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3. Loans Are Not Refinanced -- a. Qualifying Loans Face Scarcity of Credit -- b. Loans that Fail to Qualify for Refinancing -- 4. New Loans Fail to Get Financing -- 5. Broader Social and Economic Consequences -- G. Bank Capital -- Financial and Regulatory Accounting Issues --Counterparty Issues -- and Workouts -- 1. Commercial Real Estate and Bank Capital278. 2. Accounting Rules284 -- 3. Commercial Real Estate Workouts -- a. Options for Resolving Defaulting or Non-Performing Loans -- b. Can different structural models and servicing arrangements allow private markets to function more effectively than was true for residential real estate? -- c. Are workouts actually happening? If not, why not? -- d. Potential Impediments to Successful Workouts -- i. REMIC -- ii. Taxation of Foreign Investors in U.S. Real Estate -- e. Loss Recognition -- H. Regulatory Guidance, the Stress Tests, and EESA -- 1. Supervisors' Role before Mid-2008 -- 2. Supervisors' Role in the Stress Tests -- 3. Supervisors' Role Regarding Loan Workouts -- 4. Supervisors' Role in Banks' Exit from the TARP -- 5. Summary -- I. The TARP -- 1. The Term Asset-Backed Securities Loan Facility (TALF) -- 2. The Public Private Investment Program (PPIP) -- 3. The CPP -- 4. Small Banks, Small Business, and Commercial Real Estate -- 5. What Approach to Take? -- a. Mid-Size and Small Banks -- b. Large Banks --J. Conclusion -- ANNEX I. THE COMMERCIAL REAL ESTATE BOOM AND BUST OF THE 1980S -- 1. Demand for Office Space and Regional Impact -- 2. Tax Law Changes -- 3. Inflation, Interest Rates, and the Deregulation of Thrift Institutions -- 4. Competition among Lending Institutions and Lax Lending Practices -- 5. Faulty Appraisals --SECTION TWO: UPDATE ON WARRANTS -- SECTION THREE: ADDITIONAL VIEWS -- A. J. Mark McWatters and Paul S. Atkins --SECTION FOUR: CORRESPONDENCE WITH TREASURY UPDATE --SECTION FIVE: TARP UPDATES SINCE LAST REPORT -- A. TARP Repayments -- B. CPP Monthly Lending Report -- C. CPP Warrant Disposition Report -- D. TARP Initiative to Support Lending to Small Businesses -- E. Term Asset-Backed Securities Loan Facility (TALF) -- F. Legacy Securities Public-Private Investment Program (PPIP). G. Home Affordable Modifications Program (HAMP) Updated Requirements -- H. Metrics -- I. Financial Update -- 1. TARP -- a. Costs: Expenditures and Commitments -- b. Income: Dividends, Interest Payments, and CPP Repayments -- c. TARP Accounting -- 2. Other Financial Stability Efforts -- a. Federal Reserve, FDIC, and Other Programs -- 3. Total Financial Stability Resources (as of December 31, 2009) -- SECTION SIX: OVERSIGHT ACTIVITIES -- Upcoming Reports and Hearings -- SECTION SEVEN: ABOUT THE CONGRESSIONAL **OVERSIGHT PANEL -- ACKNOWLEDGMENTS -- APPENDIX I. LETTER** FROM SECRETARY TIMOTHY GEITHNER TO CHAIR ELIZABETH WARREN, RE: PANEL QUESTIONS FOR CIT GROUP UNDER CPP, DATED JANUARY 13, 2010 -- ENCLOSURE -- Requests for Documents -- End Notes --Chapter 2 OPENING STATEMENT OF ELIZABETH WARREN, CHAIR OF THE CONGRESSIONAL OVERSIGHT PANEL - HEARING ON COMMERCIAL **REAL ESTATE -- Chapter 3 OPENING STATEMENT OF RICHARD** NEIMAN, CONGRESSIONAL OVERSIGHT PANEL FIELD HEARING ON COMMERCIAL REAL ESTATE -- Chapter 4 OPENING STATEMENT OF DAMON SILVERS, CONGRESSIONAL OVERSIGHT PANEL FIELD HEARING ON COMMERCIAL REAL ESTATE -- Chapter 5 OPENING STATEMENT OF J. MARK MCWATTERS, CONGRESSIONAL OVERSIGHT PANEL FIELD HEARING ON COMMERCIAL REAL ESTATE -- End Notes -- Chapter 6 STATEMENT OF JON D. GREENLEE, ASSOCIATE DIRECTOR, DIVISION OF BANK SUPERVISION AND REGULATION, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, BEFORE THE CONGRESSIONAL OVERSIGHT

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