

CONSUMER RELIEF
THROUGH JUNE 30, 2015
JOSEPH A. SMITH, JR., MONITOR

CHASE RMBS SETTLEMENT
JANUARY 12, 2016

Introduction

The following report is my seventh on JPMorgan Chase's progress toward satisfying its consumer relief obligations under its settlement with the federal government and five states (Chase RMBS Settlement or Settlement). The Chase RMBS Settlement addresses claims that Chase, Bear Stearns and Washington Mutual packaged and sold bad residential mortgage-backed securities to investors before the financial crisis. This Settlement requires Chase to provide \$4 billion in relief to consumers by December 31, 2017.

As detailed in this report, I have credited Chase with \$3,681,534,599 in consumer relief to 161,802 borrowers through June 30, 2015. This report explains the work my team performed to credit that amount.

This report also details an additional \$206,242,520 in consumer relief to 3,389 borrowers through September 30, 2015, that Chase's Internal Review Group (HRG) asserted to me in November 2015. I have not yet credited this additional activity. I am in the process of confirming the additional amount and will include my results in my next report.

Sincerely,



Joseph A. Smith, Jr.
Monitor, Chase RMBS Settlement

Consumer Relief

The Chase RMBS Settlement requires Chase to distribute \$4 billion in credited relief by December 31, 2017. Relief may be distributed in four different types, which are each credited differently:

1. **Modification - Forgiveness/Forbearance¹**
2. **Rate Reduction/Refinancing²**
3. **Low- to Moderate-Income and Disaster Area Lending³**
4. **Anti-Blight⁴**

Additionally, Chase receives incentives for certain relief conducted in the first year, in hardest-hit areas⁵ and on loans held for investment, as opposed to loans serviced for others.

For more information about these credit types and incentives, see my [Initial Report](#) or the [Settlement agreement](#).

In my last report, I confirmed that Chase had earned \$3,555,280,673 in consumer relief credit from 158,107 loans submitted for credit through March 31, 2015. In August 2015, the HRG asserted to me that Chase had completed an additional \$126,253,926 of creditable relief through June 30, 2015.

After conducting the review described below, I can confirm this additional relief, bringing Chase's total credited consumer relief amount to \$3,681,534,599. In addition, Chase's HRG asserted to me in November 2015 an additional \$206,242,520 in consumer relief through September 30, 2015, the crediting of which is in progress.

Consumer Relief Reported Through September 30, 2015

| | Through December 31, 2014 | March 31, 2015 | June 30, 2015 | September 30, 2015 | Program to Date |
|--|------------------------------|----------------------|----------------------|------------------------------|------------------------|
| Modification-Forgiveness/Forbearance | \$1,278,583,917 | \$231,269,947 | \$126,253,926 | \$206,242,520 | \$1,842,350,310 |
| Rate Reduction | \$874,470,934 | — | — | — | \$874,470,934 |
| Low- to Moderate-Income and Disaster Area Lending | \$1,170,955,875 | — | — | — | \$1,170,955,875 |
| Anti-Blight | — | — | — | — | — |
| Total Consumer Relief (HRG Assertion) | \$3,324,010,726 | \$231,269,947 | \$126,253,926 | \$206,242,520 | \$3,887,777,119 |
| Total Credited Consumer Relief | \$3,324,010,726 | \$231,269,947 | \$126,253,926 | Crediting in Progress | \$3,681,534,599 |

¹Chase RMBS Settlement Annex (Annex 2), Menu Item 1, ²Annex 2, Menu Item 2, ³Annex 2, Menu Item 3, ⁴Annex 2, Menu Item 4. ⁵As defined by the Department of Housing and Urban Development.

Sixth Testing Period (June 30, 2015)

On August 14, 2015, the HRG asserted to me that Chase claimed approximately \$126.3 million in additional credit for the testing period ending June 30, 2015. All of Chase's claimed credit was delivered via modifications involving principal forgiveness and forbearance. The table below represents the Consumer Relief Credit claimed by Chase for the second quarter of 2015, by type of relief:

| Type of Relief | Loan Count | Claimed Credit Amount |
|--|--------------|-----------------------|
| Modification - Forgiveness/Forbearance | 3,695 | \$126,253,926 |
| First Lien - Principal Forgiveness | 851 | \$52,912,629 |
| First Lien - Forbearance ⁶ | 1,540 | \$24,691,968 |
| Second Lien - Principal Forgiveness (including extinguishments) | 1,304 | \$48,649,329 |

HRG Satisfaction Review

According to the work plan,⁷ the HRG must test a statistically valid sample from four different testing populations, which reflect the types of eligible consumer relief for which credit is sought in the testing period:

- 1. Modification - Forgiveness/Forbearance**
- 2. Rate Reduction/Refinancing**
- 3. Low- to Moderate-Income and Disaster Area Lending**
- 4. Anti-Blight**

For the testing period ending June 30, 2015, Chase claimed credit in only one of the four consumer relief types: Modification — Forgiveness/Forbearance. Using an Excel-based sample size calculator and a randomizing software, the HRG selected a statistically valid sample from that testing population. In selecting the sample, the HRG used a 99 percent confidence level⁸ (one-tailed), 2.5 percent estimated error rate and 2 percent margin of error approach (99/2.5/2 approach). The total number of loans in the testing population and the number of loans tested in the sample by the HRG are shown in this table:

⁶The Settlement specifies the credit Chase can claim for First Lien - Forbearance is capped at \$300 million. The August 14, 2015, HRG Assertion did not include an additional \$5,170,539 in First Lien-Forbearance Consumer Relief credit claimed by Chase since Chase reached the \$300 million cap during this testing period. ⁷For more information on the work plan, please see the Monitor's Initial Report. ⁸Confidence level is a measure of the reliability of the outcome of a sample. A confidence level of 99 percent in performing a test on a sample means there is a probability of at least 99 percent that the outcome from the testing of the sample is representative of the outcome that would be obtained if the testing had been performed on the entire population.

HRG Testing Sample

| Testing Population | Number of Loans in Credit Population | Total Reported Credit Amount | Number of Loans in HRG Sample | Total Reported Credit Amount in HRG Sample |
|---|--------------------------------------|------------------------------|-------------------------------|--|
| Modification - Forgiveness/Forbearance | 3,695 | \$126,253,926 | 304 | \$11,141,546 |

The HRG had access to loan-level information relevant to testing for loans in the sample through Chase's system of record.

After verifying eligibility and recalculating credit for all loans in the sample, the HRG compared its results (Actual Credit Amount) to the amount Chase reported (Reported Credit Amount) for those loans. The Settlement work plan allows for a 2 percent error threshold. The Reported Credit Amount was within the error threshold for the testing population in this Satisfaction Review. Therefore, the HRG asserted to me that the amount of credit Chase claimed was accurate. The following table summarizes these findings:

HRG Satisfaction Review Results

| Testing Population | Loans Sampled | Servicer Reported Credit Amount | HRG Calculated Actual Credit Amount | Amount Overstated / (Understated) | % Difference |
|---|---------------|---------------------------------|-------------------------------------|-----------------------------------|--------------|
| Modification - Forgiveness/Forbearance | 304 | \$11,141,546 | \$11,203,649 | (\$62,103) | (.55%) |

Had the Reported Credit Amount been too high (more than 2 percent above the Actual Credit Amount) for any testing population, Chase would have had to analyze all loans in the testing population and submit an updated report. The HRG then would have tested a new sample in the testing population using the same process.

As a result of this Satisfaction Review, the HRG reported to me the following:

- i. The consumer relief was based on completed transactions correctly reported.**
- ii. Chase correctly calculated the relief based on the formulas set forth in the Settlement.**
- iii. The relief correctly reflected the requirements, conditions and limitations set forth in the Settlement.**

The HRG also submitted work papers reflecting its review and analysis to me. I examined these work papers as part of my review.

Monitor's Review

Before I began testing the HRG's work, I, along with the professionals working with me, met with Chase's representatives to better understand its mortgage banking operations, systems of record and its HRG program. We also reviewed the HRG's proposed approach for consumer relief testing. These initial meetings informed my work thus far, and my professionals continue to meet with the HRG and Chase, as necessary.

At my direction, BDO USA, LLP ("BDO"),⁹ conducted an extensive review of the HRG's testing from June to August 2015. BDO tested the entire sample of loans in the testing population. BDO's testing procedures and access to information for each testing period allowed for loan-level testing of each loan in the sample.

After completing this loan-level testing, BDO determined that the HRG correctly validated the consumer relief credit Chase reported. The following table sets forth the results of BDO's testing:

| Testing Population | Loans Sampled | Servicer Reported Credit Amount | BDO Calculated Actual Credit Amount | Amount Overstated / (Understated) | % Difference |
|---|---------------|---------------------------------|-------------------------------------|-----------------------------------|--------------|
| Modification - Forgiveness/Forbearance | 304 | \$11,141,546 | \$11,205,354 | (\$63,808) | (.57%) |

For the sample tested, BDO's credit calculations and the HRG's credit calculations were substantially the same. BDO determined that the Reported Credit Amount did not exceed the Actual Credit Amount by more than the 2 percent error threshold in the work plan.

BDO documented its findings in its work papers and reported them to me. I then undertook an in-depth review with BDO of the HRG's work papers, as well as BDO's work papers, and agreed with these determinations.

Monitor's Review of Non-Creditable Requirements

As described in my third public report, I inquired into whether Chase complied with certain policy-based, non-creditable requirements of the Settlement. Specifically, I wanted to confirm that Chase did not implement consumer relief through any policy that violates the Fair Housing Act, the Equal Credit Opportunity Act or condition consumer relief on a waiver or release by a borrower, other than in the case of a contested claim where the borrower would not otherwise have received as favorable terms or consideration.

As part of this inquiry, I interviewed certain members of Chase's management who know the processes and procedures Chase used to select borrowers who received consumer relief under the Settlement and determined that Chase has complied with the non-creditable requirements. Based on those interviews, as well as the testing procedures described above, I have no reason to believe that Chase has not continued to comply with those requirements.

⁹BDO USA, LLP, is an accounting, tax and consulting firm that I have hired to assist me in reviewing Chase's compliance with the terms of the Settlement.

Seventh Testing Period (September 30, 2015)

On November 13, 2015, Chase reported to me the gross relief it provided through September 30, 2015, and the HRG reported to me the amount of credit Chase claimed and the HRG validated as of September 30, 2015.

Gross Relief

On a gross dollar basis, Chase has asserted that it provided \$19.9 billion in principal forgiveness and forbearance, rate reduction or eligible lending to 165,191 borrowers as of September 30, 2015, including \$316.9 million in principal forgiveness and forbearance to 3,389 borrowers in the third quarter of 2015.

Gross Relief Table

These gross dollar figures cannot be used to measure performance against Chase's \$4 billion requirement for its consumer relief obligation because they have not been subject to the Settlement's crediting formulas.

| Relief Type | Through December 31, 2014 | | March 31, 2015 | | June 30, 2015 | | September 30, 2015 | | Program to Date | |
|---|---------------------------|-------------------------|---------------------|----------------------|---------------------|----------------------|---------------------|----------------------|---------------------|-------------------------|
| | Number of Borrowers | Aggregate Amount | Number of Borrowers | Aggregate Amount | Number of Borrowers | Aggregate Amount | Number of Borrowers | Aggregate Amount | Number of Borrowers | Aggregate Amount |
| First Lien Principal Forgiveness | 6,789 | \$607,417,159 | 1,306 | \$97,801,433 | 851 | \$56,872,215 | 3,297 | \$312,341,714 | 12,243 | \$1,074,432,521 |
| Principal Forgiveness of Forbearance | 4,328 | \$231,487,510 | — | — | — | — | — | — | 4,328 | \$231,487,510 |
| First Lien Forbearance | 9,313 | \$669,320,058 | 3,790 | \$306,359,713 | 1,540 | \$104,658,707 | — | — | 14,643 | \$1,080,338,478 |
| Second Lien Principal Forgiveness | 6,567 | \$448,413,484 | 1,575 | \$95,511,863 | 1,304 | \$109,095,616 | 92 | \$4,581,883 | 9,538 | \$657,602,846 |
| Rate Reduction | 34,695 | \$1,115,656,744 | — | — | — | — | — | — | 34,695 | \$1,115,656,744 |
| Low- to Moderate-Income and Disaster Area Lending | 89,744 | \$15,771,381,912 | — | — | — | — | — | — | 89,744 | \$15,771,381,912 |
| Total | 151,436 | \$18,843,676,867 | 6,671 | \$499,673,009 | 3,695 | \$270,626,538 | 3,389 | \$316,923,597 | 165,191 | \$19,930,900,011 |

HRG Assertion

On November 13, 2015, the HRG reported that Chase claimed \$206,242,520 in consumer relief credit during the third quarter of 2015, bringing its asserted total to \$3,887,777,119. To arrive at this amount, the HRG conducted a Satisfaction Review on the gross consumer relief activity claimed by Chase, applying the settlement's crediting formulas. I have not yet verified the HRG's assertion for the third quarter 2015. My team and I are in the process of conducting that verification, and I will report on the results in my next report.

Conclusion

After reviewing the information submitted to me and completing the work described in this report, I have determined the following:

- i. The amount of consumer relief through June 30, 2015, asserted by the HRG on August 14, 2015, is correct and accurate within the tolerances permitted under the work plan.**

- ii. I have no reason to believe that Chase has failed to comply with any of the requirements of the Settlement from October 1, 2013, through June 30, 2015.**

I will report the results of my validation work for the third quarter 2015 in my next report to the public.