

January 10, 2018

Mr. Al Bocchicchio, Director In speaking for the Under Secretary for Benefits Department of Veterans Affairs Atlanta Regional Office 1700 Clairmont Road Decatur, Georgia 30033

MEMORANDUM: How the VA home loan code and Lenders Handbook 26-7 inadvertently, and is possibly mistakenly, blocking, inhibiting and preventing veteran success stories thus, perhaps contributing to substantial rates of veteran suicides

Dear Al,

It has taken this disabled and injured veteran a while to answer your letter. I have been doing more research on the VA home loan code. (Perl, 2017)

I understand your quoting of the VA Home Loan Lenders regulations to the Presidential Inquiry launched by then President Obama. That White House then, like this White House now, and others keep asking the same questions about the VA.

What, and who is stopping veterans from becoming a success in the changing economy of 2018?

BACKGROUNDER, WHO, WHERE, WHAT, WHEN: In 2008 my veteran disabled wife and myself (also a disabled vet, 30-year retired) opened a B&B in Grover, NC under a lease. We live in the home with our seven-year-old daughter. In 2012 we bought the house, but we were denied use of our VA loan six times, by six different banks. We have been unable ever to use our VA loan guarantee program and benefit as vets. I was once a homeless veteran living in a cargo van and closet after returning from OIF and OEF. I considered suicide and sought counseling instead. I am a 30-year retired vet now and a successful business owner who graduated under the Post 9-11 GI Bill summa cum laude and a bachelors degree. I am doing an MA now.

WHY WE WERE DENIED: The current VA Home Loan Code is clarified in the VA Lenders Handbook – VA Pamphlet 26-7 which states in Section 12.03 a Basic Minimum Property Requirement (called an MPR) that no business use of a home can exceed 25% of the total floor area.

HOW IT HAPPENED: I applied with six different banks to utilize my VA Home Loan benefit and many times the appraiser saw how successful we were (by going online) being featured on PBS, CNN, FOX,

CBS, ABC, NBC, and in magazines like the New Yorker, FOOD TV Network Magazine, the Washington Post, Times of London, The Charlotte Observer, etc. and terminated our approval loan and refused to come to inspect the property. Instead, the appraiser reported us to the bank and VA as having denied our loan. It did not take long to ask **how** this was happening and find out it is not allowed for a veteran to be a success in their own business. Nor to create jobs when returning from the deserts, and enrich the American economy and tax base AS LONG AS THEY LIVE IN THE BUSINESS (that uses more than 25% of the space for the biz).

SINCE THEN: Non-conformity and waivers are offered as a variation and exemption in Section 12.01, but these are not proliferated to the banking community. They are also not encouraged nor mentioned to help any veteran seeking to operate a business from their home. That's a real shame since it seems we are telling colleagues returning from war, and service that, *"you can have a home loan and huge payment - so get a job, but if for one instance you decided you could create jobs, create wealth, create a dream, build anything, or create community, well that's against the law."* Moreover, people wonder why veteran suicide, comparative to the civilian population is so much higher? A change in this code could help.

Isn't it horrific enough to realize how shamefully we veterans are labeled as the broken myth? We are not broken, and our levels of incarceration are lower college graduation higher, and contributions to society much more elevated in comparison to our civilian counterparts. However, AI, I know you are a huge fan of us already and know all of this.

MY SUGGESTION MOVING FORWARD: If a veteran is not materially changing the walls and floors, inside and out of a home, then why can't they have the VA loan to also operate their business inside? This USED TO BE PART OF THE ORIGINAL PROGRAM after WW II.

- 1. Who cares if they are operating a certified daycare inside and watching six children?
- 2. What does it matter if they legally have a hair salon and are inspected?
- 3. Why are vets being punished who sell Tupperware, Monavie, Herbalife, etc?
- 4. I do not know a vet today (or is helping their spouse) who is not doing something on the side.
- 5. In my case, I have created jobs, put a simple sign out front, poured \$300k into making the house better and enriched the tax base of my town, state and county when I crowdfunded 2 million dollars plus into room sales.

SUMMATION: I realize it is not your place to change the code, Al. Perhaps this is a legislative thing. However, this system needs to be replaced because it is putting vets through heck and high-water. Most of them give up, throw their hands in the air or break and give in. Many could have become something and helped others.

Sincerely,

Martin CJ Mongiello CSCS (SS/SW), USN, Ret. Executive Director - 001-704-490-3947 direct - executivedirector@presidentialservicecenter.org

MCJM/sjn

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American Legion, Kings Mountain Post, Commander, Rick Moore

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