



## How to Buy a House or Condo if You Have Less Than Perfect Credit

A special report from Real Estate Expert Bob Bruss

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Report #02333

A few weeks ago, I received a phone call from a title officer at American Tide Co. She said my borrower, Danny, was refinancing his home loan and would I please bring in my second mortgage papers to her office so my loan can be paid in full. *It's a good thing I was sitting down. I just about fell off my chair because Danny has the worst credit of anyone I know!*

Long-time subscribers will remember Danny. He's my lease-option tenant home purchaser with nine children and three wives! I hasten to add he was only married to one wife at a time. Danny has been in and out of foreclosure on my second mortgage for non-payment so many times I've lost count. But he somehow always managed to save his home, often at the last moment, from loss at a foreclosure auction.

If Danny can get a home loan, anyone can! Later, when I talked with Danny I learned he had been shopping to refinance his mortgage for several months and his new loan has "only" a 9% interest rate. That compares with current fixed interest rates around 7% and around 5% for an adjustable rate mortgage (ARM) for borrowers with good income and good credit.

A few days later, I accidentally encountered one of the lenders Danny consulted. He informed me the house is a mess and Danny had even let the fire insurance policy lapse so the first mortgage lender had to issue an expensive "forced insurance" policy. Although I haven't seen Danny's recent credit report, I'll bet it's a mess too.

Today, there is a home mortgage lender for just about every situation, whether you're buying a home or refinancing it. If your credit is less than perfect, many lenders won't have a home loan for your circumstances. But *some* lender will eagerly make you a home loan, although obviously not at the lowest interest rate you could obtain if you had great credit.

**START WITH THE FACTS:** Whether you think your credit is excellent or you are pretty sure it's very bad, the best way to start the home loan quest is to get a copy of your credit report and your FICO (Fair, Isaac and Co.) credit score. Almost all mortgage lenders now use credit scores to determine if you qualify for their loan programs and whether you'll get their lowest interest rate.

The easiest way to get your credit report and FICO score is to go online to [www.myfico.com](http://www.myfico.com). If you don't have a computer, go to the public library reference department to use their computer to go to that website. Your credit report and FICO score will cost \$12.95. But it's well worth this modest fee to know where you stand credit wise.

Maybe you'll be surprised to learn your FICO credit rating is better than you expected or maybe it's worse. Perhaps there are errors on your credit report, which need to be corrected to immediately improve your credit score *before* you shop for a mortgage.

**EXAMPLE:** A few years ago, one of my mortgage lenders reported I was late with my payments. The ironic thing was the lender, an S&L, had been taken over by the RTC

(Resolution Trust Corporation) which had closed the S&L's doors! Although I was mailing my loan payments on time (to Toledo, Ohio!), apparently nobody was opening the mail. Somehow, their computer keep humming away and reporting I was late with my mortgage payments. The way I got my credit report corrected was to write to the three major credit bureaus, insist they "verify" the incorrect credit information, correct my credit reports, and send me a corrected credit report *within 30 days*. Because the credit bureaus are not known for superb service, or being nice to customers who make their business possible, I had to follow up several times with more letters. Eventually my credit reports were corrected to show my on-time payments. If necessary, to get the attention of an uncooperative credit bureau, you might have to sue them in your local Small Claims Court for your damages. Filing a Small Claims Court lawsuit usually gets very quick results and even an apology.

A special feature of [www.myfico.com](http://www.myfico.com) is you will receive your credit report and a personalized report showing how to improve your credit score. To illustrate, the last time I checked, I had a 755 FICO score. That's considered very good. But I have friends who have *higher* FICO scores! My FICO report suggested how I might raise my credit score (frankly, raising my FICO score is not one of my high priorities, but I do want to maintain excellent credit).

Ironically, although you might have unused credit cards with zero balances (as I do), they can hurt your credit scores. *The FICO scorekeeper apparently would rather see small credit card balances either being paid down regularly or paid off each month.* That website also shows how EICO scores are used by lenders to decide if you can get a loan at their lowest interest rate.

**HOW FICO CREDIT SCORES ARE USED.** The major buyers of home loans in the secondary mortgage market, Fannie Mae and Freddie Mac, began computerizing their loan approvals in the mid- 1990s. If you are seeking a "conforming home loan," which means up to \$300,700 in 2002, chances are the originating lender, such as a local mortgage broker, bank, or mortgage banker, will use a computer program to get your loan approval. However, if your loan application isn't approved via computer, then a real human "underwriter" will further check to see if your application can be approved.

FICO scores range between 450 and 850 — the higher the better. Ironically, your income and employment are not considered. Just your credit report is used to arrive at your FICO score. If your FICO score, usually based on your combined credit reports from the three national credit bureaus (Trans Union, Experian, and Equifax), is below 620, manual review by a person is required. Special circumstances might get your home loan approved, such as a low mortgage loan-to-value ratio. Or your mortgage might be rated A-, B, C or even D, and approved at a higher interest rate. Should you have a low FICO score, don't expect approval for a 100% mortgage.

If your credit score is between 620 and 659, you'll probably get approved with additional documentation, such as copies of your utility bills to show on-time payments. FICO scores of 660 and above are often routinely approved if you have sufficient income to make the monthly payments.

A FICO score of 700 or higher is usually a "slam dunk" for approval, unless you're requesting a home mortgage, which will take too high a percentage of your monthly household income. However, self-employed applicants, even with a high FICO score, are often treated harshly by mortgage lenders so don't be surprised if you need extra documentation, such as a profit and loss statement for your business even when you have excellent credit and a high FICO score.

**HOW TO GET COPIES OF ALL YOUR CREDIT REPORTS.** Obtaining your credit report and FICO score at [www.myfico.com](http://www.myfico.com) is probably sufficient. However, if you want copies of all your credit reports from the three major credit bureaus you can obtain them for about \$8 each. But state laws in Colorado, Georgia, Maryland, Massachusetts, and Vermont require one free credit report each year from each credit bureau. Why don't ALL states have such great laws?

If you are unemployed, on welfare, are told a collection agency has or will report negative information about you to a credit bureau, were rejected on a credit, employment or insurance application, or feel you have been the victim of credit fraud, you are entitled to a free credit report. When you phone or e-mail each credit

bureau, unless you are entitled to a free report because you were denied credit or are unemployed, etc., or live in one of those five special states, you will be told the cost of obtaining your credit report. The latest address, phone and Internet information for the three credit bureaus (they often change their phone numbers and addresses) for ordering your credit reports are:

TRANS UNION, P0 Box 390. Springfield, PA 19064-0390  
Phone 1-800-888-4213 or 1-610-690-4909; [www.tuc.com](http://www.tuc.com)

EXPERIAN (formerly TRW), P0 Box 949, Allen, TX 75013-0949  
Phone 1-800-422-4879 or 1 -888-EXPERIAN; [www.experian.com](http://www.experian.com)

EQUIFAX, P0 Box 740241, Atlanta, GA 30374  
Phone 1-800-685-1111 or 1-800-997-2493 or 1-770-612-3200; [www.equifax.com](http://www.equifax.com)

When you receive your credit reports, please read them very carefully. Each credit bureau should include a dispute form to return if you disagree with reported information. Challenge anything you believe is incorrect. If you are not treated fairly by the credit bureau, write to the Federal Trade Commission, Correspondence Dept., Room 692, Washington, DC 20580. However, this is a toothless government agency, so don't expect much help. Their website is [www.ftc.gov](http://www.ftc.gov).

Another credit report source is CREDCO which for \$30.95 will send you a combined "confidential credit report" from all three credit bureaus. Phone 1-800-443-9342 for an order form to be filled out and returned with your payment. With a credit card, you can fax the form back to CREDCO.

WHAT IS IN YOUR CREDIT REPORT? The three major credit bureaus use similar information sources, such as banks, credit card issuers, and department stores, which report to them electronically. But they also have different sources, which won't show up with each credit bureau.

EXAMPLE: A few years ago, I bought a rental house where the property taxes were supposed to be paid by the escrow holder (because the tax bill was coming due a week or two after my purchase date). Somehow, the escrow holder failed to pay the property taxes on time. The taxes were paid many months late. One of the credit bureaus picked up that late payment from the local tax collector's office and reported it on my credit report. The other two credit bureaus didn't include it. But I had a heck of a time getting it off that one credit report, even though it wasn't my fault the tax payment was late, as I patiently explained over and over to the impersonal credit bureau. Don't give up. Persistence pays when it comes to getting your credit report corrected, thus resulting in an improved FICO score.

Credit bureaus often include on your credit report unpaid debts, which become a matter of public record. They frequently pick up unpaid judgment liens, mechanics' liens, federal and state income tax liens, lawsuits, etc. Bankruptcies stay on your credit report for 10 years. Other credit information usually remains on your credit report up to seven years, whether the information is good or bad. However, if you have re-established credit as recently as 24 months after discharge from bankruptcy, you'll probably be able to get home loan approval. Fannie Mae even has a brand new program for "sub prime" home loan lending so more mortgage applicants can be approved.

Avoid too many inquiries on your credit reports. If you're shopping for a home loan, don't also apply for credit cards, auto loans, and other credit. Wait until after your home loan is approved and successfully closed. *Unfortunately, if you have too many recent inquiries on your credit reports within the last six months, the number of inquiries can hurt your FICO score.* The folks at Fair, Isaac and Co. in Novato, CA say their program is supposed to consider most applicants for home loans (and auto loans) who often apply at more than one source so several inquiries within a two-week period are not supposed to adversely hurt FICO scores.

*If any lender made an unauthorized inquiry without your permission, you are entitled to have it removed by the credit bureau.* However, when a credit issuer buys a list of good credit risks from a credit bureau, that is not considered an inquiry (although it will show up on your credit report—that's how those weird credit card issuers

you've never heard of get your name to mail unsolicited letters saying "Congratulations. You're pre-qualified for one of our credit cards").

**HOW TO GET PRE-APPROVED FOR A HOME LOAN.** By the way, "pre-qualified" for a home or auto loan or a credit card means absolutely nothing! When a lender says you're pre-qualified, that means, "We think we might decide to grant you credit." However, if a lender says you're "pre-approved," that means the lender *will* grant you credit or a loan, often subject to limitations such as an appraisal of the home purchased and reverification of your income and credit. If a real estate agent or a homebuilder says you are pre-qualified or pre-approved for a home loan that means nothing unless that individual also has mortgage loan approval authority. Don't be tricked.

Before shopping for a home, shop for a mortgage. *Even if you have "less than perfect credit," in today's home loan marketplace, you can probably get a home loan.* Of course, if you have a very low FICO score, you'll probably pay a higher than normal interest rate. But that's better than not buying a home! Shop around. Thankfully, not all mortgage lenders are the same.

**EXAMPLE:** When I refinanced my home, I applied with Chase Manhattan Mortgage. But they took over a month to approve me. However, one day I got a mailer from Norwest Mortgage (now Wells Fargo Mortgage) offering me a \$150 discount on fees because I was already a checking account customer. So I phoned Norwest, learned their terms were actually better than Chase's, and within two weeks they funded my refinanced mortgage. Then Chase phoned to say, "Congratulations, your loan is approved." When I said I already got my loan from Norwest, they were sore losers! By the way, I've been very satisfied with Wells Fargo Mortgage, especially their home equity credit line at the prime interest rate. I think every homeowner should have a home equity credit line for emergencies. I even got a home equity credit line for my second home Minnesota condo online at [www.wellsfargo.com](http://www.wellsfargo.com)! That was my first Internet loan.

**WHICH TYPE OF MORTGAGE LENDER IS BEST?** There is no right or wrong answer to this question. There are three basic types of home loan lenders: mortgage brokers, banks, and mortgage bankers.

1 — Mortgage brokers are "middlepersons" between the borrower and lender. Personally, I've had very good and very bad experiences with mortgage brokers. Some "bait and switch" mortgage brokers have promised me excellent loan terms to get my loan application, but then they couldn't deliver the quoted terms. Of course, they blame the changed terms on the actual lender, such as a bank or mortgage banker. Borrowers should be aware mortgage brokers are eager to get your loan application so they can "shop" it among the dozens of lenders they represent.

Some mortgage brokers are notorious for adding last minute unnecessary "junk" or "garbage" fees, such as a processing fee, administration fee, management fee, documentation fee, warehousing fee, etc. If the fee wasn't disclosed up-front by the lender, but it suddenly appears on your closing statement, that's usually a junk fee which borrowers should protest. Sometimes, these costly pure-profit fees are charged by the actual lender, other times they are added by the mortgage broker to raise their profits on each loan.

I've seen mortgage brokers perform home finance miracles, especially for borrowers with less than perfect credit or other borrowing problems. *As with any lender, be sure to get the quoted loan terms in writing up front so there is no misunderstanding. All mortgage lenders are supposed to give borrowers a "good faith statement" of loan costs within three days after receiving a completed application.* However, there is no penalty to the lender for failure to deliver those quoted loan terms. The form really should be titled "good faith guesstimate."

If a mortgage broker has been in business at least five years — 10 or 15 years is better — he or she is probably reputable or they wouldn't have survived that long. *The mortgage lending business is very competitive and mortgage brokers depend on referrals from past customers and real estate agents.* If borrowers are unhappy with a mortgage broker, he or she won't be getting many referrals.

A major benefit of mortgage brokers is they usually have contacts with out-of-area lenders who can approve a home loan on better terms than are available from local lenders. Also, out-of-area lenders often

specialize in specific types of properties, such as older commercial buildings, or borrowers with less than perfect credit.

EXAMPLE: A few years ago, mortgage broker Don Douglass, co-owner of Servicentre Mortgage Co. in Belmont, CA, arranged a purchase-money mortgage for my tenants Melvin and Denise who were exercising their lease-option to purchase. Their credit wasn't good, but Don never gave up trying to find a lender for them. He finally arranged a mortgage from "Cub Financial." I had never heard of that out-of-area lender, but Don really earned his fee on that one. Then, just as the home purchase was ready to close, Melvin went out and bought a new car, obtaining an auto loan from his credit union. Cub Financial rechecked the credit report a few days before the closing and the new car loan showed up! Don had to convince Melvin to get rid of that car and its car loan. I think Denise had something to do with making that car loan disappear so she could become a happy homeowner!

2 — Banks are direct lenders of their own funds. Included within the bank category are the few remaining S&Ls. Most of these former savings and loan associations now call themselves banks. The advantage of dealing direct with a bank is there is no middleperson. However, their so-called loan officers usually work on a minimal salary plus commission for making home loans. *In other words, they are commissioned salespersons.*

For this reason, bank loan officers are often extremely eager to get loan applications, even if they don't have a loan to meet your needs. *A disadvantage is if the bank doesn't have a loan program to fit your situation, the bank won't shop your loan application among other lenders, as will a mortgage broker.* Banks and S&Ls used to have the home loan market virtually to themselves. Today, they originate only about 40% of home loans.

Most banks will keep some of the loans they originate and sell the others in the secondary mortgage market, usually to Fannie Mae, Freddie Mac, and Ginnie Mae (which buys VA and FRA home loans). If a bank keeps most of its loans and does not sell them, that lender is known as a "portfolio lender." *Portfolio lenders usually can be more flexible because they don't have to meet the sometimes rigid, inflexible loan rules of the secondary mortgage market lenders.*

3 — Mortgage bankers loan their own funds but then sell most of their loans. Do names like Countywide, Home Side Lending, and Wells Fargo Mortgage mean anything to you? They are mortgage bankers. That means they loan their own funds to homeowners, but then they usually sell off or securitize those mortgages in the secondary mortgage market.

However, most homeowners will never know their loans have been sold because the originating mortgage bankers usually keep servicing the loans (and collecting a 1/4% fee from the loan's owner, such as Fannie Mae or Freddie Mac, for doing so). Incidentally, mortgage bankers Countywide and Wells Fargo are among the nation's largest home loan lenders.

WHAT IF YOU CAN'T FIND A HOME MORTGAGE? Although mortgage hunting has never been easier than it is today, some prospective home buyers who consult mortgage brokers, banks, and mortgage bankers still can't get pre-approved for a home loan. Does that mean they can't buy a house or condo? Of course not! There are alternative finance methods to consider, such as:

1 — HOME SELLER CARRYBACK FINANCING. Savvy readers who have subscribed to this newsletter for a long time, or read my newspaper articles, know the best home purchase finance method is seller financing. I've learned the best candidates for seller financing are homes which (a) have been listed for sale at least 60 days, (b) are vacant, (c) are free and clear, and/or (d) are being sold by retirees who don't need immediate cash, but need increased retirement income.

In today's market, when you spot such a house or condo for sale, seller financing should flash through your mind immediately. Where else can a seller earn a return of about 7% with safety? If you default, you or your realty agent should emphasize the seller can foreclose on the mortgage and either get paid in full at the foreclosure sale or take back the residence to resell for a second profit.

The primary advantages of seller financing for home buyers are (a) usually no credit check (some sellers and their realty agents will insist on a credit check so be sure to disclose any credit problems up front), (b) no loan

approval requirements by unreasonable lenders, and (c) the buyer names the mortgage terms (such as 7% interest, 30-year mortgage, etc), subject to the seller's counteroffer, such as 7% interest, 30-year amortized mortgage, but due in 10 years.

2 — TAKE OVER AN EXISTING MORTGAGE. The second best home finance method, after seller financing, is to take over an existing home mortgage. That means you take over the payments on the existing mortgage on the home. There are two primary methods:

(a) — Buy “subject to” an existing mortgage. When a home seller is extremely anxious to sell, this method works especially well if the seller doesn't have much equity. By offering the seller a few thousand dollars cash for their equity, they can get rid of their residence.

As a buyer, you have virtually no risk by purchasing a home ‘subject to’ its mortgage. *Of course, you must make the mortgage payments or lose the home by foreclosure.* But you have no legal obligation on the mortgage.

However, selling “subject to” the mortgage can be risky for the seller (1) if you don't make the mortgage payments, the seller's credit will be harmed, and (2) if there is a due on sale clause in the mortgage, the lender might call the loan due and payable. *Should this should happen, most lenders will allow the existing mortgage to be assumed by the home buyer, upon payment of a one or two point assumption fee.* By the way, the way most lenders learn there has been a title transfer is when they receive a new life insurance policy. To avoid calling attention to the title transfer, you might want to take over the old fire insurance or homeowner's policy and just add your name to the policy as an additional insured.

(b) Assume the existing mortgage. The second method of taking over an existing mortgage is to assume its legal obligation. The seller should insist on being released from further liability. But that's the seller's problem, not yours. Most lenders will gladly allow you to take over an existing mortgage by paying an assumption fee, typically 1% or 2% of the balance. However, some private, individual lenders refuse to allow such assumptions.

EXAMPLE: My personal experience has been it is usually best to take title “subject to” the existing mortgage. *After you hold title, you're in a power position with the existing lender.* Before purchase, a prospective buyer has no power over the existing lender. If the lender won't accept my mortgage payments, I then offer to formally assume the mortgage. Should a nasty lender refuse to allow me to assume the old mortgage, even after payment of a 1% or 2% assumption fee, then I refinance with another lender.

BUY A HOME WITH A LEASE-OPTION WHILE YOU CLEAN UP YOUR CREDIT. If your credit is *really* bad and you can't buy a home using any of the previously suggested methods, or you don't want to do business with mortgage lenders, consider a lease with option to purchase. This is my favorite method to buy and sell homes. However, lease-options won't work on every home and, especially when mortgages are easily available at affordable interest rates, lease-option sellers are hard to find. *But all you need is one home to purchase on a lease-option!* Lease-option details are in Special Report #99300 “How to Buy or Sell Your Home (or Investment Property) With a Lease-Option.”

THE TOP 10 REASONS WHY MORTGAGE APPLICANTS GET TURNED DOWN. Just one severe negative item in your credit report can cause rejection of your mortgage application. The “top 10” reasons mortgage applicants are rejected by lenders are (1) no credit file (usually because the applicant pays cash and has not established credit), (2) insufficient information in the applicant's credit file, (3) insufficient income, (4) short time on the job at least two years in the same field are usually required, (5) slow pay and/or poor credit history, (6) judgments or garnishments, (7) accounts sent to collection agencies, (8) bankruptcy, (9) foreclosure, and (10) repossession (such as an automobile). As explained earlier, most of these credit problems can be overcome, or you can use an alternate home purchase method.

AVOID CO-SIGNING ON MORTGAGES OR OTHER LOANS. Too often, a “black mark” on a credit report is someone else’s fault. If you are asked to co-sign or guarantee another person’s loan, please be extremely careful. Should the primary obligor fail to pay, you will be expected by the creditor to make the missing payments. Even if you pay, but the payment is over 30 days late, it will be reported adversely on your credit report.

No matter how much you love the person who requests your help, please be extremely careful before you co-sign or guarantee a debt. *If that person doesn’t pay, you will be expected to pay.* If you don’t, your credit can be ruined too. To illustrate, perhaps you want to help a son or daughter, just out of college, buy their first house or condo. That’s great! But have a little talk with them, explaining if they don’t make the payments on time, your credit will be ruined.

WHERE TO FIND MORE DETAILS ON BORROWING IF YOUR CREDIT IS LESS THAN PERFECT. Nobody has perfect credit. Building or repairing your credit is a never-ending job. Personally, several lenders have told me I have too much credit. But then they offer me more! I love those ‘Congratulations! You’re pre-approved for our credit card’ letters. I get a thrill out of tearing them up and throwing them in the wastebasket. More credit information is available in several excellent books, available at better bookstores, public libraries and [www.amazon.com](http://www.amazon.com). “How to Find a Home and Get a Mortgage on the Internet”, by Randy Johnson (John Wiley and Sons, New York), 2001, \$16.95, and The Mortgage Kit, Fifth Edition by Thomas C. Steinmetz (Dearborn Publishing Co., Chicago), 2002, \$19.95.

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