



# REAL ESTATE LOAN MATRIX

(For Loans After 12/31/03)

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Version 6.2

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CHARACTERISTICS OF LOAN REQUEST			APPLICABLE REGULATIONS								
Type of Security	Use of Security	Use of Loan Proceeds	(1) Written Application	(2) ECO/Fair Housing	(3) RESPA	(4) Early TIL	(5) TIL Disclosure	(6) R of R / HOEPA	(7) HMDA	(8) Flood Insurance	(9) Appraisal Disclosure
Residential Dwelling of 1 - 4 families, or a Mobile Home  (less than 25 acres)	Primary Residence	Purchase	X	X	X	X	X		X	X	X
		Refinance (of the purchase money)	X	X	X	*	X	X	X	X	X
		Home Improvement			X	*	X	X	X	X	X
		Home Equity (closed-end)			X	*	X	X	*	X	X
		Home Equity Line of Credit (open)				**		X**		X	X
	Business or Agricultural Purposes							*	X	X	
	Rental House	Purchase, Refinance or Improvement							X	X	X
		Home Equity - Business Purpose							*	X	X
		Home Equity - Consumer Purpose			X		X		*	X	X
	Secondary or Other Residence	Purchase, Refinance or Improvement			X		X		X	X	X
Home Equity				X		X		*	X	X	
Residential Dwelling of 1 - 4 families, or a Mobile Home (25 acres or more)	Primary Residence	Purchase	X	X		*	X		X	X	X
		Refinance (of the purchase money)	X	X		*	X	X	X	X	X
		Home Improvement				*	X	X	X	X	X
		Home Equity				*	X	X	*	X	X
		Business or Agricultural Purposes							*	X	X
Bare Land (less than 25 acres)	Primary Residence	Construct Home or Mobile Home + Land	X	X*	X <sup>1,2</sup>	X <sup>1</sup>	X	X*	**	X	X
		Buy Mobile Home or Construct House on Land Already Owned	X	X*	X <sup>1</sup>	X <sup>1</sup>	X	X*	**	X	X
		Buy Land Only - will not build with same proceeds					X				
	Rental House	Construct Home or Mobile Home							**	X	X
Bare Land (25 acres or more)	Primary Residence	Construct Home or Mobile Home	X	X*			X	X*	**	X	X
		Buy Mobile Home or Construct House on Land Already Owned	X	X*			X	X*	**	X	X
		Buy Land Only - will not build with same proceeds					X				
	Rental House	Construct Home or Mobile Home							**	X	X
Residence OVER 4 Units	Primary Residence, Secondary or Rental	Purchase, Refinance or Improvement							X	X	
		Home Equity							*	X	
Business or Farm (w/o house)	Business or Farm (with Building)	Personal Use					X			X	
		Business or Agricultural Purposes								X	
MOBILE HOME no land taken as collateral	Primary Residence	Purchase	X	X		*	X		X	X	X
		Refinance (of the purchase money)	X	X		*	X	X	X	X	X
		Home Improvement				*	X	X	X	X	X
		Home Equity				*	X	X	*	X	X
	Secondary Residence	Purchase, Refinance or Improvement					X		X	X	X
		Home Equity					X		*	X	X
	Rental House	Purchase, Refinance or Improvement							X	X	X
		Home Equity-Business Purpose							*	X	X

\* = See Back    <sup>1</sup> = Provide if you anticipate providing permanent financings at the time the construction application is taken.    <sup>2</sup> = If land transfer, RESPA applies.

## TIMETABLE

AT APPLICATION	3 BUSINESS DAYS AFTER RECEIVING APPLICATION	BEFORE CLOSING	LOAN CLOSING	4th BUSINESS DAYS AFTER LOAN IS CLOSED
Application (1)	Good Faith Estimate (3)	Flood Hazard Notice (If in flood zone) (8)	Final Truth in Lending Disclosure (5)	Advance Proceeds (6)
Collect Race/Sex, Etc. (2,7)	Settlement Book (purchase only) (3)	(Approx. 10 days prior)	HUD-1 or HUD-1A (3)	
Servicing Transfer Disclosure (1st lien only) (3)	Preliminary TIL (4)	HOEPA Notice (6**) (3 days prior)	Copy of Appraisal or disclosure (9)	
CHARM's Booklet & Program Disclosure (4*)			Right of Rescission Notice (6)	
HELOC Booklet & Program Disclosure (4**)				

## REAL ESTATE MATRIX

1. A written application must be taken and retained on loans secured by and made for the purpose of purchasing or refinancing a 1-4 family principal residence.
2. Request and retain Government Monitoring Information (ethnicity, race, sex, age, marital status) on loans that are secured by and made for the purpose of purchasing, constructing (if converted to permanent), or refinancing the borrower's 1-4 family principal residence (including a mobile home). National banks must request and retain 20 monitoring items (all contained in the standard FHLMC/FNMA residential loan application form).  
\*Do not collect race and sex for construction only loans.
3. RESPA applies to any consumer purpose loan secured by a lien on residential real estate upon which a 1-4 family residence or mobile home is or will be constructed. RESPA does not apply to loans secured by residential real estate if: (1) the residence is located on 25 acres or more; (2) the loan is for a business purpose (RESPA does **not** apply to business purpose, rental properties); or (3) a specific property is not identified in the application (pre-qualifications).  
--Provide a Mortgage Servicing Transfer Disclosure on 1<sup>st</sup> liens only at time of application (if the application is not received in person, the disclosure must be delivered within 3 business days). This disclosure must be signed. Provide a Good Faith Estimate and a Settlement Booklet (purchase only) within 3 business days after receiving an application. The HUD-1 (or HUD-1A) Settlement Statement is to be available one business day prior to closing if requested by borrower, otherwise provide at closing. A HUD-1A may only be used if the loan transaction does not include a seller.  
\*Temporary financing, such as a construction or bridge loan, is exempted from RESPA. However, RESPA does apply to construction loans if the loan may be converted to permanent financing by the same lender.
4. Provide a preliminary TIL disclosure within 3 business days after receiving an application. Additionally, if the request is for a variable rate loan, provide a Consumer Handbook on Adjustable Rate Mortgages (CHARM's booklet) and variable rate program disclosure at initial contact.  
\*If the loan has a variable interest rate, deliver a CHARM's booklet and variable rate program disclosure at initial contact (term of loan over 1 year).  
\*\*Provide Home Equity program disclosure and brochure at the time an application is provided to the consumer.
5. Provide final Truth in Lending disclosure. If loan is subject to RESPA, re-disclose changed terms at closing if the APR originally disclosed varies by 1/8% (.125%) in a regular transaction or 1/4% (.25%) in an irregular transaction.  
\*If >50% of the proceeds are for business purpose, Truth in Lending is exempt.
6. Right to rescind applies only when the applicant already has an ownership interest in the dwelling being pledged. Purchase and construction loans are exempt unless secured by the borrower's current dwelling (bridge loans). Renewals, refinances, and future advances are subject to rescission but only for the amount of the "new" money extended (closed-end loans). HELOCs always require a right of rescission. The renewal of a land sales contract is subject to the right of rescission. Advances cannot be extended until the 4<sup>th</sup> business days after the later of: (1) the right to rescission notice is provided, (2) the note is signed, and (3) all disclosures are provided.  
\*Bridge loans also require the right to rescind.  
\*\*HOEPA does not apply to HELOCs.
7. HMDA information must be compiled by banks that are located in a Metropolitan Area (or a branch in a MA) and have assets exceeding the minimum threshold. Banks shall collect data on originations and purchases of home purchase and home improvement loans (including refinancing of both). The regulation defines "home purchase loans" as a loan secured by and made for the purpose of purchasing a dwelling. A "home improvement loan" is unsecured or secured in which the proceeds are used to repair, rehabilitate or remodel the property. Do not log (but still collect) HMDA data for secondary market loans.  
\*If this loan is a "Refinancing", it is reportable. A "Refinancing" is a new obligation that satisfies and replaces an existing obligation by the same borrower where both the existing obligation and the new obligation are secured by liens on a dwelling regardless of the purpose of the existing obligation.  
\*\*Banks shall not report: (1) loans on unimproved land; (2) temporary financing (bridge or construction loans); (3) the purchase of an interest in a pool of loans; or (4) the purchase solely of the right to service loans.
8. The Flood Disaster Protection Act applies to any improved real estate loan or mobile home loan (regardless of where the mobile home will be located). Complete a Standard Flood Hazard Determination Form for each property before the loan is closed. If the improved real estate or mobile home securing the loan is located or to be located in an area identified as having special flood hazards, a Flood Hazard Notice must be delivered to the customer within a "reasonable period of time" before closing (not less than 10 days) & must be signed. The requirements of this Act apply to increases, extensions, and renewals and to commercial and agricultural loans secured by improved real estate.
9. For any loan (consumer or commercial) secured by a 1-4 family dwelling, the bank must either: (1) provide a copy of the appraisal to all applicants (whether credit is granted or denied or the application is withdrawn); or (2) provide a disclosure of the applicant's right to request a copy of the appraisal to all applicants subject to this requirement. The disclosure must be provided before the loan is closed or denied (there is no timing requirement).