Loans

General Purpose and Primary Residence

Thrift Savings Plan

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Things to Consider Before You Borrow

The Thrift Savings Plan was designed to provide you with income after you retire. The amount you will have in your account at retirement depends on the decisions you make—how much you contribute, how you invest, and whether you take money out of your account—before you retire.

The TSP loan program is an important benefit that gives you access to the money in your account. However, taking a loan could result in less money for you at retirement. So, before you borrow from your account, consider the following:

- If your TSP investments earn higher rates of return than the interest rate on the loan, your TSP account will end up being smaller than it would have been if you had not borrowed from it.
- If you are not able to contribute as much to the TSP because of the financial burden of your loan payments, your TSP account will not grow as quickly. If you are a Federal Employees Retirement System (FERS) employee or a uniformed services member covered by the Blended Retirement System (BRS) and you have to reduce your contribution rate to below 5%, you will not receive the full agency/service match.
- A TSP primary residence loan is not a mortgage. Therefore, the TSP loan interest payments are not tax deductible, as they might be for a mortgage or home equity loan.

Before you take a TSP loan, read this booklet in its entirety to make sure you realize the potential effect a loan has on your retirement income.

Rules for Borrowing

Eligibility

You can borrow from your account if all of the following are true:

- You have **at least $1,000** of your own contributions and associated earnings in your account, not including any money you have invested in the TSP's mutual fund window. (To borrow money invested in the mutual fund window, you must first transfer it into a TSP fund. Agency/service contributions and earnings on that money cannot be borrowed.)

- You are **currently employed** as a federal civilian employee or member of the uniformed services. (Separated or retired participants and beneficiary participants are not eligible.)
- You are in **pay status**.[1] (Loan payments are deducted from your pay. Note that you can borrow from your TSP account even if you have stopped contributing your own money.)
- You have **not repaid a TSP loan** (of any type) in full within the past 30 business days.

> If you have both a civilian account and a uniformed services member account, the eligibility requirements apply to the account from which you intend to borrow.

Types of Loans

There are two types of loans:

- **General purpose loan** with a repayment period of 12 to 60 months. There is no documentation required and no need to state the purpose of the loan.
- **Primary residence loan** with a repayment period of 61 to 180 months. Supporting documentation showing the costs associated with the future purchase or construction of your primary residence is required. We must receive this documentation within 30 days of submission of your loan request, so be sure you'll be able to gather it within that time frame before you make your request. (See Appendix II starting on page 17 for a detailed list of required documents.)

  A primary residence loan can be used only for the **future** purchase or construction of a primary residence. You cannot have two primary residences. You cannot use a primary residence loan to reimburse yourself for money you spent before requesting the loan, such as "earnest money" or a good faith deposit. The only approvable use of a TSP primary residence loan is payment of amounts still needed to close the transaction, such as a down payment or settlement fees.

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1 If you are on approved leave without pay to work full time for an employee organization under which your TSP contributions may continue, or if you are on an Intergovernmental Personnel Act (IPA) assignment, you are eligible to apply for a TSP loan, but you may be required to send loan payments directly to us while in this status.

You **cannot** use a primary residence loan for refinancing or prepaying an existing mortgage, for renovations or repairs, for buying out another person's share in your current residence, or for the purchase of land only. Also, remember that this loan is not a mortgage.

You may only have two loans outstanding at one time, and only one of them may be a primary residence loan. In other words, you may have one general purpose loan and one primary residence loan at the same time or two general purpose loans at the same time, but you may not have two primary residence loans at the same time. This is a per-account limit. If you have both a civilian account and a uniformed services account, these limits apply separately to each account. A taxed loan that you have not paid off counts as an outstanding loan. (See the Loan Delinquency section on pages 9 – 10 for more information.)

Applying for a Loan

To apply for a loan, you must log in to My Account or use one of the ThriftLine Service options listed on page 19.

Application Fee

We will deduct a fee from the proceeds of the loan to cover administrative costs. The fee is $50 for a general purpose loan and $100 for a primary residence loan. This fee will be deducted proportionally from any traditional (non-Roth) and Roth money included in the loan amount. Your total loan amount will be reduced by the amount of the fee. For example, if you request a general purpose loan for $5,000, we will deduct the $50 fee, and the amount paid to you will be $4,950. You cannot send a personal check to us to pay the loan fee.

Minimum and Maximum Loan Amounts

Minimum loan amount. The smallest amount you can borrow is $1,000.

Maximum loan amount. The maximum amount you can borrow is the *smallest* of the three "tests" listed here. This is a per-person maximum, not a per-loan or a per-account maximum. No matter how many loans you have—you could have as many as four if you have both a civilian account and a uniformed services account—the total amount you borrow must be at or below the maximum. The combined account balances and outstanding loan amounts are used to calculate for tests 2 and 3. Because money invested in the TSP's mutual fund window is not available for borrowing, it is not included in any of these calculations.

(1) Your own contributions and earnings on those contributions in the TSP account from which you intend to borrow (civilian or uniformed services), not including any outstanding loan balance (the Contributions and Earnings Test).

(2) 50% of the portion of your total account balance that is made up of your own contributions and earnings on those contributions (including any outstanding loan balance) or $10,000, whichever is greater, minus any outstanding loan balance.

(3) $50,000 minus your highest outstanding loan balance, if any, during the last 12 months (the IRS $50,000 Test). **Even if the loan is paid in full, it will still be considered in the calculation if it was open at any time during the last 12 months.** For example, if you took out a loan for $35,000 and then paid the loan back in full within 12 months, the maximum loan amount you would be eligible to borrow would remain $15,000 ($50,000 minus $35,000, the highest outstanding balance during the last 12 months) even though the money has been returned to your account. Note that the above example is based on the assumption that the $50,000 limit is the lowest of the three maximum loan amount tests.

Your account balance is valued at the end of each business day based on that day's closing prices and any transactions processed for your account that night. Therefore, your maximum loan amount may also change each day. Log in to My Account or use one of the ThriftLine Service options listed on page 19 to find out your maximum loan amount.

Where Your Loan Comes From and Is Repaid To

When you borrow from your TSP account, the loan is disbursed proportionally from any traditional (non-Roth) and Roth balances in your account. Similarly, if you are a uniformed services member with tax-exempt contributions in your traditional balance, your loan will contain a proportional amount of tax-exempt contributions as well. If your TSP account is invested in more than one fund, your loan is deducted proportionally from the employee contributions (and earnings on those contributions) that you have in each fund.

When you repay your loan, your payments (including interest) are deposited back into the traditional (non-Roth) and Roth balances of your account in the same proportion used for your loan disbursement. Repayments are invested in TSP core funds according to your existing investment election.

Interest Rate

The loan interest rate you pay for the life of the loan will be the interest rate in effect when you request your loan. It will be the same as the G Fund's interest rate from the prior month.

Nonpay Status

Loan payments are submitted through payroll deductions. Therefore, if you are not currently receiving pay (i.e., in nonpay status), you will not be eligible for a TSP loan. See Appendix I on pages 13 – 15 for information about a loan that exists at the time you go into nonpay status.

For civilian TSP participants, nonpay status includes leave without pay and administrative furloughs.

Most uniformed services members will never be in nonpay status. However, if you are a member of the Ready Reserve and you have been approved by your command for non-attendance of scheduled drill dates or to perform your yearly drill schedule over a one- or two-month period, you are considered, for TSP purposes, to be in nonpay status during the months you do not drill. When you return to pay status, you may apply for a TSP loan. If your unit does not drill in a given month, you are **not** considered to be in nonpay status. You must submit payment directly to the TSP any month you do not drill or do not get paid for a drill.

Spouses' Rights

By law, your spouse has certain rights to your TSP account. Therefore, when you request a loan, you must indicate whether you are married, even if you are separated from your spouse. If you are married, the following rules apply:

- **If you are a FERS participant or a member of the uniformed services,** your spouse must consent to your TSP loan. Consenting to your loan does not make your spouse responsible for repaying the loan.

- **If you are a CSRS participant,** we must notify your spouse once your loan is processed.

Exceptions may be approved under certain very limited circumstances.

Court Orders

If you have a court order against your account, you will not be able to get a loan. We must honor certain orders, such as those that enforce payment of child support or alimony, or that award a portion of your account to a former spouse. When we receive a court order, a hold is placed on your account. You cannot get a loan until the court order has been satisfied. For more information about court orders, read the TSP booklet *Court Orders and Powers of Attorney*, available on tsp.gov or by using one of the ThriftLine Service options listed on page 19.

Payment Methods

You can request that your loan be sent directly to your financial institution by direct deposit. Direct deposit is a safer method of payment than issuing a check. Please verify the routing number of your financial institution and your account number before you submit this information to us or we may not be able to complete the electronic payment. Direct deposit payments can be made only to financial institutions in the United States.

If you do not request a direct deposit or if the direct deposit information you provide is incomplete or invalid, your loan will be paid to you by check. It will be mailed to your preferred mailing address on your TSP account record. Log in to your account to make sure we have your current address. For your protection, the destination you wish to send your loan to must be on file for at least seven days before it can be used to receive funds. This includes any postal address or any direct deposit information you have entered. Make sure this information is on file for at least seven days before you start your request. Lost, stolen, damaged, or misdirected checks can take six weeks or longer to replace.

Receiving Your Loan

Once processed, your loan will generally be disbursed within three business days. You can check the status of your loan by logging in to My Account on tsp.gov.

Your loan may be less than the amount requested. This can occur if the value of your account has declined and the amount available is now less than the requested loan amount. In this case, you will receive your loan in the smaller amount. The repayment period will be the same, but your loan payment amount will be reduced. **However, if the amount you're eligible to borrow has dropped below the $1,000 minimum, the loan request will be canceled.**

You will receive a confirmation of the loan disbursement, which will show the amount disbursed and the required payment amount.

Repaying a Loan

Regularly scheduled loan payments from participants currently in federal service are made through payroll deductions. (See Separated Participants on pages 10–11 for loan payments after you've left service.) When your loan is disbursed, we will notify your payroll office immediately to begin deducting loan payments from your salary each pay period no matter what pay cycle you're on. This is true of both general purpose loans and primary residence loans. We do not have access to your payroll records and cannot stop, start, or change loan payments. That can only be done by your payroll office. Loan payments can start the first pay date after your payroll office receives the notification but **must start within 60 days of disbursement**. Check your leave and earnings statement to be sure that loan payments have started and that they are in the correct amount.

It is vitally important that you keep your address up to date so that you promptly receive any notice about the status of your loan. This includes checking to make sure your agency/service has your correct address (if you're still working) and checking in My Account if you have added an alternate address or are separated from service. It's especially important to verify your address if you have transferred from one federal agency to another.

You are responsible for ensuring that correct loan payments are submitted on time. It does not matter if your agency or service was responsible for a missed loan payment. You must pay the missed amount directly to the TSP using your own personal funds in order to avoid serious tax consequences and a negative impact on your ability to apply for TSP loans in the future. (See pages 9–10.) Your payroll office cannot make up missed payments from your paycheck.

We will report information about your loan on your quarterly and annual statements. Review your statements carefully and report any discrepancies to your agency or service (if you are currently in federal service). You can also review the loan payments you have made by logging in to My Account on tsp.gov.

If you are a member of the Ready Reserve whose drilling interval is irregular (that is, other than monthly) or a **civilian with an intermittent pay schedule**, you should think carefully before taking a loan from your TSP account. You are at a greater risk of having to pay taxes and penalties on the outstanding balance. (See pages 9 – 10.) You must submit payment directly to the TSP any time your agency/service does not.

If you change agencies or payroll offices—for example, when you transfer from one civilian agency to another, from one component of the uniformed services to another, or from active duty to Ready Reserve—you must inform your new agency or service that you have a TSP loan and instruct it to continue your TSP loan payments. **You are responsible for submitting loan payments directly to us until your new agency or service begins deducting loan payments from your pay.** If, because of a transfer or for any other reason, you change to a different pay cycle, you must log in to My Account on tsp.gov and update the information. We will then reamortize your loan, meaning we will change your loan payment to match your new pay schedule. **Important:** Often going to a new agency means a change in your home address. It is vital that you verify that your new agency has changed your address with us and that your loan is in good standing. If we don't have your correct address and you don't check online, you will have no way of knowing if your loan is in danger of going into delinquency. This could have serious tax consequences. Log in to My Account on tsp.gov to make sure your address is right and your loan is in order.

You can make additional loan payments by check, money order, or direct debit at any time to pay off your loan more quickly or to make up for missed payments. Use one of the ThriftLine Service options listed on page 19 to learn how to do this.

You can also repay your loan in full at any time without a prepayment penalty by check, money order, or direct debit. Log in to My Account on tsp.gov or contact us to get your payoff amount and the date that amount is good through. If you pay the amount shown in time for it to be applied by the date shown, it will cover all unpaid principal and any interest due, and your loan will be closed. We will notify you and your payroll office, if applicable, when your loan has been paid in full. If payments continue, contact your payroll office immediately.

You cannot stop your loan payments. When you agree to the loan terms, you agree to repay the loan in full, and you authorize payroll deductions. (You may also have authorized direct debits from your bank if you separated from federal service or went into nonpay status with an outstanding loan balance.) If you go into nonpay status, please see Appendix I, "How Nonpay Status Affects Your TSP Account."

At the beginning of each month, we identify loans with missing loan payments. We will notify you if we find you have missed two or more payments or paid less than the required amount. If the missing amount is not posted to your loan by the deadline given on the notification, you will likely face serious tax consequences. (See pages 9 – 10.)

Loan Delinquency

If you're a current federal employee or uniformed services member, we must declare the entire unpaid balance of your loan (including any accrued interest) to be a **taxed loan** in either of these circumstances:

- Your loan is delinquent (i.e., you miss two or more loan payments or your payments are made for less than the amount required), and you do not submit the amount needed to bring your payments up to date within the time period specified by us.
- You do not repay your loan in full by the maximum term limit (60 months for a general purpose loan and 180 months for a primary residence loan).

The IRS treats the amount of the declared taxed loan as taxable income. In addition, if you are under age 59½, you may have to pay a 10% early withdrawal penalty tax. You may not roll over a loan that gets taxed while you're still in service.

If any part of your taxed loan is associated with **tax-exempt or Roth contributions**, those contributions will **not** be subject to tax. However, the Roth earnings will be subject to tax, even if you have already met the conditions necessary for your Roth earnings to be qualified.[2]

A taxed loan permanently reduces your TSP account unless you pay it off. Having a taxed loan that you have not repaid will cause your final account balance at retirement to be less than it otherwise would have been.

If not paid off, a taxed loan will affect your eligibility for another loan. It counts as one of two loans you're allowed per account, and it is treated as an outstanding loan balance when calculating your maximum loan amount.

You may repay a taxed loan up until the time you separate from federal service.

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2 When not associated with a taxed loan, Roth earnings become qualified (i.e., paid tax-free) when the following two conditions have been met: (1) 5 years have passed since January 1 of the calendar year in which you made your first Roth contribution **and** (2) you have reached age 59 ½ or have a permanent disability. **Note**: We cannot certify to the IRS that you meet the Internal Revenue Code's definition of disability when your taxes are reported. Therefore, you must provide the justification to the IRS when you file your taxes.

While this action replenishes your account and fixes the eligibility issues described in the previous paragraph, it does not change the tax liability you incurred when the taxed loan was declared. Taxed loans may only be repaid in full including accrued interest (no partial payments), and repayment must be made by check or money order. Once you separate from federal service, you can no longer repay a taxed loan.

> Consult the IRS or a tax advisor for information and advice if your loan gets taxed for missed payments. We will send you the appropriate tax form by January 31 of the year after the distribution.

Separated Participants

When you leave federal service, also known as separating, you can continue to have an outstanding TSP loan, but there are some process differences. It is important to understand that leaving or separating means any of the following:

- Your loan is from your uniformed services TSP account and you are no longer a member of the uniformed services[3] or you are in inactive Ready Reserve duty status.
- Your loan is from your civilian TSP account and you are no longer a federal civilian employee.[3]
- You have transferred to an agency that is not covered by FERS, such as the Federal Reserve or an international agency.
- You are no longer employed by the federal government in any way.

The requirements and procedures described in this section apply equally to all of the above situations.

Loan Rules for Separated Participants

- You cannot apply for a new loan once you've separated.

3 A loan from your civilian account and a loan from your uniformed services account are completely separate. You cannot make payments on a loan to your civilian account from uniformed services payroll and vice versa. Also, you will not be able to roll one account into the other until the loan from the account you're separating from is closed.

- Since you will no longer be on a federal payroll, you must begin making payments by check, money order, or direct debit.
- You have the same options for making additional payments or fully paying off the loan as an active participant unless the loan has been foreclosed. (See page 8.)
- If you do not pay off the loan in full or begin making payments by the deadline we'll give you, the outstanding balance and accrued interest will be treated as taxable income. This is known as a loan foreclosure. Remember, unless you turn 55 or older in the year the loan foreclosure is declared, you may be subject to the IRS 10% early withdrawal penalty tax.[4] Also, unlike with a taxed loan for an active participant (see page 9), separated participants may not repay a balance once it has been foreclosed.

Notwithstanding the rule that you cannot repay a loan foreclosure, you may be able to use personal funds to roll over any or all of the taxable amount of the distribution back into your TSP account or into another eligible employer plan or an IRA. You thereby avoid taxes and penalties on that amount. You must complete this rollover by the due date (including extensions) for filing your federal income tax return for the year of the loan foreclosure. Members of the uniformed services can also roll over tax-exempt amounts to an IRA if the IRA will accept them. You may also want to consult with a tax advisor regarding your eligibility for and the tax consequences of making a rollover.

If you are a civilian employee who separated to perform military service and a loan from your civilian account was foreclosed and taxed as a distribution, you may be eligible to reverse the distribution when you return to federal civilian service. For more information, see the fact sheet *TSP Benefits That Apply to Members of the Military Who Return to Federal Civilian Service*, available on tsp.gov.

In the event of your death, the outstanding loan balance plus any unpaid interest is reported as a foreclosure to your estate. Your loan cannot be repaid by your estate or anyone else. The distribution is **not** subject to an early withdrawal penalty tax. However, any nonqualified Roth earnings included in the distribution will be subject to federal tax.

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4 If you're a public safety employee as defined in section 72(t)(10)(B)(ii) of the Internal Revenue Code, the IRS 10% early withdrawal penalty would not apply if the loan foreclosure is declared in the year you turn 50 or older or if you have 25 years of service under the TSP.

Appendix I

How Nonpay Status Affects Your Existing TSP Loan

If we are notified that you have gone into approved nonpay status while you have an outstanding TSP loan, your loan payments will be suspended. Interest on your loan will continue to accrue while loan payments are suspended. Making payments on your own during your nonpay status will reduce the amount of interest that accrues. (Follow the procedure for making additional loan payments described on page 8.)

With one exception, your loan payment suspension lasts until you return to pay status or until one year passes, whichever comes first. The exception is when you're in nonpay status from your civilian job to perform military service. In that case, your payments will be suspended until you return to pay status, even if it's longer than one year. The maximum term of your loan will be extended by the length of your military service. If that is your situation, please take note of the following:

- If the nonpay documentation submitted to us does not specify that you are in nonpay status to perform military service, the suspension of your loan payments cannot exceed the one-year period described above.
- Your service cannot make deductions from your uniformed services pay as a way of making payments on the loan from your civilian account.
- If your civilian agency reports you as separated rather than in nonpay status, you will be required to begin making payments on your own or risk delinquency. (See pages 9 – 10.) The loan will be foreclosed if no payments are made within 90 days of the reported separation.

Note to members of the Ready Reserve: If you have a loan from your civilian account with an interest rate higher than 6% and you are called to active military duty, we will lower the interest rate to 6% for the period of your military duty, subject to the Service Members Civil Relief Act (50 U.S.C. App. § 501). Use one of the ThriftLine options listed on page 19 for more information.

How to Start and Stop Nonpay Status[1]

Ask your agency or service to submit one of the following to us when your nonpay status begins:

- Form TSP-41, *Notification to TSP of Nonpay Status*
- Form SF-50, *Notification of Personnel Action*
- A letter on agency or service letterhead signed by an appropriate agency official (or your commander or adjutant) and containing your name, Social Security number, the beginning date of the nonpay status, the type of nonpay (military or general), the type of account (civilian or uniformed services), and the signature and title of the agency or service representative providing the information.

Or you may submit a copy of an SF-50 or your military orders directly to us.

It is your responsibility to ensure that we receive the proper documentation (including whether your nonpay status is due to military service or other reasons) immediately after you enter nonpay status. We will then send you confirmation that your loan has been placed into nonpay status. If we do not receive proper notice of your nonpay status, you must send loan payments directly to us or risk being taxed on the balance of your loan. If you receive a notice of missing payments, you must submit nonpay documentation prior to the declaration of a taxed loan. You will not be able to have payments suspended after a taxed loan has been declared. (See pages 9 – 10.)

Resuming Payments From Payroll

The suspension of your obligation to make loan payments will end in one of two ways:

- A year passes and you remain in nonpay status for a reason other than performing military service. (The suspension ends at the end of the month following the expiration of your one-year limit.)
- You or your agency or service provides us with proper documentation that your nonpay status has ended. These are the same documents used to begin nonpay status. (See previous subsection.)

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1 If you're in nonpay status because of a lapse in appropriations (government shutdown), you'll take different steps from those outlined here. Visit tsp.gov/shutdown for details about what to do during a lapse in appropriations.

Once either of these things happens, we will automatically reamortize your loan, and your loan payments made by payroll deductions must resume. Be aware that unless you continued to make full payments during your nonpay status, accrued interest will have increased your loan balance. And your reamortized payments must repay the loan within the maximum time allowed (60 months for a general purpose loan and 180 months for a primary residence loan, extended by the length of your military service if applicable). Therefore, your reamortized payment amount may be higher than what you were paying before the nonpay period. If you are in a position that routinely goes into nonpay status, be aware that your loan payments could increase substantially over the term of the loan.

If your suspension of loan payments ends because you have been in nonpay status for a reason other than serving in the military for more than one year, you must begin making loan payments directly to us to avoid having your loan taxed. Your payments must begin once you have received confirmation of your reamortization, even if you are still in nonpay status. **Note:** We will not automatically remove the nonpay hold on your account when your loan is reamortized after you reach the one-year limit. This will happen only when you return to pay status and you or your agency or service submits the proper documentation.

Visit tsp.gov for more information on nonpay status.

If you are on approved leave without pay to **work full time for an employee organization (such as a union)** under which your TSP contributions may continue, or you are on an **Intergovernmental Personnel Act (IPA)** assignment, you are not in nonpay status for purposes of TSP loans. If neither your temporary or permanent payroll office submits loan payments to us, you must continue making your loan payments by submitting them directly to us using your own personal funds. See your personnel or benefits officer for more information.

Appendix II

Requirements for Primary Residence Loan Documentation

When you apply for a primary residence loan, you must provide supporting documentation that shows the costs associated with the upcoming purchase or construction of your primary residence.[1]

If you are purchasing your primary residence, you must provide **all pages** of the signed sales agreement, purchase contract, or settlement offer. If information in the agreement, contract, or offer has changed (for example, your closing date has changed), you must also submit an addendum that reflects the change. The addendum must be signed by the buyer and the seller.

We must receive this documentation before your loan can be approved. **Applications received without the required documentation will be rejected.**

The sales agreement, purchase contract, or settlement offer documentation must

- be dated within the last 60 days;
- include a closing date, which must be in the future;
- indicate how much cash is **still needed** to close on the home, including down payment and settlement fees (do not include money already spent);
- indicate that you or your spouse on file is the buyer;
- show the address of the residence;
- include the purchase price and any down payment or loan amount; and
- include signatures of the buyer and seller.

If you are building a new primary residence, you must provide either

- a signed copy of the builder's agreement or contract

  OR

1 A primary residence is one that you plan to live in for most of the year. A vacation home or a second home is not considered a primary residence.

- if you are building the house yourself, building and utility permits.

Whether hiring a builder or building yourself, the submitted documents must

- be dated within the last 180 days;
- include an estimated completion date, which must be in the future;
- indicate how much cash is still needed (do not include money already spent);
- indicate that you or your spouse on file is the buyer;
- show the address of the residence;
- include the building price and any down payment or loan amount; and
- include the relevant signatures.

If your loan request includes settlement costs that cannot be calculated from other documentation you provide, you must provide a loan estimate, worksheet, statement, or closing disclosure from a mortgage company along with the purchase agreement, builder's agreement, or—if building yourself—building and utility permits. This document must include your name (or your spouse's name on file) and the address of the residence. If the submitted document includes a purchase price, it must match the purchase or builder's agreement.

ThiftLine Service Center

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