal program created and funded by Congress and administered by NeighborWorks America (“NWA”). By participating in the NFMCP, GreenPath is able to provide you with assistance and counseling in dealing with your mortgage concerns. However, in order to provide you with the NFMCP assistance and counseling, it is necessary to collect non-public personal information about you and your financial situation, and to submit that information to the NFCC and NWA for purposes of administering the program.

GreenPath is committed to assuring the privacy of individuals and/or families who have contacted us for assistance. We realize that the concerns you bring to us are highly personal in nature. We assure you that all information shared both orally and in writing will be managed within the legal and ethical considerations and requirements of the NFMCP and in accordance with the policies described herein. If you have any questions about these policies, or our privacy practices, please contact your GreenPath counselor.

### **TYPES OF INFORMATION WE GATHER ABOUT YOU**

We may collect the following types of non-public personal information from you (hereinafter referred to as “Personal Information”):

- Information that we receive from you orally or in writing, or on applications or other forms, such as your name, address, social security number, assets, and income;
- Information about your transactions with us, your creditors, or others, such as your account balances, payment history, parties to transactions and credit usage;
- Account information, including account balances, payment history, and account usage;
- Information that we obtain from non-affiliated third parties about your transactions with them; and
- Information we receive from a credit reporting agency, such as your credit history.

### **CATEGORIES OF PERSONAL INFORMATION THAT WE DISCLOSE AND THE CATEGORIES OF NON-AFFILIATED THIRD PARTIES WITH WHOM WE SHARE THE INFORMATION**

- As part of the NFMCP, we will disclose some or all of the Personal Information to the NFCC, NeighborWorks America (“NWA”), and their administrators, subsidiaries, program monitors, and agents. These disclosures are a requirement of our participation in the NFMCP, which makes our services possible.
- We may disclose some or all of the Personal Information to your creditors or other non-affiliated third parties, such as financial service providers or creditors, where we have determined (i) that it would be helpful to you, (ii) that it would aid us in providing our counseling services to you, (iii) in order to fulfill a service requested by you, (iv) or where it is a requirement of participation in the NFMCP. All non-

affiliated companies that act on our behalf and receive Personal Information from us are contractually obligated to keep the information we provide to them confidential, and to use the Personal Information we share only to provide the services we ask them to perform.

- In order to provide our services to you, we also may share any of the categories of Personal Information within our organization, to subsidiaries, affiliates or other related entities.
- We may also disclose any Personal Information about you to anyone as permitted by law (e.g., if we are compelled by legal process) or in the good faith belief that such action is necessary in order to conform to the requirements of law or comply with legal process served on us, protect and defend our rights or property, including the rights and property of GreenPath or act in urgent circumstances to protect the personal safety of consumers who use our services.
- We may also disclose any or all Personal Information to the following parties or in the following instances: (i) NFCC, NWA, or their administrators, subsidiaries, program monitors, and agents to the extent that it is a requirement of participation in the NFMCP, which make our services possible; (ii) non-affiliated third parties, such as financial service providers or creditors; (iii) our organization, subsidiaries, affiliates or other related entities; (iv) or as permitted by law (e.g., if we are compelled by legal process).

In addition, GreenPath reserves the right to disclose certain Personal Information that it does not currently disclose to the non-affiliated parties referenced above. From time to time, we may also use anonymous aggregated case file information for the purpose of evaluating our services, gathering valuable research information and designing future programs. This data is not personally identifiable.

#### **RIGHT TO OPT-OUT OF CERTAIN DISCLOSURES**

- You have the right to opt-out or prevent us from making disclosures of your Personal Information to non-affiliated third parties such as your creditors or other parties we feel would be helpful to you or that would aid us in counseling you. If you choose to opt-out, we will not be able to answer questions from your creditors. To opt-out, please contact your GreenPath counselor using the phone number you were provided at the time of your appointment.
- You have the right to opt-out or prevent us from making disclosures of your Personal Information to the NFCC, NWA, or their administrators, subsidiaries, program monitors, and agents; however opting-out will terminate the NFMCP counseling services provided to you because the Agency cannot provide these services to you without disclosing your Personal Information. To opt-out, please contact your GreenPath counselor using the phone number you were provided at the time of your appointment.
- If at any time, you wish to change your decision with regard to your opt-out, you may contact your GreenPath counselor using the phone number you were provided at the time of your appointment.

## **THE CONFIDENTIALITY AND SECURITY OF YOUR INFORMATION**

Within GreenPath, we restrict access to Personal Information about you to those employees who need to know that information to provide services to you. We maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your non-public personal information.

### **INFORMATION FOR RESIDENTS OF VERMONT & CALIFORNIA.**

***NOTE:** The above privacy policy is in accordance with Federal laws. Vermont, California, and Nevada have additional statutes that offer greater privacy protection to consumers who are residents of those states.*

- **Vermont.** GreenPath will not share Personal Information we collect on Vermont residents with affiliates or entities outside of GreenPath, except as permitted by law, such as with the written authorization or consent of the customer or to service the customer's accounts.
- **California.** GreenPath will not share Personal Information we collect on California residents with entities outside of GreenPath, except as permitted by law, such as with the written authorization or consent of the customer or to service the customer's accounts. GreenPath will limit the sharing of Personal Information with affiliates to the extent required by California law.

### **INFORMATION FOR RESIDENTS OF NEVADA.**

Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number- 702.486.3132; e-mail: [BCPINFO@ag.state.nv.us](mailto:BCPINFO@ag.state.nv.us). GreenPath Inc., 38505 Country Club Drive, Suite 210, Farmington Hills, MI 48331.

## OPT-OUT NOTICE

**Note:** You have the right to “opt-out” of the disclosure or sharing of information outlined in the Privacy Principles and as required by the National Mortgage Foreclosure Counseling Program (“NFMCP”). However, if you opt-out, GreenPath will not be able to provide you with NFMCP counseling services. **YOU SHOULD ONLY SIGN THIS FORM IF YOU DO NOT WISH TO HAVE (OR CONTINUE) NFMCP COUNSELING SERVICES.**

### Opt-Out Notice

I, \_\_\_\_\_ (insert your name), have read the Privacy Principles that were provided to me by GreenPath (“the Agency”) and would prefer to “opt-out” of having my data used, shared, disclosed or accessed in the manner described in the Privacy Principles. I understand that signing this form will prevent GreenPath from providing me with NFMCP counseling services.

Once GreenPath has received this Opt-Out Notice, we will cease using, sharing or disclosing your data as outlined in the Privacy Principles and will refrain from making any further contact with you. If you have any questions, please contact your GreenPath counselor using the phone number you were provided at the time of your appointment.

Sign here **ONLY** if you are opting-out:

\_\_\_\_\_

\_\_\_\_\_  
(print full name)

\_\_\_\_\_  
Date

Scanned? (check   ) Date \_\_\_\_\_ (for internal use only)