

Oklahoma Assistive Technology Foundation (OkAT) Loan Policy

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ADMINISTRATION

1- OkAT Loan Manual

Effective Date: October 24, 2018

OkAT provides low-interest loans with favorable terms and conditions through direct lending and with a participating financial institution by providing loan guarantees and interest buy downs so that people with disabilities and their families may acquire assistive technology or computers and other equipment, including adaptive equipment. The Board of Directors consists of nine individuals, the majority of which have disabilities or family members with disabilities. The Board meets quarterly, or as needed, to conduct business and to make loan decisions.

This manual provides guidance to the OkAT Board, ABLE Tech staff and any other individuals working on behalf of the Financial Loan Program to provide direct financing and facilitate financial institution partner loans. The OkAT Board of Directors shall approve all procedures included in, and added to this manual and be consistent with the Laws of the State of Oklahoma and Bylaws of the organization. The manual will be maintained and distributed by the OkAT Director of Lending and ABLE Tech staff and reviewed at a minimum annually.

2 - Programs

Effective Date: June 5, 2019

Oklahoma Assistive Technology Foundation in coordination with Oklahoma ABLE Tech has developed the Financial Loan Program to accommodate the needs of its customers, to meet its fiduciary responsibilities, and to follow the appropriate sections of the Laws of Oklahoma. The program includes low interest loans, guaranteed loans made through a financial partner and direct loans. Program data will be collected and provided to Oklahoma ABLE Tech through the life of the Financial Loan Program.

Fees and charges may be assessed to borrowers of any Financial Loan Program loan, in accordance with the Laws of Oklahoma. These fees may be for closing, administrative, liens or insurance purposes, as determined necessary by the Board.

The Director of Lending will be the authorized representative for all grant applications. This position will also be responsible for notification to the Board regarding any changes in requirements, submission of grant reports, reporting to the Board on a quarterly basis the status of all grants, and reporting quarterly to the Board on the progress of required performance goals and measures.

The Director of Lending will also assure that reports are provided the the Board quarter to evaluate the quality and performance of the loan portfolio and investments.

3 - Definitions

Effective Date: October 24, 2018

Assistive technology means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified or customized that is used to increase, maintain, or improve the functional capabilities of individuals with disabilities. Assistive technology service is any service that assists with the selection, acquisition, or use of an assistive technology device.

Board means the Oklahoma Assistive Technology Foundation Board of Directors.

Buy down interest rate means OkAT will purchase a portion of the interest charged to borrower to reduce the actual interest paid by the borrower.

A creditworthy individual is one who either has a good credit history with no adverse credit problems and/or an individual who meets the credit standards set by the OkAT Board as outlined in the policy. A creditworthy individual may also be one whose credit problems were related to excessive disability related expenses.

Ability to repay the loan is determined when an individual's debt to income ratio meets the standards set by the Board, assessing all income and other expenses.

Debt (or debt service) is defined as the monthly mortgage/rent payment, monthly payments for existing secured and unsecured loans including credit cards, alimony/child care obligations, and the monthly payment for the requested OkAT loan.

Default for guaranty loans is defined as a loan that on or before, one hundred twenty (120) days in which the borrower has not made a scheduled payment for the balance still owed; or at which time OkAT has paid the lending institution the remaining agreed upon balance of the loan. The Board has the discretion to continue to make monthly payments beyond the one hundred twenty (120) days in which the borrower has ceased payment if circumstances warrant. The loan balance at the one hundred twenty (120) day limit would be considered the default balance. For unsecured direct loans a default loan will be defined as a loan that is ninety (90) days past due and will be charged off at that point or sooner if deemed uncollectible.

A **direct loan** is when OkAT markets, receives, underwrites, closes and services its Financial Loan Program loans directly to individual borrowers.

Director of Lending is the OkAT staff person who responsible for the implementation and sustainability of the statewide Alternative Financial Loan Program.

Fast Track is when the applicant meets the following criteria: credit score of 700 or above, debt to income ratio of 45% or less, and no adverse debt with the exception of medical. The Loan Coordinator or Director of Lending, acting as an agent for the Board, has the authority to approve these loans. If a loan applicant meets these requirements, a monthly expense worksheet is not required.

Financial Loan Program provides support for low interest loans or low interest guaranty loans to maximize the independence and participation in society by Oklahomans with disabilities so they may purchase the assistive technology they need. There must be a demonstrable connection between the end user's disability and the need for the assistive technology.

A **guaranteed loan** is a partnership loan in which OkAT guarantees that the loan to a borrower is secure and will be repaid to the participating financial institution in the event of a default, thus increasing the lender's willingness to loan funds. OkAT guarantees the full balance of the loan until it is paid in full.

Income is defined as all net wages or salary, commissions, interest, pensions, and other sources of financial support, including Supplemental Security Income (SSI), Social Security Disability Income (SSDI) and retirement benefits.

An **individual with a disability** is a person who self identifies a limitation to a major life function, such as walking, talking, seeing, hearing, taking care of oneself, learning, becoming employed or maintaining employment.

Loan Coordinator means the assigned staff of Oklahoma ABLE Tech who administers the Loan Program.

The **participating financial institution** is any insured lending institution, which has agreed to make loans to qualifying applicants by signing an agreement with terms and conditions meeting OkAT program standards.

Non-guaranty loan is a loan that uses dollars from the participating financial institution that provides consumer bank loans within their underwriting guidelines. The participating financial institution determines the approval of all non-guaranty loans. OkAT maintains an investment through interest buy-down.

A **qualifying** applicant is defined as any creditworthy individual according to OkAT's loan criteria, is a resident of Oklahoma with a disability, or for persons that have a dependent with a disability, residing in the State of Oklahoma. Funds borrowed under the program are to be used to purchase equipment needed to meet a telework outcome, assistive technology devices and services, modify equipment or make adaptations to enhance the independence of people with disabilities in their homes, at work, in schools, or engaged in leisure activities.

A **qualifying co-applicant** is defined as any creditworthy individual according to OkAT's loan criteria that agrees to sign the financial institution loan application, the bank note, release of information and complete all required information to determine OkAT loan criteria standards are met.

Rescue payment is a monthly payment by OkAT on behalf of the borrower to the participating financial institution for a guaranty loan.

A **resident** is a person domiciled within the State of Oklahoma from the time of application to loan closing.

Telework outcome can assist Oklahomans with disabilities to obtain financing for computers and other equipment including adaptive equipment. Telework outcomes can encompass work that can be performed effectively from home and/or remote sites away from the office, such as work on the road or at a telework center. Telework would apply to individuals with disabilities who experience a barrier(s) to employment and who are unemployed, underemployed, self-employed or needing to maintain employment on a full time or part time basis.

FINANCIAL LOAN PROGRAM

1 - Purpose

Effective Date: October 26, 2016

The Purpose of the Financial Loan Program is to allow Oklahomans with disabilities, or their family members, access to an affordable loan product to purchase assistive technology devices, services or equipment to improve a person's capabilities, allowing them to function independently in recreation, education, employment, and daily living activities. In addition, the purpose of the Financial Loan Program is to reduce or eliminate barriers to employment experienced by Oklahomans with disabilities and increase access to and funding of computers and other equipment, including adaptive equipment for a telework outcome. The individual with the disability maintains possession of the device.

OkAT's market area is the state of Oklahoma.

2 – Allowable Assistive Technology Devices, Services and Equipment

Effective Date: October 26, 2016

The Program will facilitate loans to purchase a broad range of assistive technology devices, services, and equipment. An assistive technology device is defined as any item, piece of equipment or device which enables an individual with a disability to improve individual independence and quality of life. OkAT's financial loan program allows the individual to choose the right product and provider for themselves. Allowable equipment shall include (but not be limited to):

- Computers with adaptive input or output devices
- New and used modified vehicles or loans for vehicles which will be modified
- Vehicle modifications

- Augmentative and alternative communication devices
- Assistive devices for the deaf or speech impaired
- Hearing aids
- Closed circuit TV or braille machines for the sight impaired
- Adaptive home modifications, including ramps and power lifts
- Prosthetics and/or orthotics
- Environmental control units (ECU)
- Wheelchairs (Power and manual)
- Adaptive mobility products

The Program will facilitate loans to purchase a broad range of computers, other equipment, including adaptive equipment in order for the individual with a disability to have a telework outcome. Allowable equipment shall include (but not be limited to):

- Computers or electronic tablets and related equipment
- Home office or worksite modifications
- Office equipment
- Telecommuting equipment
- Videoconferencing equipment
- Off road vehicles
- Other equipment that will directly produce income as a result of a telework outcome.

Other items or devices may be considered which improves or maintains the independence of a person with a disability. In addition, the loan may purchase any services to support the assistive technology device, such as assessments, audiology evaluations, training on the device, and/or extended warranties. Supplies and inventory may be considered for a telework loan. Loans may not purchase the repair or maintenance of modified vehicles or on-going subscriptions for the use of assistive technology. There must be a demonstrable connection between the end user's disability and the need for the equipment.

GENERAL UNDERWRITING

1 – Low Interest Loan Program

Effective Date: January 22, 2020

OkAT operates its programs for individuals with disabilities and their family members as special programs in accordance with the laws of Oklahoma. OkAT does not discriminate on the basis of race, color, sex, national origin, religion, age, sexual orientation, income level, type of disability, or marital status. OkAT also does not discriminate if an individual receives public assistance or has in good faith exercised any right under the Consumer Credit Protection Act. All applicants must be legally able to enter into a binding contract with OkAT or the lending institution.

OkAT values the privacy of the loan applicants and customers. OkAT does not disclose any information about the loan applicants, customers or former customers to anyone, except as permitted by law. Information collected includes:

- Information from the loan application
- Information about the applicants' transactions with us or others
- Information received from a consumer reporting agency

Every precaution is taken to ensure that the loan applicants' and customers' personal information remains private. Access is restricted to non-public personal information about applicants and customers to employees and other parties who need to use the information to provide loan services. Physical, electronic and procedural safeguards are maintained to comply with federal regulations to guard the non-public personal information of applicants and customers.

The participating financial institution, agrees to be the participating lender provided through the deposit of a low risk interest bearing account by OkAT. OkAT will buy down the lending institution's interest rate of a secured loan in order to make the product affordable for applicants. In addition, OkAT will maintain capital levels to ensure the availability of the funds for the guaranteed loans. The interest rate and term of the low interest and/or guaranty loans will be designated in the annual contract between OkAT and the participating financial institution. This rate is currently 5%.

OkAT will provide low interest unsecured direct and guaranteed loans to credit worthy individuals. Unsecured loans will have a maximum term of 36 months, unless the applicant is low income (80% of the area median income). For low-income applicants the maximum term will be 60 months. Approving authority will have the right to determine the term based on income, loan amount, and capacity to repay. Maximum loan term will be 60 months for secured loans.

A rate of 5% will be charged on all direct loans. The interest rate will be determined by the Board and reviewed at least annually. A late fee of ten dollars (\$10.00) will be assessed if a loan payment is five (5) days past due.

Determination if a loan is unsecured or secured can be made by the Loan Coordinator or Director of Lending. In general, if the loan is made for the purchase of an item in which a lien or repossession could provide reasonable resale value upon default of the loan, it will be made as a secured loan.

OkAT does not make loans for the purpose of re-financing an existing loan. OkAT is to make loans to individuals who will "acquire" assistive technology or computers and other adaptive equipment.

2 – Application Process

Effective Date: January 22, 2020

Applicants will receive application packets from OkAT, ABLE Tech, or the participating financial institution. Application packets will include a release of information to OkAT and ABLE Tech, the loan application, and any other pertinent materials. Application packets will include all forms and instructions necessary to apply.

In order to reduce paperwork and effort for the consumer, OkAT generally does not ask for proof of certain disabilities. However, the Board may ask for attachments to provide evidence of a disability or for justification to OkAT for the device requested such as evaluation reports, doctor's orders, or vendor quotes should the applicant wish to make a purchase of something that is not generally considered to be assistive technology. OkAT may require an evaluation from a licensed professional. The price of the evaluation can be part of the loan amount.

OkAT will provide all direct loan applicants information regarding their credit report through FICO Open Access and financial education materials. Resources will also be provided to assist the customer with resolving inaccuracies on their credit report and addressing collection items. OkAT may offer optional consumer coaching to all applicants. Consumer coaching may be provided by staff or other agencies which agree to provide consumer coaching as a free service. The Loan Coordinator or Director of Lending may assist applicants in the identification of equipment options and vendors, identify other available funding resources, completion of loan applications, and resolve payment problems. The Loan Coordinator or Director of Lending may also assist the applicant in determining an appropriate loan amount to meet OkAT policy criteria. The borrower may request for OkAT to review a loan application prior to purchase of the assistive technology device. If pre-approval of the loan is made, the Loan Coordinator or Director of Lending will determine whether the fair market value of the assistive technology device meets or exceeds the loan amount prior to loan approval.

Based on funding availability, the loan will either be processed directly with the nonprofit as a direct loan or through the banking partner, BancFirst of Stillwater. Funding priority at the nonprofit will be given to low-income applicants. If a loan application is processed by the financial partner, the lender will make its loan decision based on the terms and conditions as agreed to with OkAT. If approved, the financial institution will close the loan and will provide the Loan Coordinator or Director of Lending with loan documents and required consent forms. Once documentation has been received, the Loan Coordinator or Director of Lending will conduct a survey to collect consumer information.

Should the financial institution decline the application or request the loan to be guaranteed through OkAT, the financial institution lending officer will notify the Loan Coordinator or Director of Lending. OkAT will notify the applicant informing him/her OkAT will consider the application for a guaranteed loan upon the return of a completed monthly expense sheet, applicant loan report, applicant agreement, and vendor invoice, if necessary, which will be provided by the Loan Coordinator or Director of Lending. If the loan meets BancFirst credit criteria and is denied due to a request for a term longer than 3 years, the Director of Lending or the Loan Coordinator have the authority to approve this guarantee. If the loan is declined for other reasons, the Board will meet via telephonic conference call or email within one week of the receipt of the necessary applicant documentation requesting loan guaranty. A quorum of Board Members are required to be on the call or email and majority vote is the lending decision. If the Board approves the application, the Loan Coordinator or Director of Lending will refer the individual back to the lender for closing. Should the OkAT Board decline the applicant for a guaranteed loan, the Loan Coordinator or Director of Lending will send an adverse action letter stating the reason for denial.

The Loan Coordinator or Director of Lending may consider an application to be incomplete and require an applicant provide additional proof of income, proof of disability if required, proof the requested purchase meets the requirements of the program, or other documentation to further complete an application.

All direct loan applications will be processed through the OkAT Loan Coordinator or Director of Lending. The application process will utilize the same criteria and standards used for guaranty loan applicants. The Loan Coordinator or Director of Lending is responsible for collecting all necessary documentation to determine credit worthiness of the applicant. The Board will review and decide on loan approval or denial within one week of the receipt of the necessary documentation for those loan applications which the Loan Coordinator or Director of Lending has not approved. The Loan Coordinator or Director of Lending, acting as an agent for the Board, has the authority to approve loans which meet the following criteria: credit score of 700 or above, debt to income ratio of 45% or less, and no recent adverse debt with the exception of medical. If a loan applicant meets these requirements, a monthly expense worksheet is not required. These loans will be reported to the Board at the quarterly meetings. The Board will ratify all affirmed loan decisions at the next quarterly Board meeting, after the loans are approved. In addition, the Loan Coordinator or Director of Lending, acting as an agent for the Board, has the authority to deny loans that do not meet the minimum approval criteria for credit score, debt to income or adverse debt. An adverse action letter will be sent to the customer stating the reason for the denial. These will be reported, ratified and approved by the Board at the quarterly meeting.

3 – Microloan Program

The microloan program is for low-income applicants for the purchase of needed assistive technology or the payment of a foundation application fee to acquire assistive technology, typically hearing aids. The maximum loan amount will be \$400 and the repayment term will be a maximum of 24 months. Applicants will qualify for this program if they meet the requirements for the foundation that they are applying to or have circumstances that warrant the use of this program. These circumstances include but are not limited to proven lack of cash flow to make the purchase needed for low dollar technology

or pay the required fee applications to foundations for free assistive technology. This program availability is dependent on special grant funding and may be discontinued at any time. Loan approval for microloans will be made by the Director of Lending and reported to the Board quarterly.

4 – Grievance Process

Effective Date: October 24, 2001

An applicant who is aggrieved by a decision of the Board may petition of Board for reconsideration, in writing or appropriate alternative format, and provide additional documentation addressing the stated reasons for denial. The Board will consider any new information, providing the applicant an opportunity to be heard; and inform the applicant of its decision at the meeting or within seven (7) days of the meeting.

The decision of the Board will be final.

LOANS

1 – Income and Credit Criteria for OkAT Direct and Guranty Loans

Effective Date: June 5, 2019

All loan applications OkAT reviews, whether direct or guaranty loans, must demonstrate a reasonable expectation that the loan will be repaid. All direct and guaranty loan requests are determined on a case-by-case basis. Generally, OkAT is looking for a pattern of stability with respect to credit history, debt to income ratio, and ability to make the monthly payments. The Loan Coordinator or Director of Lending will pull a credit report on all direct loan applicants. The Board may request the applicant to provide an explanation or resolve negative findings within the credit report. In making its determination, the Board may consider the nature and extent of an applicant's creditworthiness, the fair market value of the item requested, and the total dollar amount of the loan.

The Loan Coordinator or Director of Lending may ask the applicant and/or co-applicant having debt or credit issues to provide additional financial and/or other information in order to determine qualification for a loan. For verification of income, if an individual's income is based on self-employment, OkAT will require the submission of the past year's income tax return as signed and submitted to the IRS. If equipment is being purchased for a new self-employment or telework business, a detailed business plan may be required. At a minimum the plan must include:

- Complete description of the proposed business
- Business objectives
- Ownership
- Marketing analysis and plan

- Financial management plan including personal finance sheets, projected expenses and income for a least two years
- Specific listing of needed new costs and equipment

Credit Score: OkAT uses a credit scoring system and credit reports as part of its decision process on all applicants. The credit score generally ranges from four hundred (400) to above eight hundred (800). Financial institutions typically require scores approaching seven hundred (700) for loan approval. A credit score of five hundred, (500) is generally required for OkAT to approve a guaranty or direct loan. Medical collection debt will not be counted against an applicant.

Debt to Income Ratio: OkAT will generally approve an applicant with a fifty percent (50%) debt to income ratio if the borrower can adequately document sufficient cash flow for the loan. Individuals with subsidized living arrangements may qualify for a loan even if their debt to income ratio exceeds fifty percent (50%). Individuals having approval for special funding (such as a Plan to Achieve Self Support (PASS) through SSA) may be considered without regard to their debt to income ratio.

Ability to Make the Monthly Payments: Qualifying borrowers must document that they have sufficient capacity and willingness (based on credit history) to pay for all living expenses and still have a reasonable expectation of repayment before a loan may be approved by OkAT. Excessive unsecured debt may be considered as a lack of capacity to repay. The Board may approve a loan to individuals who have additional projected income, and/or co-residents that assist with the monthly rent/mortgage and household expenses, which is verifiable.

The Board may also request a co-resident to become a co-applicant to consider additional income and reduce overall expenses. If an applicant wants to include a co-residents income and expenses, they may apply as a co-applicant.

2 – Collateral

Effective Date: January 28, 2015

OkAT may obtain the highest and most available collateral for all guaranty loans. Home modification loans and loans for vans, automobiles, and equipment will be collateralized through a deed of trust, the title, or UCC filing, as appropriate. The Board may request a second lien, in addition to any which may be held by the participating financial institution. Applicants and advocates should note OkAT intends to maintain the integrity of the loan process, recognize its fiduciary responsibility to the State of Oklahoma, and expect repayment for all of its loans.

3 – Loan Closing for Guaranty Loans

Effective Date: January 28, 2015

Loan closing documentation is administered by the financial institution partner. A designated OkAT Board member will sign as guarantor for any guaranty loan as reflected in the borrower resolution. An approved loan must be closed within ninety (90) days of the Board approval. This requirement

may be adjusted if the applicant is utilizing coordinating public funds for partial payment of the assistive technology or computers and other equipment. Applicants who have not closed their loan within the ninety-day period may be required to re-apply. Loan funds will be disbursed directly to the vendor, based on the vendor invoice.

4 – Loan Closing for Direct Loans

Effective Date: January 28, 2015

Loan closing documentation is administered by the OkAT Loan Coordinator or Director of Lending. An approved loan must be closed within ninety (90) days of the Board approval. This requirement may be adjusted if the applicant is utilizing coordinating public funds for partial payment of the assistive technology or computers and other equipment. Applicants who have not closed their loan within the ninety-day period may be required to re-apply. Loan funds will be disbursed directly to the vendor, based on the vendor invoice.

5 – Home Modification Procedure

Effective Date: February 3, 2004

When a loan in excess of five thousand dollars (\$5,000.00) is to be used for home modifications, OkAT will require two bids from a licensed and bonded contractor before distribution of funds. The contractor must be regularly doing business in the home construction field, must identify a fixed, firm price, and provide a turnkey service. The Program will not support loans for home modifications to rental units or rented mobile homes.

6 – Payment Procedure

Effective Date: October 24, 2018

Generally, payments will be made by an automatic deduction for the monthly payment from their checking and/or savings account. An alternative direct loan payment source will be set up if requested by the customer. OkAT will report monthly all activity related to the payment on a direct loan through Credit Builders Alliance. This reporting will assist customers who pay timely in improving their credit score. The Loan Coordinator or Director of Lending will promptly resolve any disputed transactions and will respond to identity theft notices.

7 – Past Due Loans

Effective Date: October 24, 2018

The Loan Coordinator or Director of Lending will contact borrowers having OkAT guaranteed or direct loans that are fifteen (15) to thirty (30) days past due. A late fee will be assessed. Guaranteed loans may be brought current through utilization of a rescue payment for a three (3) month period. The Loan Coordinator or Director of Lending will determine the nature of the financial problem as

well as the borrower's intentions on a case-by-case basis. Reasons that OkAT may view as acceptable reason for non-payment include, but are not limited to:

- Medical/physical change
- Compounding disability
- Change in employment status
- Injury on the job
- Unexpected family expenses

With an acceptable reason for non-payment, the Board will consider what it might do to help. Options may include the following but are not limited to:

- Consumer coaching
- Modify loan term and conditions (will be reported as a Trouble Debt Restructure if appropriate)

In addition for guaranteed loans:

- OkAT will make the missed loan payment and seek reimbursement from the loan customer.
- OkAT and the loan customer may arrange to share in the cost of loan payments on a temporary basis. OkAT will seek reimbursement from the loan customer.
- OkAT will pay the loan in full and have the financial institution reassign the note to OkAT. OkAT will seek reimbursement from the loan customer.

OkAT will demonstrate a process of reasonable and timely interventions with the intent of keeping the loan active. Should the Board believe that repayment is not possible and the reasons are seen as acceptable, the Board may vote to discharge the debt.

A Past Due and Loan Default Status report will be provided to the Board quarterly to monitor loan portfolio credit quality. OkAT will maintain a 4% Allowance for Loan Loss Reserve. This percentage will be reviewed at a minimum annually by the Board.

8 - Collections

Effective Date: January 27, 2016

The OkAT Board has discretion to pursue loan collections when the customer has not made loan payments according to their agreement. OkAT will report monthly past due balances on a direct loan through Credit Builders Alliance. When an OkAT guaranty or direct loan borrower is past due without an acceptable plan to become current and/or has not requested a modification of the term

agreement due to acceptable reasons, the Loan Coordinator or Director of Lending will send out a series of collections letters. No response, or an unsatisfactory response, from the borrower may be considered a default of the OkAT agreement. For guaranty loans, the financial institution will reassign the note to OkAT. Upon default of a direct or guaranty loan, the Loan Coordinator or Director of Lending will report negative credit experience of the borrower to a collection agency and demand payment and/or seek all legal means available for repayment from the borrower, including repossession.

9 - Repossessions

Effective Date: January 28, 2015

The Loan Coordinator or Director of Lending will evaluate delinquent loans for potential repossession once the account is ninety (90) days past due, or earlier, if voluntary or payment viability is deemed unlikely and the potential realized value of the sale exceeds the cost of repossession. OkAT will not repossess hearing aids. If the repossession is voluntary, OkAT will make arrangements to take possession of the assistive technology or equipment. OkAT will also make arrangements to sell the assistive technology or equipment for fair market value and have the proceeds of the sale (less cost of repossession) go towards the payoff of the note. If the borrower does not agree to arrange for the transfer of the assistive technology or equipment and its title, the borrower is in default with OkAT. OkAT may choose to pay-off the loan to the participating financial institution without repossession. Factors to consider include:

- diligent collection activity in accordance with OkAT policy and procedure,
- potential value of the repossession and liquidation sale compared to the expense incurred to OkAT, or
- reasons for non-payment warrant an exception for loan modifications or debt forgiveness.