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Introduction

The Federal Housing Finance Agency (FHFA) was established by the Housing and Economic Recovery Act of 2008 (HERA) and is responsible for the effective supervision, regulation, and housing mission oversight of Fannie Mae, Freddie Mac, and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks (FHLBanks) and the Office of Finance. The Agency’s mission is to ensure that Fannie Mae, Freddie Mac and the FHLBanks (regulated entities) operate in a safe and sound manner so that they serve as a reliable source of liquidity and funding for housing finance and community investment. Since 2008, FHFA has also served as conservator of Fannie Mae and Freddie Mac.

Pursuant to the Open Government Directive (OGD) issued by the Office of Management of Budget, this document reflects FHFA’s 2016 Open Government Plan (Plan) to advance the principles of transparency, participation, and collaboration that form the cornerstone of an open government. FHFA’s Open Government objective is to ensure that the information and data released to the public increases transparency of FHFA and the regulated entities while supporting the stability of the secondary mortgage market. FHFA information related to the OGD can be found at www.FHFA.gov/open.

FHFA Open Government Framework

Employee engagement and collaboration contributed to the formulation of the Plan, which led to the incorporation of relevant and useful ideas. Public engagement is part of FHFA’s periodic review, modification, and enhancement of the Plan.

Senior FHFA officials serve on the working group responsible for promoting Open Government at the Agency. The Chief Information Officer leads the Open Government initiative and is the Senior Agency Official responsible for implementing the OGD. The Chief Financial Officer serves as the Senior Accountable Official for data quality. The agency-wide Open Government working group enables FHFA to provide greater transparency, increase participation, collaboration, and to effectively oversee vital components of the secondary mortgage market through available data and resources.

The working group is responsible for overseeing the specific areas of Open Government activities for the Agency including:

- Managing internal and external communications;
• Maintaining the FHFA Open Government webpage;
• Creating and updating the Open Government Plan;
• Publishing data and identifying prospective data reporting; and
• Revising Agency policies on an as-needed basis.

Alignment with the FHFA Strategic Plan and Core Mission Areas

FHFA embraces the OGD as furthering the Agency’s mission, vision, values, and goals. The Agency Open Government strategy emphasizes:

• Transparency - promoting accountability by providing the public with access to information on government operations and activities;
• Participation - inviting members of the public to contribute to and influence government policies and functions; and
• Collaboration - encouraging cooperation within FHFA, between agencies, across levels of government and between the public and private sectors.

FHFA aligns its Open Government strategy with the Agency’s strategic plan, particularly with respect to FHFA’s strategic goal of management and organizational excellence. The Office of Technology and Information Management is responsible for determining the most effective use of technology to increase public access to information and encourage stakeholder engagement, including support of the Open Government webpage.

Plain Writing

Effective writing is an FHFA priority, and Agency leadership emphasizes the importance of clear and effective writing in all FHFA documents and materials. As part of the Agency’s commitment to clear and effective writing, FHFA complies with the Plain Writing Act of 2010 (Act). The purpose of the Act is to improve the effectiveness and accountability of federal agencies to the public by promoting clear government communication that the public can understand and use.

To support clear and effective writing, FHFA has:

• Issued Agency policies that highlight FHFA’s commitment to producing documents that reflect strong analysis and clear writing;
Offered training to all staff on the process for developing and approving Agency written materials;
Offered writing training courses for staff; and
Designated a senior official for plain writing, with contact information and plain writing compliance reports on the Agency’s plain writing web page.

New and Expanded Initiatives

I. Open Data

FHFA selectively participates in the Federal Open Data initiative so that data can be freely used, modified, and shared by the public for any purpose. FHFA provides the public with access to specific datasets. (See Addendum A)

- FHFA utilizes its Information Classification Policy and the Information Classification and Handling Procedures for classifying and inventorying datasets as, public, non-public, or restricted. FHFA does not publicly release Personally Identifiable Information (PII).
- FHFA has a developer webpage at Developer Data Tools, which explains how to use the Agency’s Application Programming Interface (API) to access information.
- To facilitate the public’s access to the electronic information, FHFA has published a public data listing and provides a hyperlink to these datasets on the FHFA webpage at Data Tools. Additionally, FHFA provides a hyperlink on the FHFA webpage to Data.gov. The FHFA public datasets are also listed in Addendum A of this document. A majority of FHFA’s data is restricted / non-public supervisory information (examination privileged). As the Agency identifies new publicly available datasets to be released, “Source FHFA” on the Agency’s website FHFA.gov will be used to announce the release of new information.

II. Proactive Disclosures

FHFA has undertaken various actions to proactively disclose information to advance transparency, accountability, and the presumption of openness. In the context of the Freedom of Information Act (FOIA), FHFA has taken a number of steps:

- Reviewing requested records with the objective of identifying records that may be released in advance of determining applicable exemptions.
Increasing the number of partial disclosures when full disclosure is not possible by segregating and releasing non-exempt information.

Working with requesters to refine or narrow requests to better understand what the requester seeks and whether any responsive records can be located and released.

Applying the foreseeable harm standard to information that could be properly withheld under Exemptions 2 and 5.

- Exemption 2 of the Freedom of Information Act exempts from mandatory disclosure records that are "related solely to the internal personnel rules and practices of an agency."
- Exemption 5 of the Freedom of Information Act protects "inter-agency or intra-agency memorandums or letters which could not be available by law to a party other than an agency in litigation with the agency."

The FOIA Officer initially determines what records may be eligible for discretionary releases. After this initial determination, then the record owner, FOIA Officer and Chief FOIA Officer collaborate on whether a discretionary release should or can be made.

More broadly FHFA routinely posts information to FHFA’s website, such as press releases, speeches, reports, research papers. In addition, FHFA posts information to FHFA’s website when multiple FOIA requests are made for the same information so that the information is readily available to the public.

III. Privacy

During Fiscal Year 2015, FHFA filed the following Privacy Reports to privacy-oira@omb.eop.gov:

- Biennial Computer Match Activity Report – filed July 2015; and

IV. Whistleblower Protection

In January 2015, FHFA received a Certificate of Compliance with 5 U.S.C. 2302(c) from the Office of Special Counsel (OSC) for having voluntarily provided employees notification about their rights under the Whistleblower Protection Enhancement Act (WPEA), as amended, for posting notices throughout all FHFA workspaces, and for providing live training to supervisors from an OSC instructor. That certification lasts through November 2017. In December 2015,
FHFA, including the Office of Inspector General, distributed the OSC publication, “Your Rights as a Federal Employee” to all employees. This pamphlet, as well as another entitled “Prohibited Personnel Practices,” is posted on the Agency’s intranet site. FHFA employees also receive information about the WPEA provisions in an on-line mandatory training session on Information Classification Policy and Procedures beginning in April 2013. Employees are also required to complete No FEAR training, which includes information on the WPEA and whistleblower protections, every two years. This training is offered in person and in FHFA’s online training application. Further, during the New Employee Orientation (NEO) program, new employees are provided a live training session that includes an overview of No FEAR, whistleblower protections, and EEO laws. All new employees are required to attend NEO, which generally occurs in the first two days of employment with FHFA. The online training program remains available for all new FHFA employees in FHFA’s learning management system.

FHFA’s intranet, as well as FHFA.gov, contain a link to the OSC website Osc.gov and FHFA’s OIG maintains a hotline, Contact FHFA OIG, to receive whistleblower and other complaints.

V. Agency Website

FHFA encourages public participation and seeks feedback through its website. See the Rulemaking, FOIA, Open Government, Participation, and Collaboration links of FHFA’s website, FHFA.gov, for additional information.

FHFA.gov was designed utilizing usability testing and participation of focus groups. The website’s construction was based on the results of these analytics and feedback. A content management system helps maintain the website’s consistent look and feel. The website is Section 508 compliant, which not only makes the website accessible, but increases usability.

Since websites are, by their nature, works in progress, FHFA:

- Uses analytic tools to evaluate user behavior and gather empirical evidence about site usage;
- Routinely assesses feedback provided by the public through the “Contact Us” page on FHFA.gov;
- Collects analytics to identify how effectively users maneuver throughout the website and make adjustments as appropriate; and
- Collaborates with internal and external Web and Social Media forums on user experience.
Website enhancements are made based on the results of these activities. Furthermore, when FHFA considers new functionality or significant re-design of existing functionality, the Agency will employ focus groups and take feedback into consideration.

Users are provided with multiple navigation paths so they can drill down to several levels of content from any page with persistent navigation, use the search box, or use the site map listed on each page footer. The multiple navigation paths provide the website with flexibility to accommodate various user preferences. Finally, FHFA ensures relevant content is available to users on every page by providing links to related information.

Examples of commonly sought-after information include: data, House Price Index (HPI), news releases, policy and regulatory updates, and consumer help.

To be more accessible to the public, FHFA:

- Has integrated social media with the Agency website and actively uses a variety of social media tools to amplify messaging to the public;
- Posts webcasts, short videos, and photos on popular publicly available social media platforms; and
- Provides a variety of online data sources that include the Agency’s most frequently requested data.

VI. Open Innovation Methods

FHFA does not utilize citizen science or crowdsourcing as an Open Innovation Method. OMB Memo M-15-16 outlines the Administration’s multi-agency science and technology priorities, which are not applicable to FHFA’s mission.

VII. Access to Scientific Data and Publications

FHFA is committed to providing access to Agency digital data and scholarly publications:

- FHFA participates in the Open Data initiative and allows the public to access specific approved datasets. To facilitate the public’s access to download the electronic information, FHFA provides a hyperlink to the datasets on the FHFA webpage at Data Tools. Additionally, FHFA provides a hyperlink on the FHFA.gov footer to redirect to Data.gov. Addendum A lists the FHFA public datasets; and
- FHFA working papers and scholarly articles are located at FHFA Research.
VIII. Open Source Software

FHFA does not have open source software policies or projects where software code is releasable to the public and made available for government-wide reuse.

IX. Spending Information

The Digital Accountability and Transparency Act of 2014 requires appropriated agencies to report financial information to USAspending.gov. FHFA is not an appropriated agency and is not required to report financial information to USAspending.gov.

On-Going Initiatives

I. Participation in Transparency Initiatives

FHFA is committed to open and transparent government. The Agency strives to ensure that the American public has access to as much information as possible while protecting personal privacy, and confidential, privileged, and proprietary information.

In carrying out its eRulemaking initiative, FHFA uses its website, FHFA.gov, and the eRulemaking portal Regulations.gov to encourage public participation and to seek feedback on the development of rulemakings. Opportunity for public comment on rulemakings is expressed in rulemaking documents published in the Federal Register and on FHFA’s website. Three electronic methods are offered: (1) submitting comments through the FHFA website via an electronic form, (2) submitting comments through Regulations.gov, or (3) submitting comments by email via the address RegComments@fhfa.gov. FHFA lists all of its rulemakings on its website, FHFA.gov.

II. Public Notice

FHFA notifies the public of its activities through press releases, statements, speeches, testimony, Agency plans and reports, and publication of certain items in the Federal Register. These items are made available on FHFA’s website, FHFA.gov, as well as through alerts to subscribers to the website. In addition, FHFA uses a variety of social media tools to communicate agency information. Furthermore, when FHFA publishes rulemaking information and other pertinent information affecting the public in the Federal Register, this information is made available on FHFA’s website so the public can easily locate the information.
III. Records Management

FHFA provides links under “About Us/Policies” and “Records & Information Management” on its website, FHFA.gov, to show how the Agency is meeting its records management requirements. These requirements serve as the foundation for the Agency’s records management program, which includes such activities as identifying and scheduling all electronic records, and ensuring the timely transfer of all records that have permanent value to the National Archives. The Agency has posted its Comprehensive Records Retention and Disposition Schedules at Comprehensive Records Schedule.

IV. FOIA

FHFA is committed to continuing FOIA process improvements including providing access to agency records through a citizen-centered and results-oriented FOIA program. To facilitate this access, FHFA adopted the plain language question-and-answer format for its FOIA regulation. The FOIA Office, which is comprised of the Chief FOIA Officer, FOIA Officer and FOIA Liaison, will continue to review other changes that could improve the efficiency, effectiveness, and transparency of FHFA’s FOIA program.

FHFA has taken the following steps to ensure that the presumption of openness is being applied:

- Reviewing requested records with the objective of identifying records that may be released in advance of determining applicable exemptions;
- Increasing the number of partial disclosures when full disclosure is not possible by segregating and releasing non-exempt information;
- Working with requesters to refine or narrow requests to better understand what the requester seeks and whether any responsive records can be located and released;
- Applying the foreseeable harm standard to information that can be properly withheld under Exemptions 2 and 5; and
- Proactively posting information on FHFA’s website when multiple FOIA requests are made for the same information so that the information is readily available to the public.

FHFA is taking or has taken the following steps to ensure that the system for responding to FOIA requests is effective and efficient while safeguarding sensitive and confidential records in accordance with Federal laws and regulations:

- Providing requesters with a more detailed explanation of how each search was conducted and, if applicable, why the agency does not have responsive records, and why a particular
exemption was cited when withholding documents;

- Maintaining more complete data on each request to facilitate easier reporting, analysis and monitoring of the number of denials, partial disclosures, and full disclosures and the types of information disclosed;
- Developed correspondence templates to ensure that requesters receive confirmation of receipt of their request and responses to their requests in an expeditious manner;
- Assigning individual tracking numbers to each request to make it easier for requesters to inquire about their request;
- Using multi-track processing in order to respond more rapidly to simple requests on a separate track from complex requests;
- Updated the agency’s public website to include: 1) the FOIA Reference Guide; 2) Frequently Asked Questions page; and 3) providing links to the Department of Justice’s FOIA page;
- Providing IT support to the FOIA program to improve efficiency in searching for responsive electronic records;
- Maintaining a dedicated FOIA telephone line and email account specifically to communicate with requesters;
- Continuing to developing standard internal protocols for searches, use of exemptions, and processing and authorizing responses, disclosures and denials;
- Developed training and educational materials for agency staff to understand roles and responsibilities under FOIA; and
- Assessing ways to improve the responsiveness and efficiency of its processes for responding to requests.

In addition to FOIA personnel, FHFA relies on a broad range of agency personnel, including personnel from the Offices of Congressional Affairs and Communications, General Counsel, Policy Analysis and Research, and other relevant FHFA subject-matter experts, to identify records that can and should be released to the public prior to a FOIA request being filed. Some examples include:

- Press Releases;
- FHFA Blogs;
- Monthly interest rate survey data;
- Regulations, notices, and public comments;
- Capital disclosures;
- Federal Home Loan Bank Membership data;
- Supervision handbooks and guidance;
• Research papers;
• Advisory Bulletins;
• Final Opinions and Orders;
• Policy and Administrative Staff Manuals;
• Frequently Requested Records;
• Annual Performance Plans;
• FHFA Strategic Plans;
• Performance and Accountability Reports;
• Advisory Council Reports;
• Resources for Consumers;
• Regulatory Interpretations;
• Collateral Securing Advances Reports;
• Conservator’s Reports;
• Federal Property Managers Reports;
• Foreclosure Prevention Reports;
• Enterprise Guarantee Fees Reports;
• Annual Housing Reports;
• Conservatorship Scorecards for Fannie Mae, Freddie Mac and Common Securitization Solutions;
• Office of Minority and Women Inclusion Annual Reports to Congress;
• Federal Home Loan Bank Securitization Reports;
• Refinance Reports;
• Sustainability Plans;
• Strategic Plans for the Conservatorships of Fannie Mae and Freddie Mac;
• Public Use Databases for Fannie Mae and Freddie Mac;
• Public Use Databases for the Federal Home Loan Banks;
• Staff Working Papers;
• Low Income Housing and Community Development Activities of the Federal Home Loan Banks;
• No-Fear Act Data;
• Report on Collateral Pledged to Federal Home Loan Banks;
• Mortgage Market Notes;
• U.S. House Price Index Report;
• Executive Compensation Information;
• Court Documents; and
• Progress Reports on the Conservatorship Scorecards.
Information on FHFA’s FOIA program and how to file a FOIA request is available at FOIA Reference Guide. This webpage provides access to many documents and records maintained by the agency, including frequently requested records, agency policy statements, administrative manuals, general counsel opinions, annual FOIA reports, and the online FOIA reading room.

V. Congressional Requests

FHFA remains committed to prompt and clear communication with members of Congress and their staffs. The Office of Congressional Affairs and Communications serves as the liaison between Congress and FHFA, including arms of Congress such as the Congressional Budget Office and the Government Accountability Office.

VI. Declassification

Declassification is not applicable, as the Agency does not have classified information.

VII. Participation

A. Rulemaking

The FHFA website has a robust and user-friendly rulemaking section, so that users can quickly search for and locate specific information.

- FHFA.gov, has a “Comment On a Rule” button; which directs the user to a subsequent webpage where all items open for comment or input published in the Federal Register can be commented on by the general public.
- Users are able to sort Federal Register information by date, title, number and type on Rules and Notices.
- Once a user selects a rule or notice, the rule or notice webpage contains a summary of the proposed action or notice.
- Each item has a hyperlink to the Federal Register and the Government Printing Office listing of the item.
- The public can view comments submitted for the action or notice within each item that has comments associated with it.
- The public uses a form to submit their comments that automatically opens up when the “submit comments” button is clicked on the item page.
B. Non-Rulemaking

The FHFA website has a consolidated policy-related location at Policy, Programs, and Research which facilitates public input. FHFA asks for public input on a variety of topics, such as Guaranty Fees, and Credit Risk Transfer. The website uses a Request for Information Form that opens in the respective topic pages when that topic’s feedback period is open. When a topic feedback period concludes, a link to view the “Request for Information Submissions” is then made available.

C. Open Data

FHFA participates in the Open Data initiative and allows the public access to specific approved datasets. To facilitate the public’s access to download the electronic information, FHFA provides a hyperlink to the datasets on the FHFA webpage at Data Tools. Additionally, FHFA provides a hyperlink on the FHFA home page to redirect to Data.gov. Addendum A lists the FHFA public datasets.

D. Events, Conferences & Meetings

The FHFA website FHFA.gov has a ribbon-based navigation (homeowners/homebuyers, industry, media, and government) that re-directs users to webpages specifically designed for that particular audience. When FHFA has an event, conference or meeting information; details are published on either a specific webpage, within a webpage tab or in the “Public Engagements” section of Media section.

VIII. Collaboration

FHFA enhances its effectiveness by engaging several government agencies, private sector groups, and the public to produce and share policy, analysis, and data on matters that affect the Secondary Mortgage Market.

- The FHFA website provides a central point for users to understand and see relevant information pertinent to each user. The government section in particular is designed for federal, state, and local government use. State and local governments use the House Price Index (HPI) data found on the Data Tools section to help set property tax valuations.
- The FHFA website provides links to the federal government member agencies of the
Financial Stability Oversight Council, of which FHFA is a member. This makes it easier for the public to identify participating agencies.

- The FHFA website also provides homeowners/homebuyers with links for federal agencies that may be able to help them if they have trouble with their mortgage such as Office of the Comptroller of the Currency and the Consumer Finance Protection Bureau. The FHFA.gov and HARP.gov websites also link to Fannie Mae and Freddie Mac sites directing homeowners to Know Your Options and Freddie Mac’s Help Center so consumers can find help, if they have problems with their mortgage.

- The FHFA website has a social media hub in the footer of the home page so it is accessible where people can connect. In particular, FHFA is using Twitter, LinkedIn and YouTube to communicate FHFA’s mission, activities and results as well as to bring people together.

IX. Flagship Initiative

FHFA’s flagship initiative for 2016 is the implementation of the “Duty to Serve” program. Federal law requires the FHFA to issue a regulation to implement the Duty to Serve requirements specified in the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as amended by the Housing and Economic Recovery Act of 2008. The statute requires the Enterprises to provide leadership to facilitate a secondary market for mortgages on housing for very low-, low-, and moderate-income families in three underserved markets specified in the statute:

- Manufactured housing;
- Affordable housing preservation; and
- Rural housing.

FHFA has issued a proposed rule that seeks to strike a balance between the requirement that the Enterprises serve families in these markets and their continued safety and soundness.

FHFA invited interested parties to submit comments on all aspects of the proposed rule within 90 days of publication in the Federal Register via FHFA.gov. The proposed rule was published on December 18, 2015. The 90-day comment period on the proposed rule ended March 17, 2016. FHFA is currently working on developing a final rule that will be published in the Federal Register.
FHFA developed a Duty to Serve webpage on FHFA.Gov. The Duty to Serve webpage will be enhanced to help facilitate the development, transmission, communication, review, modification, monitoring, analysis, storage, and reporting of these core deliverables:

- Underserved Markets Plan;
- Public Input;
- Modified Underserved Markets Plan;
- Evaluation Guide; and
- Ratings Documentation.

The Duty to Serve enhanced webpage purpose will be to maximize efficiency and effectiveness in developing, reviewing, and maintaining program deliverables; plus, sharing select deliverables with the public and collecting the public’s input on those deliverables.

X. Public and Agency Ideas

FHFA’s Open Government Plan complies with the 2016 Agency Open Government Plan Guidance issued by OMB on July 14, 2016. FHFA’s website provides an easy-to-access portal for the public to provide feedback and provide future input into the 2018 plan update.
References


13. OMB Memorandum M-13-13 “Open Data”, 5/9/13,


15. Open Government National Action Plan

Addendum A: FHFA Public Datasets

Conforming Loan Limits

- Maximum Loan Limits for Loans Acquired by Fannie Mae and Freddie Mac

Countercyclical Stress Paths

- Data on shocks for a countercyclical capital approach and links to related research papers

Current Market Data

- Single-Family Mortgages Originated and Outstanding, 1990 - 2011 Q2
- Treasury and Federal Reserve Purchase Programs for GSE and Mortgage-Related Securities

Federal Home Loan Bank System Membership Data

- Membership Data for 11 Federal Home Loan Bank Districts

Monthly and Quarterly House Price Indexes

Census Divisions and U.S. January 1991 to Latest

- Monthly Purchase-Only Index (Only Purchase Index available with Monthly Frequency)
  - Monthly Price Change Estimates for U.S. and Census Divisions; Purchase-Only Index, Seasonally Adjusted
  - Monthly Price Change Estimates for U.S. and Census Divisions; Purchase-Only Index, Not Seasonally Adjusted
- Quarterly Purchase-Only Index (Estimated using Sales Price Data)
  - Seasonally Adjusted
  - Unadjusted
  - States
  - 100 Largest Metropolitan Statistical Areas (Seasonally Adjusted and Unadjusted)
  - Select Metropolitan Areas – Distress-free Measures (Developmental Index, Seasonally Adjusted and Unadjusted)
  - Puerto Rico (Developmental Index; Seasonally Adjusted and Unadjusted)
- Quarterly All-Transaction Index (Estimated using Sales Prices and Appraisal Data)
○ U.S. and Census Divisions (Not Seasonally Adjusted)
○ States (Not Seasonally Adjusted)
○ Metropolitan Statistical Areas and Divisions (Not Seasonally Adjusted)
○ State Nonmetropolitan Areas (Not Seasonally Adjusted)
○ Puerto Rico (Developmental Index; Not Seasonally Adjusted)

● Quarterly Expanded-Data Index
  ○ U.S. and Census Divisions (Seasonally Adjusted and Unadjusted)
  ○ States (Seasonally Adjusted and Unadjusted)
  ○ 50 Largest Metropolitan Statistical Areas (Seasonally Adjusted and Unadjusted)

Monthly Interest Rate Survey

● Monthly information on interest rates, loan terms, and house prices by property type, by
  loan type, and by lender type, as well as information on 15-year and 30-year fixed-rate
  loans.

Public Use Databases

Fannie Mae & Freddie Mac

● Single-Family Mortgage-Level Owner-Occupied 1-Unit Property (National File A)
● Single-Family Unit-Level Properties (1-4) includes Renter-Occupied 1-Unit Properties
  (National File B)
● Single-Family Mortgage-Level Properties, high-cost single-family mortgages purchased
  and securitized by the Enterprises (National File C)
● Single-Family Census Tract File
● Multi-Family National File, All Multifamily properties by Unit and Mortgages
● Multi-Family Census Tract File
● Rural Areas Data
● Low-Income Areas and Designated Disaster Areas Data

Federal Home Loan Bank System

● FHLBank Public Use Database