

NEW HAVEN LEGAL ASSISTANCE ASSOCIATION, INC.

426 STATE STREET
NEW HAVEN, CONNECTICUT 06510-2018
TELEPHONE: (203) 946-4811
FAX (203) 498-9271

December 8, 2008

Mr. Curtis Lu, Esq.
Interim General Counsel
Federal National Mortgage Association
3900 Wisconsin Ave., NW
Washington, DC 20016-2892
Fax: 202-752-8331

Dear Mr. Lu,

We are writing to request that the Federal National Mortgage Association (Fannie Mae) immediately cease all eviction actions against tenants living in properties foreclosed by Fannie Mae. Numerous evictions are being pursued against tenants in Connecticut, as well as other parts of the country. These evictions are being brought in violation of protections mandated by the federal bailout legislation, passed on October 3, 2008. Section 109(b) of the Emergency Economic Stabilization Act requires Fannie Mae "to permit bona fide tenants who are current on their rent to remain in their homes under the terms of their lease."

The federal law requires Fannie Mae to conduct a case-by-case analysis of foreclosed properties to determine the permissibility of allowing tenants to remain in the property. Fannie Mae has not done so. Fannie Mae is commencing and pursuing evictions against all tenants in foreclosed properties in Connecticut, without ever contacting the tenants to discuss the possibility of remaining.

It is indefensible that Fannie Mae continues to pursue evictions against innocent tenants, despite the tenant protections enacted in the federal law, the government conservatorship of Fannie Mae, and the billions of taxpayer dollars that have been provided to Fannie Mae as part of the federal bailout plan. Although Fannie Mae issued a press release that announced a suspension of evictions through January 9, 2009, Fannie Mae continues to press forward with eviction cases. Through local counsel, Fannie Mae has both filed new eviction cases and taken aggressive action in pending cases throughout Connecticut.

The pursuit of such evictions is also in direct contravention of the news release of John B. Lockhart, Director of the Federal Housing Finance Agency, which stated, "Fannie Mae has an informal policy to keep tenants in foreclosed properties." Federal Housing Finance Agency, News Release, December 2, 2008.

We hope that Fannie Mae will heed our request and immediately cease all actions in all eviction cases until it can institute a case-by-case review, in compliance with the requirements of the federal bailout legislation, to determine whether it is permissible to allow renters to remain in the premises. If not, we will have no choice but to pursue legal action.

Please feel free to contact us with any questions regarding this urgent request. We look forward to your prompt response. We would appreciate a written response by Monday, December 15, 2008.

Sincerely,



Amy Marx
Attorney-at-Law
New Haven Legal Assistance Association

Amy Eppler-Epstein
Attorney-at-Law
New Haven Legal Assistance Association

Shelley White
Director of Litigation
New Haven Legal Assistance Association

Francis Dineen
Senior Counsel
New Haven Legal Assistance Association

cc: The Honorable James B. Lockhart, III
Federal Housing Finance Agency
1700 G Street
Washington, DC 20552

Senator Christopher Dodd
U.S. Senate Committee on Banking, Housing and Urban Affairs
534 Dirksen Senate Office Building
Washington, DC 20510

Congressman Barney Frank
House Financial Services Committee
2129 Rayburn House Office Building
Washington, DC 20515

Lawrence M. Garfinkel, Esq.
Connecticut Counsel for FNMA
Bendett and McHugh, PC
160 Farmington Ave.
Farmington, CT 06032

Richard Liebert, Esq.
Connecticut Counsel for FNMA
Hunt Liebert Jacobson, PC
50 Weston Street
Hartford, CT 06120