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Vets: Do Not Make "Side Payments" If Buying A Home

Veterans seeking to buy a home loan are cautioned against making a "side payment" to the owner in excess of the appraised value in order to purchase the property.

"A veteran who is desperately in need of a home is willing frequently to pay in cash to the seller the difference between the appraised value and the asking price," said Charles A. Ball, loan guarantee officer of the North Carolina Regional Office, Veterans Administration. "This practice defeats the intent of the law, and if discovered by the VA will result in nullification of the guarantee."

Mr. Ball explained that the Servicemen's Readjustment Act will not permit guarantee of a loan for the purpose of a home when the sale price is higher than the appraised value.

The loan guarantee officer also warned veterans who have obtained a GI loan for construction not to enter into a "cost-plus" contract after approval of the loan.

"In applying for a construction loan," he said, "a 'firm bid' should be obtained—that is, a bid for a definite amount. A second bid made on a cost-plus basis, with the intent of having the veteran pay higher price due to any rise

in material costs, should not be considered."

The reasonable value must be determined prior to construction if the loan is for purpose of constructing a building, the VA official pointed out, adding that any legitimate increase in costs may be taken care of through the regular channels. In such cases, he urged veterans to check with the lending agency which made the loan.

"Although the majority of builders and lenders are making an honest effort to see that the ex-serviceman gets a square deal in the purchase of a home today," said Mr. Ball, "there have been instances where individual veterans have been taken advantage of."

"There have been cases," he continued, "where a veteran has been required to make a deposit of \$50 to \$150 upon signing a contract to purchase, with the understanding that the deposit will be applied against the purchase price. But when it was learned later that he could not get the government guarantee for one reason or another, the sales agency has refused to return his deposit."

"Such practices, if not unethical, are certainly unfair," Mr. Ball said, "and veterans are warned to have a thorough understanding with all parties concerned prior to signing any contract. In cases of this kind, the contract itself should contain a

clause stating that it is made contingent upon securing the government guarantee."

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