

## Compliance Focus Areas –

### Compliance Focus Areas - Federal

#### **APPLICATION DISCLOSURES**

##### **AFFILIATED BUSINESS ARRANGEMENT DISCLOSURES (AMC)**

- Required on broker loans only
- Must be dated within three days of submission to underwriting
- Must be a UWM disclosure and First Look Appraisals must be listed on form
- Must be signed by borrower

##### **AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE (ALL CHANNELS)**

- Must be dated within three days of 1003 for correspondent loans
- Must be dated within three days of submission to underwriting for broker loans
- Required on broker and correspondent loans if they have an affiliate relationship
- Nature of relationship (including percentage of ownership interest if applicable) and estimated shares for settlement services are required
- Must be signed by borrower

##### **ANTI-STEERING LOAN OPTIONS DISCLOSURE**

- Required on all broker loans (including both Borrower Paid and Lender Paid transactions) except HELOCs.
- Contains three loan options for each transaction type that the borrower has expressed an interest in (i.e. fixed and ARM) that the loan originator has a good faith belief that consumer is likely to qualify for:
- Lowest interest rate
- Lowest interest rate without risky features (negative amortization, prepayment penalty, interest-only payments, balloon payment in the first 7 years, demand feature, shared equity or shared appreciation)
- Lowest total dollar amount of discount points, origination points or origination fees

##### **ARM DISCLOSURE**

- Must be provided within three days of 1003 for correspondent loans
- Must be provided within three day of submission to underwriting for broker loans
- Must be provided within three days of product change from fixed to arm
- Only required on ARM loans
- For broker loans UWM must be named on form

##### **BORROWERS CERTIFICATION AND AUTHORIZATION**

- Must be dated prior to final approval
- Must be signed by borrower

##### **CHARM BOOKLET**

- Must be provided within three days of 1003 for correspondent loans
- Must be provided within three days of submission to underwriting for broker loans
- Must be provided within three days of product change from fixed to ARM.
- Only required on ARM loans
- Provided as part of EASE Docs; for non-EASE Doc loans the borrower acknowledges receipt via the ARM disclosures as well as the General Disclosures at Closing

##### **CREDIT SCORE DISCLOSURE**

- Must be dated prior to final approval
- Must be H-3 Model Form Credit Score Disclosure Exception including the Notice to the Home Loan Applicant
- Must include mid credit score, range of scores, comparison of score to scores of others and all key factors from the credit report

#### ELECTRONIC DELIVERY CONSENT, INTENT TO PROCEED AND APPRAISAL DELIVERY WAIVER

- Electronic Delivery Consent must be dated on the same date or before electronic delivery of documents
- Intent to Proceed must be dated on the same date or before ordering of appraisal and must be signed and dated by all borrowers on loan. N/A for HELOCs.
- Borrower is given options of choosing the receive the appraisal(s) electronically or in the closing package. If neither is chosen, then closing cannot be scheduled less than six days prior to delivery. N/A for HELOCs.
- Higher-Priced Mortgage Loans (HPML) as well as all loans in the state of IL are prohibited from waiving the right to receive appraisal(s) three days prior to closing. N/A for HELOCs.

#### HOMEOWNERSHIP COUNSELING DISCLOSURE

- Must be dated within three days of 1003
- Must list the 10 Homeownership Counseling Agencies near the borrower's current primary mailing address

#### HELOC NOTICE TO BORROWER

- Must be provided within three days of the 1003.
- Must be provided within three days of addition of a HELOC.
- Only required on HELOC loans – standalone and piggyback.

#### BORROWERS CERTIFICATION AND AUTHORIZATION

- Must be provided within three days of the 1003.
- Must be provided within three days of addition of a HELOC.
- For broker loans UWM must be named on form.

#### IRS FORM 4506 T (REQUEST FOR TRANSCRIPT OF TAX RETURN)

- Must be dated prior to submission
- For broker loans UWM must be named on form
- Must be signed by borrower

#### LENDER PAID MORTGAGE INSURANCE DISCLOSURE

- Must be dated prior to final approval
- Must include a 10-year generic analysis of the different costs and benefits of lender paid mortgage insurance versus borrower paid mortgage insurance
- Only applies to single-family primary residences

#### LOAN ESTIMATE

- Must be dated within three days of the 1003
- Re-disclosure allowed only for valid changes of circumstances; must be provided within three days of change
- Contains the TIL information, Servicing Disclosure and Notice of Right to Receive copy of Appraisal Report
- Cannot be issued after the Closing Disclosure is issued
- N/A for HELOCs.

#### PRIVACY NOTICE

- Must be dated within three days of 1003 for correspondent loans
- Must be given at closing for broker loans

#### WRITTEN LIST OF PROVIDERS

- Must be provided with the Loan Estimate for all shoppable services in Block C
- At least one provider must be listed for each shoppable service
- Must provide company name, phone number and address that matches service types listed in Block C of the LE
- N/A for HELOCs.

#### YOUR HOME LOAN TOOLKIT

- Must be provided within three days of 1003
- Only required on purchase loans
- Provided as part of EASE Docs; for non-EASE Doc loans the borrower acknowledges receipt via the Borrowers Certification and Authorization disclosure as well as the General Disclosure at Closing.

#### WHAT YOU SHOULD KNOW ABOUT HOME EQUITY LINES OF CREDIT (BOOKLET)

- Must be provided within three days of the 1003.
- Must be provided within three days of addition of a HELOC.
- Only required on HELOC loans – standalone and piggyback.
- Provided as part of EASE Docs; for non-EASE Doc loans the borrower acknowledges receipt via the Important Terms of Your Home Equity Line of Credit disclosure as well as the General Disclosure at Closing.

#### Compliance Focus Areas - Alabama (AL)

##### **APPLICATION DISCLOSURES**

##### **MORTGAGE BROKER AGREEMENT**

- This must be dated prior to the collection of a mortgage broker fee.
- Must disclose the nature of the mortgage broker's relationship to the borrower and the method of broker compensation.

##### **MARITAL RIGHTS**

- Alabama is not a community property state.
- Non-borrowing, titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property.

##### **PREDATORY LENDING**

- Alabama has no laws or regulations specifically regulating so-called predatory lending activities.

##### **CLOSING PRACTICES**

- Alabama does not have a wet settlement law. It is general practice in this state that funds be presented to the closing agent no later than closing.

**This summary is provided for informational purposes only and does not constitute legal advice**

Compliance Focus Areas - Alaska (AK)

**MARITAL RIGHTS**

- Alaska is not a community property state.
- In Alaska, non-owner spouses are required to join in the security instrument or expressly waive any homestead rights they may have.

**PREDATORY LENDING**

UWM does not purchase high-cost loans. Alaska has no laws or regulations specifically regulating so-called predatory lending activities.

**CLOSING PRACTICES**

Alaska is a dry settlement state. Settlement agent may not disburse escrow money unless funds have been deposited, received by the settlement agent, and are available for withdrawal.

**This summary is provided for informational purposes only and does not constitute legal advice.**

Compliance Focus Areas - Arizona (AZ)

**APPLICATION DISCLOSURES**

**ADVANCE FEE/APPLICATION DISCLOSURE**

- Must list any advance fees and conditions where refundable.
- This must be dated on or before the collection of any advance fee.
- Must be signed by Borrower and Broker, or Lender if correspondent loan.

**MARITAL RIGHTS**

- Arizona is a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable), however, consent of non-owner spouse is not required if homestead property is conveyed or encumbered by an owner spouse who holds title to the property as sole and separate property.

**PREDATORY LENDING**

- UWM does not purchase high-cost loans.
- Arizona has no laws or regulations specifically regulating so-called predatory lending activities.

**CLOSING PRACTICES**

- Arizona is a dry funding state.
- There are no laws, regulations, or rules regarding the disbursement of funds at closing.

**This summary is provided for informational purposes only and does not constitute legal advice.**

Compliance Focus Areas - Arkansas (AR)

**MARITAL RIGHTS**

- Arkansas is not a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).

#### **PREDATORY LENDING**

- UWM does not purchase high-cost loans.
- A “high-cost home loan” means a loan for \$150,000 or less, in which (1) the APR meets or exceeds the HOEPA interest rate triggers; or (2) the points and fees exceed 5% of the total loan amount (excluding certain discount points and prepayment penalties) if the loan amount is \$75,000 or more. (For loans between \$20,000 and \$75,000, the points and fee limit is 6%).

#### **CLOSING PRACTICES**

- Arkansas is a wet settlement state.
- Funds must be presented to the closing agent no later than closing.

**This summary is provided for informational purposes only and does not constitute legal advice.**

Compliance Focus Areas - California (CA)

#### **APPLICATION DISCLOSURES**

COPIES OF SIGNED DOCUMENTS (MAILED APPLICATIONS):

- This disclosure only applies for mailed applications.
- There is no signature or date requirement.

ADDENDUM TO THE UNIFORM RESIDENTIAL LOAN APPLICATION (URLA) FNMA 1003 (CREDIT MARRIED APPLICANT DISCLOSURE):

- Must be dated at time of application for correspondent loans.
- Must be dated when submitted to UW for broker loans.
- Only applicable if any of the borrower(s) are married.

FINANCING LAW STATEMENT OF LOAN BROKERS (CFL):

- Must be dated within three days of application.
- Only required for CFL licensed brokers.
- UWM must be listed as the lender.

THE HOUSING FINANCIAL DISCRIMINATION ACT OF 1977 FAIR LENDING NOTICE (CALYX FAIR LENDING NOTICE DISCLOSURE):

- Broker loans must list Department of Business Oversight as contact agency. Correspondents must list their CA regulator.
- Must be dated at time of application for correspondent loans.
- Must be dated when submitted to UW for wholesale loans.
- Must be signed by Borrower.

CALIFORNIA FAIR APPRAISAL ACT

- Creates a notice requirement that applies to residential real property containing up to four units.
- For purchase loans, the Act requires specific language regarding fair appraisals as prescribed in Cal. Civ. Code § 1102.6g.

- For refinances, the Act requires the same fair appraisal notice prior to or with the Loan Estimate, the Mortgage Loan Disclosure Statement, or with the Equal Credit Opportunity Act disclosure.
- This can be disclosed on either the purchase agreement, the CA E-consent Intent to Proceed, or the Fair Appraisal Notice.
- N/A for HELOCs

#### **HAZARD INSURANCE DISCLOSURE**

- Verify dated prior to closing.

#### **MORTGAGE LOAN DISCLOSURE STATEMENT/GOOD FAITH ESTIMATE (HELOC PIGGYBACK)**

- Must be provided within three days of the 1003.
- Must be provided within three days of addition of a HELOC.
- Must be signed by both the borrower and the broker.
- Only required on HELOC Piggybacks (i.e. not HELOC Standalones)
- Only required if the total line amount is less than \$20,000

#### **MARITAL RIGHTS**

- California is a community property state.
- Non-borrowing spouses are required to sign the mortgage, closing disclosure, and right of rescission (if applicable).
- For non-community and non-homestead property, non-borrowing non-titled spouse does not need to sign. However, in this situation an inter-spousal grant deed is required from non-borrower non-titled spouse in order to extinguish the community property rights and homestead rights of the non-borrowing non-titled spouse.

#### **PREDATORY LENDING**

- UWM does not originate or purchase high-cost loans.
- A high-cost loan is defined in CA as: Where the APR exceeds the interest rate on comparable US Treasury securities by more than 8% or the total points and fees exceed 6% of the total loan amount.

#### **CLOSING PRACTICES**

- California is a dry funding state.
- Borrower shall not be required to pay interest on principal for more than one day prior to the date loan proceeds are disbursed.
- The title company must order funds no more than one day before Borrower can close.

**This summary is provided for informational purposes only and does not constitute legal advice.**

Compliance Focus Areas - Colorado (CO)

#### **APPLICATION DISCLOSURES**

##### **TANGIBLE NET BENEFIT DISCLOSURE**

- Verify dated within three (3) days of 1003.

- This disclosure must be signed by both the borrower and loan officer.

#### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

#### **MARITAL RIGHTS**

- Colorado is not a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property and non-homestead property.
- Non-borrowing, non-titled spouses do not need to sign on non-homestead property.
- On homestead property, non-borrowing, non-titled spouse would not need to sign unless the owner of the property or the spouse of such owner records with the county clerk an instrument in writing describing the property, setting forth the nature and source of the owner's interest therein and stating that the owner or the owner's spouse is homesteading such property, then both spouses must sign conveyance or encumbrance. Need to confirm that no such instrument exists on homestead property in this situation.

#### **PREDATORY LENDING**

- UWM does not purchase high-cost loans.
- Colorado's high cost laws mirror the federal Homeowners Equity Protection Act requirement.

#### **CLOSING PRACTICES**

- Colorado has a wet settlement law.
- Funds must be presented to the closing agent no later than closing.

#### **Compliance Focus Areas - Connecticut (CT)**

#### **APPLICATION DISCLOSURES**

##### **AGREEMENT CONCERNING NON-REFUNDABILITY OF ADVANCE FEES**

- Must list any advance fees and the amount that is not refundable. The term "nonrefundable" must appear in boldface type each time it is used.
- This must be dated on or before the collection of any advance fee.
- Must be signed by borrower and broker or lender if correspondent loan.

#### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE):**

- If separate disclosure from 1003, verify dated prior to close.
- This is not required where the borrower is married.

#### **DISCLOSURES REGARDING LEGAL REPRESENTATION, INTERIM FINANCING AND PRIVATE MORTGAGE INSURANCE**

- Must be dated at time of application for correspondent loans.
- Verify dated before submission to UW for wholesale loans.
- Must be signed by borrower.

#### **MARITAL RIGHTS**

- Connecticut is not a community property state.

- Non-borrowing titled spouses must sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses do not need to sign.

#### **PREDATORY LENDING**

- UWM does not purchase high-cost loans.
- A high-cost loan in Connecticut has the same definition as the HOEPA Section 32 test.

#### **CLOSING PRACTICES**

- Connecticut has a wet settlement law.
- Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Delaware (DE)

#### **APPLICATION DISCLOSURES**

##### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

#### **BROKER AGREEMENT**

- Verify the total dollar amount of the broker compensation is shown, cannot be a range (effective with applications dated 4/12/14 or later)
- Verify the disclosure dated before or same as 1003.
- Must be signed by both the Borrower and Broker.
- Not applicable for second homes and investment properties.

#### **MARITAL RIGHTS**

- Delaware is not a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses are not required to sign.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Delaware has no laws or regulations specifically regulating so-called predatory lending.

#### **CLOSING PRACTICES**

Delaware has a wet settlement law. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - District of Columbia (DC)

#### **APPLICATION DISCLOSURES**

##### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, confirm dated prior to closing.
- This is not required where borrower is married.

#### **MORTGAGE DISCLOSURE FORM**

- Must be dated within three days of 1003 for retail/correspondent loans.
- Must be dated within three days of submission to UW for broker loans.
- Must be signed by Borrower and Lender.
- Applies to ARM loans only.

#### **DISTRICT OF COLUMBIA LICENSE NUMBER**



- District of Columbia requires the DC license number held by the Mortgage Loan Originator and the Mortgage Loan Originator's Company to be disclosed at the time of application.
  - Need to include both NMLS license number and specific District of Columbia license number.
  - Document disclosing license numbers must be signed/initialed by borrower to demonstrate acknowledgement.

#### **FINAL FINANCING AGREEMENT**

- Final Financing Agreement must be provided to borrowers at least three days prior to closing for all non-rescindable transactions.

#### **MARITAL RIGHTS**

- The District of Columbia is not a community property jurisdiction.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. Non-borrowing non titled spouses are not required to sign on non-homestead property.

#### **PREDATORY LENDING**

- UWM does not originate or purchase high-cost loans. A high cost loan ("covered loan") is defined in DC as a loan where (1) the APR exceeds the yield on comparable Treasuries by more than 6% for a first-line loan (7% for a subordinate lien); or (2) the origination/discount points and fees exceed 5% of the total loan amount.
- A "covered loan" does not include: purchase money loans; loans insured or guaranteed by a state or local authority, the D.C. Housing Finance Agency, the FHA, or the VA; and loans that exceed the conforming loan size limits of Fannie Mae and Freddie Mac.

#### **CLOSING PRACTICES**

- D.C. has a wet settlement law.
- Funds must be presented to the closing agent no later than Closing.

#### **Compliance Focus Areas - Florida (FL)**

##### **APPLICATION DISCLOSURES**

##### **ANTI-COERCION DISCLOSURE**

- Verify dated on or before submission to UW for broker loans; on or before 1003 for correspondent loans.
- This disclosure must be signed by the borrower.

##### **MARITAL RIGHTS**

- Florida is not a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. Non-Borrowing non-titled spouses are not required to sign on non-homestead property.

##### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Florida's high-cost test matches the federal HOEPA Section 32 test.

### **CLOSING PRACTICES**

Florida does not have a wet settlement law, but local custom and practice require funds be disbursed to the settlement agent at, or before closing.

Compliance Focus Areas - Georgia (GA)

### **APPLICATION DISCLOSURES**

#### **ACKNOWLEDGEMENT OF RECEIPT OF HELOC DISCLOSURES**

- Must be provided with the federal HELOC disclosures (i.e. Important Terms of Your Home Equity Line of Credit and What You Should Know About Home Equity Lines of Credit) that are required within three days of the 1003.
- Must be provided within three days of addition of a HELOC with the federal HELOC disclosures.
- Only required on HELOC loans – standalone and piggyback

#### **ADVANCED FEE/APPLICATION DISCLOSURE (CALYX GA DISCLOSURE)**

- Must list any application fees and conditions where refundable.
- Must be dated at or prior to the collection of any fees from the borrower.
- Must be signed by borrower.

### **MARITAL RIGHTS**

- Georgia is **not** a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses are **not** required to sign the Mortgage, CD and Right of Rescission (if applicable).

### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan is defined in GA as total points and fees in excess of 5% of the total loan amount.

### **CLOSING PRACTICES**

Georgia does have a wet settlement law. Funds must be presented to the closing agent no later than closing. In the case of a refinancing or any other loan where a right of rescission applies, the lender must, prior to the disbursement of proceeds and no later than 11:00 a.m. of the next business day following the expiration of the rescission period, deliver loan funds to the closing agent.

Compliance Focus Areas - Hawaii (HI)

### **APPLICATION DISCLOSURES**

#### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, verify dated prior to close.
- This is not required where the borrower is married.

#### **POWER OF FORECLOSURE SALE NOTICE**

Must be dated within 3 days of the 1003.

#### **MARITAL RIGHTS**

- Hawaii is a **not** community property state.
- The signatures of both spouses are necessary on a mortgage in order to bar the possibility of dower in the property.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Hawaii has no laws or regulations specifically regulating high-cost lending activities.

#### **CLOSING PRACTICES**

Hawaii is not a wet settlement state. There are no laws or regulations that speak to the timing of when funds must be available to the closing agent.

Compliance Focus Areas - Idaho (ID)

#### **APPLICATION DISCLOSURES**

##### **LICENSEE INFORMATION DISCLOSURE**

- Must be dated same as 1003.
- For broker loans must be a UWM disclosure and UWM must be named on form as lender.
- Must be signed by borrower on wholesale loans.
- Must be signed by borrower and loan originator if correspondent loan.

#### **MARITAL RIGHTS**

- Idaho is a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead and community property.
- Non-borrowing non-titled spouses are not required to sign on non-homestead, non-community property if it can be determined that the property is conclusively separate.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. Idaho has no laws or regulations specifically regulating so-called predatory lending.

#### **CLOSING PRACTICES**

Idaho is not a wet settlement state. However, the Department of Insurance has issued regulations stating that title insurance agents may not close without dated written closing instructions and without using collected funds.

Compliance Focus Areas - Illinois (IL)

#### **APPLICATION DISCLOSURES**

##### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

##### **ADVANCE FEE DISCLOSURE**

- This disclosure only applies where an advance fee is collected (i.e. appraisal, credit report, origination, commitment etc.).
- Verify fees collected prior to close are listed on the disclosure, or disclosure is noted as "NA" if not applicable.

#### **BORROWER INFORMATION DOCUMENT:**

- Verify lender name and license number are listed on disclosure.
- Must contain the following Regulatory Disclosure Statement:

"This document is being provided to you pursuant to the Residential Mortgage License Act of 1987 and Rules promulgated thereunder (38 Ill. Adm. Code 1050). The purpose of this document is to set forth those exhibits and materials you should receive or be receiving in connection with your residential mortgage loan application with (name of licensee), holder of License (license number) and regulated by the State of Illinois, Division of Banking, under the aforesaid Act".

- Verify the disclosure date matches the date of the 1003.
- Must be signed by Borrower.

#### **COPIES OF SIGNED DOCUMENTS (MAIL-OUT APPLICATIONS ONLY):**

Verify the disclosure date matches the date of the 1003.

#### **DESCRIPTION OF REQUIRED DOCUMENTATION:**

Verify the disclosure date matches the date of the 1003.

#### **LOAN BROKERAGE AGREEMENT AND LOAN BROKERAGE DISCLOSURE STATEMENT**

- Verify disclosure date matches 1003 date.
- This disclosure applies to brokered loans only and must be signed by borrower and broker.

#### **RATE-LOCK FEE AGREEMENT:**

- Must be given on all loans, both floating and locked.
- Must be dated within three days of 1003 for retail/correspondent loans.
- Verify dated before submission to UW for wholesale loans.
- Must be signed by borrower and lender.

#### **MARITAL RIGHTS**

- Illinois is **not** a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission on homestead property (if applicable).

#### **PREDATORY LENDING**

- UWM does not originate or purchase high-cost loans. A high-cost home loan is defined as a refinance that either: 1) the APR exceeds six percentage points over the yield of Treasury securities having comparable periods of maturity; or 2) total points and fees are in excess of 5% of the total loan amount.
- Predatory Lending Database. The title insurance company or closing agent must attach to the mortgage a certificate of its compliance with the requirements of the Predatory Lending Database Program in order to record the mortgage. This applies to Cook, Will, Kane and Peoria counties.

#### **CLOSING PRACTICES**

Illinois does not have a wet settlement law, but local custom and practice require funds be disbursed to the settlement agent at, or before closing.

## Compliance Focus Areas - Indiana (IN)

### **APPLICATION DISCLOSURES**

#### **LOAN BROKER AGREEMENT**

- Verify dated within three days of the 1003.
- Must be signed by borrower and broker.
- This agreement only applies for wholesale transactions.

#### **NOTICE TO BORROWER/PROSPECTIVE BORROWER**

- Must be dated within three days of 1003 for correspondent loans.
- Verify dated within three days of submission to UW for wholesale loans.

#### **MARITAL RIGHTS**

- Indiana is not a community property state.
- Non-borrowing titled spouses must sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses are not required to sign.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high cost loan is defined in IN as a loan that has total points and fees that exceed 5% of the total loan amount.

#### **CLOSING PRACTICES**

Indiana has a wet settlement law. Funds must be presented to the closing agent no later than closing.

## Compliance Focus Areas - Iowa (IA)

### **ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)**

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if the Borrower is married.

#### **PAYMENT REDUCTION FEE DISCLOSURE**

- Statute indicates this disclosure must be dated prior to accepting the application. Verify dated on or before submission to UW for wholesale loans; on or before 1003 for correspondent loans.
- Only required if discount points are being paid by Borrower.
- Not applicable on investment property.

#### **MARITAL RIGHTS**

- Iowa is not a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If determined with certainty that property is non-homestead, then non-borrowing, non-titled spouse does not need to sign.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Iowa has no laws or regulations specifically regulating so-called predatory lending activities.

#### **CLOSING PRACTICES**

- Iowa does not have a wet settlement law. There are no statutes, rules, or regulations requiring the disbursement of funds at loan closing within any specified time period.

- Iowa law requires that title insurance is provided by the Iowa Finance Authority. No other provider is allowed to provide title insurance in this state.

#### Compliance Focus Areas - Kansas (KS)

##### **APPLICATION DISCLOSURES**

##### **BORROWER ACKNOWLEDGEMENT**

- Must be dated within three days of 1003 for correspondent loans.
- Verify dated prior to submission to UW for wholesale loans.
- Must be signed by the borrower.

##### **HIGH LTV CONSUMER NOTICE**

- Only required if LTV is greater than 100%.
- Confirm dated three or more days prior to closing.

##### **MARITAL RIGHTS**

- Kansas is not a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If property is non-homestead, non-borrowing non-titled spouses need not sign but must waive marital rights and must also be able to determine with certainty that not homestead.

##### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan is defined as when the annual percentage rate exceeds the mortgage rate, being the greater of (a) 12% or (b) the sum of 5% and the yield on 30-year fixed rate conventional home mortgage loans committed for delivery within 61 to 90 days, accepted under the Federal Home Loan Mortgage Corporation's daily offerings for sale on the last day on which commitments for such mortgages were received in the previous month.

##### **CLOSING PRACTICES**

Kansas does not have a wet settlement law. However, general practice is that Kansas is considered a good funds state, which requires good funds be available at the time of closing.

#### Compliance Focus Areas - Kentucky (KY)

##### **APPLICATION DISCLOSURES**

##### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Statute provides no specific date requirement, but best practice is that this disclosure is dated on or before submission to underwriting.
- This disclosure is required for wholesale transactions only.

##### **MARITAL RIGHTS**

- Kentucky is not a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If property is non-homestead, non-borrowing non-titled spouses need not sign but non-borrowing spouse must execute a "Release of Dower/Curtesy Rights." Must also be able to determine with certainty that not homestead.

##### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high cost loan is defined in KY as a loan with points and fees that exceed the greater of \$3,000 or 6% of the total loan amount.

#### **CLOSING PRACTICES**

Kentucky does not have specific wet settlement law. However, the state is considered a wet funding state. General practice is for funds to be presented to the closing agent no later than closing.

#### **Compliance Focus Areas - Louisiana (LA)**

##### **APPLICATION DISCLOSURES**

##### **ADVANCED FEE/APPLICATION DISCLOSURES**

- This disclosure must be provided only when an application fee is collected prior to closing.
- This disclosure must be provided prior to collecting the fee.

##### **MARITAL RIGHTS**

- Louisiana is a community property state.
- Non-borrowing titled spouses must sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. Non-borrowing non-titled spouses need not sign on non-community property.

##### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Louisiana has no laws or regulations specifically regulating so-called predatory lending activities.

#### **CLOSING PRACTICES**

Louisiana does not have a wet settlement law. However, the state is considered a wet funding state. General practice is for funds to be presented to the closing agent no later than closing.

#### **Compliance Focus Areas - Maine (ME)**

##### **Application Disclosures**

State of Maine Bureau of Consumer Credit Protection Mortgage Broker Agreement/Contract

- Confirm dated prior to submission to UW.
- Must be signed by Borrower.
- Applies to wholesale transactions only.

##### **Notice to Consumer**

- Confirm dated prior to Broker Agreement or prior to any money paid by Borrower, whichever occurs first.
- Applies to wholesale transactions only.

##### **Right to Own Attorney Disclosure**

Statute has no specific date requirement. Best practice is that it be dated at or before final Approval.

##### **Marital Rights**

- Maine is **not** a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).

- Non-borrowing non-titled spouses are not required to sign unless the non-owner spouse has filed a claim in the registry of deeds and either a divorce action is still pending or the non-owner spouse has been granted an interest in the real estate by the court.

### **Predatory Lending**

UWM does not originate or purchase high-cost loans. A high-cost loan is defined as (1) the APR equals or exceeds the federal HOEPA rate and (2) for loans of \$40,000 or greater, total points and fees (less excluded points and fees as listed in the statute) exceed 5% of the total loan.

### **Closing Practices**

Maine is a wet settlement state. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Maryland (MD)

### **APPLICATION DISCLOSURES**

#### **BROKER CONTRACT**

- Verify broker's compensation (Finder's Fee) equals the EDGE/Change of Circumstance/Broker Compensation screen.
- Verify disclosure dated within 10 days of 1003.
- This disclosure must be signed by both the borrower and broker.

#### **SETTLEMENT SERVICES DISCLOSURE**

- Must be dated within three (3) days of 1003 for correspondent loans.
- Must be dated within three (3) days of submission to U/W for wholesale loans.
- This disclosure must be signed by Borrower.
- Applicable for primary residences only.

#### **MARYLAND DEPARTMENT OF LABOR, LICENSING, AND REGULATION ESCROW WAIVER DISCLOSURE:**

- Must be dated within 10 days of 1003 for correspondent loans.
- Must be dated within 10 days of submission to Underwriting for wholesale loans.
- To be completed if no escrow account is required on conventional loans.
- Applicable for primary residences only.

#### **IMPORTANT NOTICE REGARDING COUNSELING**

- Verify disclosure date within 10 days of submission to Underwriting.
- RESPA List of Homeownership Counseling Organizations disclosure may be substituted when the following disclosure verbiage is present "When applying for a mortgage loan or line of credit, we recommend you receive home-buyer education or housing counseling."
- Applicable for Primary residences only.

### **AUTO SUBORDINATION**

In Maryland, statutes authorize a mortgagor to refinance the full balance of a loan secured by a first mortgage or deed of trust without the permission of the holder of a junior lien if:

I. The principal amount secured by the junior lien does not exceed \$150,000, and



II. The principal amount secured by the refinance mortgage does not exceed the unpaid outstanding principal balance of the first mortgage or deed of trust plus closing costs up to \$5,000.

In addition, the following language in all capital letters must be completed and placed on the front page of the mortgage: THIS IS A REFINANCE OF A DEED OF TRUST/MORTGAGE/OTHER SECURITY INSTRUMENT RECORDED AMONG THE LAND RECORDS OF ..... COUNTY/CITY, MARYLAND IN LIBER NO. .... FOLIO ....., IN THE ORIGINAL PRINCIPAL AMOUNT OF ....., AND WITH THE UNPAID OUTSTANDING PRINCIPAL BALANCE OF ..... THE INTEREST RATE PROVIDED FOR IN THE EVIDENCE OF INDEBTEDNESS SECURED BY THIS REFINANCE MORTGAGE IS LOWER THAN THE APPLICABLE INTEREST RATE PROVIDED FOR IN THE EVIDENCE OF INDEBTEDNESS SECURED BY THE DEED OF TRUST/MORTGAGE/OTHER SECURITY INSTRUMENT BEING REFINANCED.

#### **MARITAL RIGHTS**

- Maryland is **not** a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses are not required to sign.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans which MD defines as one percentage less than amounts specified in HOEPA.

#### **CLOSING PRACTICES**

Maryland does have a wet settlement law. Good funds must be provided at settlement in connection with any consumer loan transaction involving a purchase money loan secured by a first mortgage or deed of trust on real property located in the state. Under the Wet Settlement Act, lenders must disburse loan funds to a settlement agent on or before the day of settlement in accordance with the loan documents. If the loan funds are not disbursed as required, the lender may not charge interest on the loan for the first 30 days following the date of closing.

Compliance Focus Areas - Massachusetts (MA)

#### **APPLICATION DISCLOSURES**

ADDENDUM TO UNIFORM RESIDENTIAL LOAN APPLICATION (URLA) FNMA 1003 –ATTORNEY DISCLOSURE

- If separate disclosure from 1003, confirm dated same as 1003.
- Correspondent loans only (UWM must mail the disclosure to the borrower on wholesale loans –see below).

LEAD-BASED PAINT DISCLOSURE (PROPERTIES BUILT PRIOR TO 1978):

- Verify the disclosure date matches or pre-dates the date of the purchase agreement.
- This disclosure must be wet signed by Purchaser/Borrower, Seller and Real Estate Agent.
- Only required on purchase loans involving homes built prior to 1978

**LOAN ORIGATION AND COMPENSATION AGREEMENT (THIS IS NO LONGER REQUIRED FOR APPLICATIONS AFTER 8/26/16):**

- Verify the disclosure date matches the date of the 1003.
- This disclosure applies to wholesale loans only and must be signed by borrower and broker.

**MASSACHUSETTS LICENSE NUMBER:**

- State of MA requires the type and license number held by a Mortgage Originator to be disclosed at the time of application.
  - Needs to include both NMLS license number and specific State of Massachusetts license number.
- Can be disclosed on the Company Identifier field of the 1003 (bottom of page 3) or any other disclosure submitted at the time of application
- Document disclosing license numbers must be signed/initialed by borrower to demonstrate acknowledgement
- If Licensee is a Mortgage Broker, the term "Mortgage Broker" must be spelled out. Use of the short hand version "MB" is not allowed and the 1003 condition should not be cleared for Massachusetts unless license type is spelled out properly.

**THE FOLLOWING LENDER DISCLOSURES MUST BE SENT BY UWM ON BROKER LOANS**

- ARM Disclosure
- MA Addendum to Loan Application -Attorney Disclosure

**FULFILLMENT DISCLOSURE**

Notice of Flood Insurance Coverage

**MARITAL RIGHTS**

- Massachusetts is **not** a community property state.
- Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).
- Non-borrowing non-titled spouses are not required to sign.

**PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. A high-cost home loan is defined as a loan that either: 1) the APR exceeds eight percentage points over the yield of Treasury securities having comparable periods of maturity; or 2) total points and fees are in excess of the greater of 5% of the total loan amount or \$400 which is adjusted annually under TILA.

**CLOSING PRACTICES**

Massachusetts is a wet settlement state. Funds must be disbursed to the settlement agent at, or before loan closing.

Compliance Focus Areas - Michigan (MI)

**APPLICATION DISCLOSURES**

**YOUR HOME LOAN TOOLKIT**

- Must be provided within three days of the 1003.
- Must be given on all primary residence refinance loans in MI [federal law requires this to be given on all purchase loans].
- Borrower acknowledges receipt as part of Borrower's Certification and Authorization.

**MARITAL RIGHTS**

- Michigan is **not** a community property state.
- Only titled borrower must sign a purchase money mortgage, regardless of whether he or she is married.
- Non-purchase money mortgages (such as refinance loans), non-borrowing titled and untitled spouses should sign the mortgage if on homestead.
- If can determine with certainty that non-homestead, then non-borrowing, non-titled spouse does not need to sign.

### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. Michigan does not have a high-cost test.

### **CLOSING PRACTICES**

Michigan does not have a wet settlement law, but local custom and practice require funds be disbursed to the settlement agent at, or before closing.

Compliance Focus Areas - Minnesota (MN)

### **APPLICATION DISCLOSURES**

#### **RESIDENTIAL MORTGAGE ORIGINATOR CONTRACT**

- Must be dated at or prior to collection of any advanced fees.
- Must be signed by both the Borrower and Broker.
- Not applicable on correspondent loans.

#### **BORROWER REASONABLE TANGIBLE NET BENEFIT WORKSHEET**

- Must be dated prior to final approval.
- Must be signed by both the Borrower and Broker.
- Refinances only.

#### **ORIGINATOR NON-AGENCY DISCLOSURE**

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to UW for wholesale loans.
- For broker loans must be a UWM disclosure and UWM must be named as originator.
- Form must contain the following language:
  - “Originator (for broker loans this must be UWM) IS NOT ACTING AS YOUR AGENT IN CONNECTION WITH OBTAINING A RESIDENTIAL MORTGAGE LOAN. WHILE WE SEEK TO ASSIST YOU IN MEETING YOUR FINANCIAL NEEDS, WE CANNOT GUARANTEE THE LOWEST OR BEST TERMS AVAILABLE IN THE MARKET.”
- Must be signed by Borrower.
- Not applicable for correspondents who are banks, savings banks, savings associations or credit unions.

### **FULFILLMENT DISCLOSURE**

Rate Lock Agreement

### **MARITAL RIGHTS**

- Minnesota is not a community property state.
- Non-borrowing titled spouses must sign the Mortgage, CD and Right of Rescission (if applicable) on purchase money and refinance transactions.

- Non-borrowing non-titled spouses are not required to sign on purchase money transactions.
- Non-borrowing non-titled spouses are required to sign on refinance transactions.

### **PREDATORY LENDING**

- UWM does not purchase high-cost loans. Minnesota does not have a statute that addresses high cost loans specifically. However, Minnesota law does provide that no residential mortgage loan can be made without verifying Borrower's reasonable ability to pay the scheduled payments, etc. Lenders must also disclose orally any anticipated payments for property taxes and hazard insurance not covered by escrow.
- Minnesota statute prohibits "churning", defined as making a loan when the new loan does not provide a reasonable, tangible net benefit to the borrower, considering all of the circumstances including the terms of both the new and refinanced loans, the cost of the new loan, and the borrower's circumstances.

### **CLOSING PRACTICES**

Minnesota has a wet settlement law. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Mississippi (MS)

### **APPLICATION DISCLOSURES**

#### **MORTGAGE ORIGINATION AGREEMENT**

- Verify disclosure includes verbiage regarding the following: name of insurance company issuing the licensee's bond (for wholesale loans this should be The Hanover Insurance Co.); the consumer is protected under the MS Mortgage Consumer Protection Law; and address where complaints can be sent.
- Mississippi law has no specific provisions governing the date of disclosure. Verify document dated no later than final approval.
- This disclosure must be signed by the borrower.

### **MARITAL RIGHTS**

- Mississippi is not a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If can determine with certainty that non-homestead, then non-borrowing, non-titled spouse does not need to sign.

### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. Mississippi law does not contain specific provisions regarding disclosure for high cost mortgage loans.

### **CLOSING PRACTICES**

A licensee must disburse funds in accordance with a written commitment or agreement to make a mortgage loan. This generally coincides with closing, or the expiration of the rescission period if a refinance transaction.

Compliance Focus Areas - Missouri (MO)

### **APPLICATION DISCLOSURES**

#### **APPLICATION DISCLOSURE**

- Verify dated on or before 1003.

#### LOAN BROKERAGE DISCLOSURE STATEMENT AND FEE AGREEMENT

- Verify dated on or before 1003.
- Required for lenders also so required on all channels - Wholesale & Correspondent.

#### MARITAL RIGHTS

- Missouri is **not** a community property state.
- Non-borrowing titled and non-titled spouses must sign the Mortgage, CD, and Right of Rescission (if applicable).

#### PREDATORY LENDING

UWM does not purchase high-cost loans. Missouri has no laws or regulations specifically regulating so-called predatory lending activities.

#### CLOSING PRACTICES

Missouri has a wet settlement law. Funds must be presented to the closing agent no later than closing.

#### Compliance Focus Areas - Nebraska (NE)

##### MARITAL RIGHTS

- Nebraska is not community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If can determine with certainty that property is non-homestead, then non-borrowing, non-titled spouse does not need to sign.

##### PREDATORY LENDING

UWM does not purchase high-cost loans. Nebraska has no laws or regulations specifically regulating high-cost lending activities or loan terms.

##### CLOSING PRACTICES

Nebraska is a wet settlement state. Good funds must be available for disbursement at settlement.

#### Compliance Focus Areas - Nevada (NV)

##### APPLICATION DISCLOSURES

ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE):

- If separate disclosure from 1003, verify dated prior to close.
- Not required if the borrower is married.

##### ADVANCED FEE/APPLICATION DISCLOSURE

- Must list any advance fees including those to cover costs paid to third parties.
- There is no date requirement contained within the statute for this disclosure. A best practice is that the disclosure be dated within three days of submission to underwriting for wholesale loans; within three days of the 1003 for correspondent loans.
- Must be signed by borrower.

##### COMMERCIALLY REASONABLE MEANS OR MECHANISM WORKSHEET

- Must be dated prior to final approval.
- Must be signed by borrower and broker, or lender if correspondent loan.

## **MARITAL RIGHTS**

- Nevada is a community property state.
- In order to waive the homestead exemption non-borrowing spouses must sign the Mortgage.

## **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan in Nevada has the same definition as the HOEPA Section 32 test.

## **CLOSING PRACTICES**

Nevada does not have a wet settlement law. There are no statutes, regulations, or rules in Nevada regarding the obligation of a settlement agent to disburse funds at closing.

Compliance Focus Areas - New Hampshire (NH)

## **APPLICATION DISCLOSURES**

### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated prior to or no later than three days after submission to UW for wholesale loans.
- Only required if any fees are collected prior to closing.

## **MARITAL RIGHTS**

- New Hampshire **not** is a community property state.
- The signatures of both spouses are necessary on a mortgage on homestead property unless a purchase money mortgage.

## **PREDATORY LENDING**

UWM does not purchase high-cost loans. New Hampshire has no laws or regulations specifically regulating so-called predatory lending activities, however, all licensees are required to comply with the provisions of HOEPA.

## **CLOSING PRACTICES**

New Hampshire has a wet settlement law. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - New Jersey (NJ)

## **APPLICATION DISCLOSURES**

### **APPLICATION DISCLOSURE:**

- For wholesale loans, verify broker compensation is listed in Broker Fees section and UWM's Application Fee (\$945) is listed in the Lender Fee section disclosure (unless waived and included in pricing).
- Verify Company Name, NMLS #, Loan Officer Name, NMLS #, Point of Contact, Phone Number and all other applicable information is listed on disclosure.
- Verify all fees listed are completed or marked N/A.
- Verify that all fees are marked as either refundable or non-refundable and paid upfront or not.
- Verify there are no prohibited fees listed such as Underwriting Fee, Processing Fee, Administration Fee, etc.

- Verify realistic estimate of the number of calendar days required to issue a commitment is marked N/A.
- Must be dated at or prior to collection of any fees by a broker or lender.
- Application fee may only be charged once, by either lender or broker.
- This disclosure must be signed by the borrower.

**BROKER AGREEMENT (BROKER TRANSACTIONS ONLY):**

- Verify broker compensation is identified as Broker Fee on disclosure, (Points, Broker Points, or similar names are acceptable). Application Fee, or Discount Points are not allowed.
- Verify there are no prohibited fees listed such as Underwriting Fee, Processing Fee, Administration Fee, Commitment Fee, Lock-in Fee, etc.
- Broker Fee should equal the Edge/Lending Support/Disclosures/Broker Information - Compensation Calculation Screen.
- Verify disclosure includes broker list of services performed.
- Verify disclosure is dated on or before the 1003 (not more than 30 days before).
- This disclosure must be signed by the borrower.

**ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE):**

- If separate disclosure from 1003, verify dated prior to close.
- Only required for unmarried borrowers.

**CHOICE OF INSURER NOTICE:**

- Verify dated prior to final approval.
- Verify the following statement is contained in the disclosure:

**NOTICE TO THE BORROWER**

YOU MAY BE REQUIRED TO PURCHASE PROPERTY INSURANCE AS A CONDITION OF RECEIVING THE LOAN.

IF PROPERTY INSURANCE IS REQUIRED, YOU MAY SECURE INSURANCE FROM A COMPANY OR AGENT OF YOUR OWN CHOOSING.

**RIGHT TO CHOOSE OWN ATTORNEY:**

- This disclosure must be dated prior to final approval of the loan.
- Verify the disclosure contains a statement that the interests of the borrower and lender are or may be different and may conflict.

**MARITAL RIGHTS**

- New Jersey is **not** a community property state.
- For **purchases**, non-borrowing spouses are **not required** to sign the Mortgage and CD, unless they intend to be on title.
- For **refinances**, non-borrowing spouses **are required** to sign the Mortgage, CD and Right of Rescission. If the NBS doesn't want to sign, the NBS and his/her spouse can sign a separate deed conveying the "right of joint possession" to the borrowing spouse.

**PREDATORY LENDING**

UWM does not originate or purchase high-cost home loans. Loans in New Jersey are considered high-cost if the Points and Fees exceed 4.5%.

## **CLOSING PRACTICES**

New Jersey is a wet settlement state. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - New Mexico (NM)

### **APPLICATION DISCLOSURES**

#### **ADVANCE FEE/APPLICATION DISCLOSURE**

- Verify dated on or prior to collecting any fees.
- Must be signed by Borrower and Broker, or Lender if correspondent loan.

#### **FREEDOM TO CHOOSE INSURANCE COMPANY AND INSURANCE PROFESSIONAL**

- Verify dated prior to final approval.
- Must be signed by Borrower.

#### **RATE LOCK DISCLOSURE (All LOANS) & RATE LOCK AGREEMENT (LOCKED LOANS ONLY)**

- Must be dated prior to or within three days after submission to underwriting for wholesale loans; within three days of the 1003 for correspondent loans.
- Rate Lock Disclosure must be signed by borrower. Rate Lock Agreement must be signed by both the borrower and Broker, or Lender if correspondent loan.

### **MARITAL RIGHTS**

- New Mexico is a community property state.
- Except for purchase money mortgages, non-borrower spouses must sign the Mortgage, CD and Right of Rescission (if applicable).

### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A “high-cost home loan” is defined as a home loan in which: (1) the interest rate equals or exceeds seven percentage points over the weekly average yield on comparable U.S. Treasury securities for a first lien mortgage loan (nine percentage points for subordinate mortgage liens); or (2) the points and fees exceed 5% of the total loan amount excluding certain prepayment penalties and bona fide discount points.

## **CLOSING PRACTICES**

New Mexico is not a wet settlement state. The caveat being, for purchase transactions, a lender shall deliver the required net loan funds within two business days of the time lender deems the closing agent has fulfilled the requirements of the closing agent’s duties, except for recording of documents, and shall:

1. Authorize the closing agent to record with the county clerk all documents necessary to complete the real estate transaction and release the proceeds of the real estate transaction in accordance with agreed upon escrow instructions;
2. Advise the closing agent of any funding conditions, as set forth in the lender's escrow instructions, that have not been satisfied and instruct the closing agent in writing what is to be done with any of the lender's funds held in escrow; or
3. Advise the closing agent that the documentation for the real estate transaction does not satisfy the lender's escrow instructions, specify the manner in which that documentation does not satisfy those instructions and instruct the closing agent in writing what is to be done with any of the lender's funds held in escrow.(N. M. S. A. 1978, § 58-21-23)

Compliance Focus Areas - New York (NY)



## **APPLICATION DISCLOSURES**

PRE-APPLICATION DISCLOSE AND FEE AGREEMENT FOR USE BY NY REGISTERED MORTGAGE BROKERS (BROKER OR BANKER ACTING AS BROKER):

- Verify broker compensation - this should match the EDGE/Change of Circumstance/Broker Compensation.
- Verify the disclosure date is on or prior to 1003.
- There are two different versions of this form (broker form and a banker acting as broker form). Only one form is required per transaction depending on how the mortgage broker is licensed.
- This disclosure is for broker loans only and must be signed by borrower and broker.

APPLICATION DISCLOSURE (PRIMARY PURCHASES ONLY):

- Verify the disclosure date is on or prior to 1003 for correspondent loans
- Verify the disclosure date is on or prior to submission to UW for wholesale loans.
- For broker loans must be a UWM disclosure and UWM must be named on form.
- This disclosure must be signed by borrower.
- This disclosure is required for purchase transactions only.
- Not applicable for investment properties.

INTEREST RATE DISCLOSURE:

- Verify disclosure dated prior to submission to UW for broker loans or 1003 for correspondent loans.
- For broker loans must be a UWM disclosure and UWM must be named on form.

JUNIOR LIEN DISCLOSURE (HELOC)

- Must be provided within three days of 1003.
- Must be provided within three days of addition of a HELOC.
- Only required on HELOC loans – standalone and piggyback.

## **FULFILLMENT DISCLOSURES**

- The NY Lock-In Agreement and NY Interest Rate Lock Commitment will automatically generate as part of the EASE Docs (Docutech) Closing Disclosure package.
- Lock-In Expiration Notice

## **MARITAL RIGHTS**

New York is **not** a community property state. Non-borrowing non-titled spouses are never required to sign the mortgage, CD and Right to Cancel.

## **PREDATORY LENDING**

UWM does not originate or purchase high-cost home loans. A high-cost home loan is defined as either: 1) the APR exceeds eight percentage points over the yield of Treasury securities having comparable periods of maturity; or 2) total points and fees are in excess of 5% of the total loan amount, excluding certain bona fide discount points.

## **CLOSING PRACTICES**

The lender's attorney closes loans in New York. Purchase transactions may have up to three separate attorneys at closing (lender, borrower and seller). There will also be a title agent that issues insurance. For refinance transactions, there is often only the lender's attorney and a title agent present at closing, although the borrower may bring an attorney also. **CPLs are not required** for closings, however, Error and Omission policies must be supplied for each closing.

## **CEMA LOANS**

CEMA is a loan product that provides substantial tax savings for borrowers. It allows for the consolidation, extension and modification of an existing loan from another lender into a new loan with USFS. Only certain attorneys are permitted to close CEMAs for USFS – reference the approved list on EASE.

Compliance Focus Areas - North Carolina (NC)

### **APPLICATION DISCLOSURES**

*NC OFFICER OF THE COMMISSIONER OF BANKS INFORMATION FROM YOUR MORTGAGE BROKER*

- Must be dated prior to or within three days of the 1003.
- Must be signed by Broker and Borrower.
- Not required on correspondent loans.

NOTICE OF INFORMATION & EXAMPLES OF AMORTIZATION OF HOME LOANS

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to underwriting for wholesale loans.
- Only applicable for loans with a principal amount less than \$300,000.

### **MARITAL RIGHTS**

- North Carolina is a **not** community property state.
- The signatures of both spouses are necessary on a mortgage in order to waive the “elective life estate” of either husband or wife.

### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. In North Carolina a loan is considered high- cost if:

1. The total points and fees payable by the borrower at or before closing exceeds 5% of the loan amount; **or**
2. The lender can collect the prepayment fees/penalties more than 30 months after closing or if the fees exceed 2% of the amount prepaid.

### **CLOSING PRACTICES**

North Carolina is a wet settlement state. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - North Dakota (ND)

### **APPLICATION DISCLOSURES**

MONEY BROKER CONTRACT

- Verify dated on or before 1003.
- Must be signed by Broker and Borrower.
- Only applies to wholesale loans.

MONEY BROKER LOAN DISCLOSURE STATEMENT

- Verify dated prior to submission to underwriting.
- Only applies to wholesale loans.

VA LOAN APPLICANTS DISCLOSURE

- Verify the disclosure date matches the date of 1003.
- Must be signed by Borrower and Broker, or Lender if correspondent loan.

- Applies to VA loans only.

#### **MARITAL RIGHTS**

- North Dakota is **not** a community property state.
- Non-borrowing titled and non-titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property. If can determine with certainty that property is non-homestead, then non-borrowing, non-titled spouse does not need to sign.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. North Dakota has no laws or regulations specifically regulating so-called predatory lending activities or loan terms.

#### **CLOSING PRACTICES**

North Dakota does not have a wet settlement law. There are no laws or regulations requiring that certified or wired funds be available before disbursement of the proceeds of a residential mortgage loan. However, it is common practice in this state for closing agents to require good funds before making disbursements.

Compliance Focus Areas - Ohio (OH)

#### **APPLICATION DISCLOSURES**

##### **ACKNOWLEDGEMENT OF RECEIPT OF HOME MORTGAGE LOAN INFORMATIONAL DOCUMENT**

- Verify dated the same date as 1003 if application taken in person or within 5 days of 1003 if application taken online or by mail.
- Must be signed by borrower.

##### **HOMEBUYERS PROTECTION ACT INFORMATIONAL DOCUMENT**

Verify dated the same date as 1003 if application taken in person or within 5 days of 1003 if application taken online or by mail.

##### **ADDENDUM TO THE UNIFORM RESIDENTIAL LOAN APPLICATION (URLA) FNMA 1003 (EQUAL CREDIT OPPORTUNITY NOTICE)**

Verify dated the same date as 1003.

#### **MARITAL RIGHTS**

- Ohio is **not** a community property state.
- Non-borrowing spouses must sign the Mortgage, CD and Right of Rescission (if applicable).

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan in OH exists where the total points and fees exceed 5% of the total loan amount.

#### **CLOSING PRACTICES**

Ohio has a wet settlement law. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Oklahoma (OK)

#### **APPLICATION DISCLOSURES**

##### **TITLE PROTECTION NOTICE**

- Must be dated on or prior to 1003 for correspondent loans.
- Verify dated on or prior to submission to UW for wholesale loans.

- Purchase Transaction only.

#### **MARITAL RIGHTS**

- Oklahoma is **not** a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Oklahoma state high cost laws follow the federal HOEPA requirements.

#### **CLOSING PRACTICES**

Oklahoma does not have a wet settlement law. However, it is best practice to have funds available at closing.

Compliance Focus Areas - Oregon (OR)

#### **APPLICATION DISCLOSURES**

ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

#### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Only required if advance fees are collected.
- Verify the disclosure is dated prior to or at the time of the collection of advance fees.

#### **INTEREST RATE LOCK/FLOAT AGREEMENT**

- The disclosure must contain the following required verbiage, "The lock may be subject to change if any of the loan factors change."
- Verify the agreement date is on or before the signature date of the 1003.
- This agreement must be signed by the borrower.

#### **MARITAL RIGHTS**

- Oregon is **not** a community property state.
- Non-borrower spouses must sign the mortgage, CD and Right to Cancel (if applicable) **only** when they are already, or intend to be in title.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Oregon law does not contain specific provisions regarding disclosure for high cost mortgage loans.

#### **CLOSING PRACTICES**

Oregon is a dry funding state. There are no laws, regulations, or rules regarding the disbursement of funds at closing.

Compliance Focus Areas - Pennsylvania (PA)

#### **APPLICATION DISCLOSURES**

##### **APPLICATION DISCLOSURE**

- Must disclose which fees paid or to be paid are non-refundable.
- Verify dated on or before 1003.

#### **MARITAL RIGHTS**

- Pennsylvania is not a community property state.

- If non-borrowing spouses are going to be or are currently title holders on the subject property, they are required to sign the Mortgage, CD and Right of Rescission (if applicable).

### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan in Pennsylvania has the same definition as the HOEPA Section 32 test.

### **CLOSING PRACTICES**

- Pennsylvania does not have a wet settlement law, but local custom and practice require funds be disbursed to the settlement agent at, or before closing.
- The Department of Banking has issued a letter stating that a refusal to fund closed mortgage loans after the loan documents have been signed by the borrower is not permissible under the licensing law.

Compliance Focus Areas - Rhode Island (RI)

### **APPLICATION DISCLOSURES**

ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married

### **APPRAISAL FEE DISCLOSURE**

Confirm dated prior to payment of appraisal fee.

### **ANTI-COERCION INSURANCE DISCLOSURE**

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to U/W for wholesale loans.
- Must be signed by borrower.

### **NOTICE OF NON-REFUNDABILITY OF LOAN FEES**

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to U/W for wholesale loans.

PROHIBITED ACTS OF LENDERS AND LOAN BROKERS – PROHIBITED ACTS AND PRACTICES DISCLOSURE REGARDING ALL HOME LOANS

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to U/W for wholesale loans.
- Must be signed by Borrower and Broker, or Lender if correspondent loan.
- Only applies to primary residences.

PROHIBITED ACTS OF LENDERS AND LOAN BROKERS – PROHIBITED ACTS AND PRACTICES DISCLOSURE REGARDING HIGH-COST HOME LOANS

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to U/W for wholesale loans.
- Must be signed by Borrower and Broker, or Lender if correspondent loan.
- Only applies to primary residences.

### **RI HOME LOAN PROTECTION ACT TANGIBLE NET BENEFIT**

- Confirm dated prior to final approval.
- Must be signed by Borrower and Broker or Lender if correspondent loan.
- Refinances only.

- Only applies to primary residences.

#### RIGHT TO CHOOSE TITLE AGENT/ATTORNEY

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to U/W for wholesale loans.
- Must be signed by Borrower.

#### MARITAL RIGHTS

- Rhode Island is **not** community property state.
- If non-borrowing spouses are going to be or are currently title holders on the subject property, they are required to sign the Mortgage, CD and Right of Rescission (if applicable).

#### PREDATORY LENDING

UWM does not originate or purchase high-cost loans. A “high-cost home loan” is a home loan in which the interest rate equals or exceeds 8% points over the yield on comparable U.S. Treasury securities, or the points and fees (less any excluded points and fees) exceed 5% of the total loan amount.

#### CLOSING PRACTICES

Rhode Island is a wet settlement state for purchase money loans. Good funds must be available for disbursement on or before the date of conveyance and/or recordation. If the disbursement is not as provided per the statute, no interest shall be charged for the first 30 days following the closing date.

#### Compliance Focus Areas - South Carolina (SC)

##### APPLICATION DISCLOSURES

##### ATTORNEY AND INSURANCE PREFERABLE DISCLOSURE:

- Verify borrower has indicated choice of closing attorney by listing name of attorney in the attorney selection section (section 1), and also signing and dating that section.
- Verify borrower has indicated choice of homeowner’s insurance company by listing name of insurance company in insurance selection section (section 2), and also signing and dating that section.
- This disclosure applies to all loans, and must be delivered to borrower within three (3) business days (including Saturday) after the application is received or prepared and the completed disclosure must be signed and dated by at least one borrower ***no less than three business days (including Saturday) prior to closing.***
- Broker/Correspondent LO NMLS ID Required on Signature Page.

##### STATE OF SOUTH CAROLINA DEPARTMENT OF CONSUMER AFFAIRS MORTGAGE BROKER FEE AGREEMENT FOR FINANCIAL SERVICES:

- If lender paid broker compensation, verify line #1 Dollar Amount of Yield Spread Premium matches the EDGE/Change of Circumstance/Broker Compensation screen.
- Verify disclosure date is within three days of receipt of the 1003.
- This disclosure applies to brokered loans only, and must be signed by borrower and broker.
- Broker LO NMLS ID Required on Signature Page.

##### AGENCY TO RECEIVE BORROWER COMPLAINTS

- Must be dated within three days of 1003 for correspondent loans.
- Not applicable for wholesale loans.
- Must be signed by borrower.
- Correspondent LO NMLS ID Required on Signature Page.

#### **MARITAL RIGHTS**

- South Carolina is **not** a community property state.
- Non-borrowing spouses are not required to sign the Mortgage, CD and Right of Rescission (if applicable), unless they intend to be on title.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. State high-cost laws in South Carolina cap allowable points and fees at five percent of the total loan amount.

Compliance Focus Areas - South Dakota (SD)

#### **MARITAL RIGHTS**

- South Dakota is **not** a community property state.
- Both Spouses must sign a mortgage to convey interests in the homestead. The exception to this rule is where it can be determined with certainty that the property is non-homestead, then the non-borrowing, non-titled spouse does not need to sign these documents.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. South Dakota has no laws or regulations specifically regulating predatory lending activities or loan terms.

#### **CLOSING PRACTICES**

There are no specific laws in South Dakota on when money must be provided for closing, but general practice is that funds are provided to the settlement agent the day of closing.

Compliance Focus Areas - Tennessee (TN)

#### **APPLICATION DISCLOSURES**

##### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Required if a deposit is required in connection with mortgage application. Deposits include fees paid to a broker, lender or third party service provider.
- Must be signed by the borrower and broker, or lender if correspondent loan.
- Must be dated on or before the date the deposit was taken.

#### **TENNESSEE LICENSE NUMBER:**

- State of Tennessee requires the Tennessee license number held by the Mortgage Loan Originator and the Mortgage Loan Originator's Company to be disclosed on the 1003.
- Needs to include both NMLS license number and specific State of Tennessee license number.
- Document disclosing license numbers must be signed/initialed by borrower to demonstrate acknowledgement

#### **MARITAL RIGHTS**

- Tennessee is not a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). The exception to this rule is where it can be determined with certainty that

the property is non-homestead, then the non-borrowing, non-titled spouse does not need to sign these documents.

### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. A high-cost loan is defined as: Where the APR exceeds the interest rate on comparable US Treasury securities by more than 8% or the total points and fees exceed 5% of the total loan amount.

### **CLOSING PRACTICES**

Tennessee has a wet settlement law. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Texas (TX)

### **REFINANCE TRANSACTIONS**

Cash-out on a primary residence designated as homestead is not allowed unless Section 50(a)(6) of the TX Constitution is adhered to. Proposition 2 allows for 50(a)(6) loans to be converted to rate and term refinances as long as certain requirements are met (see below). Texas' 50(a)(6) guidelines are specific to transactions involving designated homestead properties and do not apply to second home and investment properties.

#### **50(a)(6) REQUIREMENTS:**

- Verify 12-day Disclosure was signed 12 days prior to close.
- Verify at least one year has passed since the last refinance by that borrower of that property (noted on Schedule C of the title commitment).
- Verify CLTV is less than 80%.
- The borrower is given one-day notice to review the fees to be charged (CD). This is customarily managed by the settlement agent.
- There is a two percent cap on points and fees. The points and fees definition under this law is broad and includes compensation paid to both the lender (excluding interest and bona fide discount points) and the broker in addition to many other third party fees such as certification of HOA maintenance fees, credit report, flood certification, mortgage insurance, property tax cert, recording fees, HOA transfer fees (excluding appraisal performed by third party, survey, title policy with relevant endorsements or, title examination fee if title insurance is not issued, hazard insurance, flood insurance and property taxes).
- These requirements are specific to transactions involving primary residences designated as homestead properties.

### **CONVERSION LOAN REQUIREMENTS**

- Previous loan must have been a 50(a)(6)
- Verify Conversion Notice was signed by the borrower within three days of application and at least 12 days prior to close.
- Verify at least one year has passed since the last 50(a)(6) refinance by that borrower of that property (noted on Schedule C of the title commitment).
- Verify CLTV is less than 80%.
- Rate and Term Refinance.

### **APPLICATION DISCLOSURES**

#### **12-DAY DISCLOSURE**



- Applies only to 50(a)(6) loans – this will be noted in the product name of the loan.
- Spouse must sign the disclosure even if they are not on the loan.
- Verify signed by borrower and spouse (if applicable) at least 12 days prior to closing.
- These requirements are specific to transactions involving primary residences designated as homestead properties **Conversion Notice**
- Applies only to conversion 50(f)(4) loans - designated in the EASE Products and Pricing screen.
- Spouse must sign the disclosure even if they are not on the loan.
- Verify Conversion Notice was signed by the borrower and spouse (if applicable) within 3 days of application and at least 12 days prior to close.
- These requirements are specific to transactions involving primary residences designated as homestead properties.

#### **MORTGAGE BANKER DISCLOSURE (CALYX TX MORTGAGE BANKER DISCLOSURE)**

- Must be dated within three days of 1003 for correspondent loans.
- Verify date is on or before submission to U/W for wholesale loans.

#### **MARITAL RIGHTS**

- Texas is a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD, and Right of Rescission (if applicable).
- The exception to this rule is where it can be determined with certainty that the property is non-homestead and non-community property, then the non-borrowing, non-titled spouse does not need to sign these documents. If the non-borrowing non-titled spouse is not executing the above referenced documents, a Non-Homestead Affidavit must be executed at closing by both spouses. The Black Mann and Graham (“BMG”) Non-Homestead Affidavit has been approved for this purpose. If using a law firm other than BMG to prepare closing documents then a similar Non-Homestead Affidavit may be used, but use of such document will require confirmation from the title insurer that it will provide coverage over any potential community property rights or homestead rights of non-Borrowing spouse.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. A high-cost loan in Texas has the same definition as the HOEPA Section 32 test except that the principal amount is less than or equal to one-half of the maximum conventional loan amount.

#### **CLOSING PRACTICES**

- Texas is a wet funds state and requires money to be at closing.
- A CPL is not required for TX HUD REO properties. Instead of a CPL an E&O policy is required.

Compliance Focus Areas - Utah (UT)

#### **APPLICATION DISCLOSURES**

##### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Must be dated prior to collecting any advance fees.
- Must be signed by borrower.

##### **LOAN NOTICE (SERVICING NOTICE)**

Verify disclosure dated on or before submission to underwriting for wholesale loans; on or before 1003 for correspondent loans.

#### **MARITAL RIGHTS**

- Utah is **not** a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. Utah's high cost laws mirror the federal Homeowners Equity Protection Act requirement. The exception to this is when the property is non-homestead and both spouses execute a waiver of homestead.

#### **CLOSING PRACTICES**

Utah is a wet settlement state. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Vermont (VT)

#### **APPLICATION DISCLOSURES**

ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

#### **BROKER/PROSPECTIVE BORROWER AGREEMENT:**

- Verify the disclosure date is on or before 1003.
- This disclosure applies to wholesale loans only and must be signed by the borrower and broker.

#### **FULFILLMENT DISCLOSURE**

COMMITMENT

#### **MARITAL RIGHTS**

- Vermont is **not** a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). The exception to this if it can be determined with certainty that the property is non-homestead, then non-borrowing, non-titled spouse is not required to sign these documents.
- If NBS does not want to sign, the NBS and his/her spouse can sign a separate deed conveying his/her homestead right to the borrowing spouse.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-rate loans. A high-rate loan is defined as either: 1) borrower is charged in excess of four points; or 2) interest in excess of 3% over the declared rate which varies annually.

#### **CLOSING PRACTICES**

Vermont is a wet settlement state. Funds must be disbursed to the settlement agent at, or before loan closing. For refinance transactions the funds must be disbursed prior to 2:00 EST of the first business day after the expiration of rescission.

Compliance Focus Areas - Virginia (VA)

### **APPLICATION DISCLOSURES**

CHOICE OF SETTLEMENT AGENT NOTICE:

- Must be dated within three days of 1003 for correspondent loans.
- Must be dated within three days of submission to UW for wholesale loans.

NOTIFICATION TO VIRGINIA FIRST MORTGAGE LOAN APPLICANTS:

- Verify disclosure date is on or before the signature date of the 1003.
- Not applicable for investment properties.

### **MARITAL RIGHTS**

- Virginia is a community property state.
- Non-borrowing spouses are not required to sign the Mortgage, CD and Right of Rescission (if applicable), unless they intend to be on title.

### **PREDATORY LENDING**

Virginia does not have a high-cost test.

### **CLOSING PRACTICES**

Virginia is a wet settlement state. Funds must be disbursed to the settlement agent at, or before loan closing.

### **AUTO SUBORDINATION**

Virginia statutes authorize a mortgagor to refinance the full balance of a loan secured by a first mortgage or deed of trust without the permission of the holder of a junior lien if:

- I. The principal amount secured by the junior lien does not exceed \$150,000, and
- II. The principal amount secured by the refinance mortgage does not exceed the unpaid outstanding principal balance of the first mortgage or deed of trust plus \$5,000.
- III. The interest rate is stated in the refinance mortgage at the time it is recorded and does not exceed the interest rate set forth in the prior mortgage.

In addition, the following language in all capital letters must be completed and placed on the front page of the mortgage: THIS IS A REFINANCE OF A (DEED OF TRUST, MORTGAGE OR OTHER SECURITY INTEREST) RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT OF (NAME OF COUNTY OR CITY), VIRGINIA, IN DEED BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, IN THE ORIGINAL PRINCIPAL AMOUNT OF \_\_\_\_\_, AND WITH THE OUTSTANDING PRINCIPAL BALANCE WHICH IS \_\_\_\_\_.

Compliance Focus Areas - Washington (WA)

### **APPLICATION DISCLOSURES**

#### DFI'S MODEL DISCLOSURE FORM (A/K/A BROKER APPLICATION DISCLOSURE)

- Verify this disclosure is dated within three days of the 1003.
- Checkboxes as to whether third party fees were paid up front are not required. Some forms may not include checkboxes. If present, they must be completed.
- Contact information for written request can be satisfied by company address elsewhere on form.
- This disclosure must be signed by the borrower.
- This disclosure applies only for broker loans.

#### DEPARTMENT OF FINANCIAL INSTITUTIONS INTEREST RATE LOCK AGREEMENT

- This only applies at application if the loan was locked at application. If locked at application then it must be dated within three days of the 1003.
- This disclosure must be signed by the borrower.

#### ADDENDUM TO RESIDENTIAL MORTGAGE LOAN APPLICATION (A/K/A DOMESTIC PARTNER DISCLOSURE)

- If separate disclosure from 1003, confirm dated prior to closing.
- Not required if Borrower is married.

#### **FULFILLMENT DISCLOSURE**

Interest Rate Lock Agreement (if locked after application)

#### **MARITAL RIGHTS**

- Washington is a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable).

#### **PREDATORY LENDING**

Washington does not have high cost laws.

#### **CLOSING PRACTICES**

Washington is a dry funds state and in most cases an escrow agent will not disburse funds until after the signing of the closing documents.

Compliance Focus Areas - West Virginia (WV)

#### **APPLICATION DISCLOSURES**

##### WV DIVISION OF BANKING TANGIBLE NET BENEFIT WORKSHEET

- Must be completed prior to final approval.
- Must be signed by Borrower, Loan Originator and Loan Originator's Manager.
- Refinances only.
- Only required if refinance is within 24 months of original loan.

#### **MARITAL RIGHTS**

- West Virginia is **not** a community property state.
- Non-borrowing spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable) on homestead property.
- If can determine with certainty that the property is non-homestead, then non-borrowing, non-titled spouse does not need to sign.

#### **PREDATORY LENDING**

UWM does not originate or purchase high-cost loans. West Virginia has no laws or regulations specifically regulating high-cost lending activities.

## **CLOSING PRACTICES**

West Virginia does have a wet settlement law. Good funds must be available for disbursement at or before loan closing, or within one business day after the expiration of the rescission period unless the loan is rescinded. The lender is not entitled to receive or charge any interest on the loan until disbursement of loan funds and loan closing has occurred.

Compliance Focus Areas - Wisconsin (WI)

## **APPLICATION DISCLOSURES**

### **ADVANCED FEE/APPLICATION DISCLOSURE**

- Must be dated prior to or at time of submission to underwriting for broker loans or prior to or at time of 1003 for correspondent loans

### **DISCLOSURE STATEMENT**

- Confirm dated prior to or on 1003 date
- Must be signed or initialed by Borrower
- Not required on correspondent loans

### **OPEN-END CREDIT DISCLOSURE (HELOC)**

- Must be provided within three days of the 1003
- Must be provided within three days of addition of a HELOC
- Only required on HELOC loans – standalone and piggyback

### **MORTGAGE BROKER AGREEMENT - CLOSED END**

- The state law is unclear on date requirements. It is best practice for this agreement to be completed prior to submission to UW.
- Must be signed by Borrower and Broker.
- Required on all broker loans but HELOCs.

### **MORTGAGE BROKER AGREEMENT – OPEN END (HELOC)**

- The state law is unclear on a date requirements. It is best practice for this agreement to be completed prior to submission to UW.
- Must be provided within three days of addition of a HELOC
- Must be signed by Borrower and Broker.
- Only required on HELOC loans – standalone and piggyback.

### **PROPERTY TAX ESCROW OPTION**

- Confirm dated prior to closing
- Not required on escrow waivers, second homes or investment properties

## **MARITAL RIGHTS**

- Wisconsin is not a community property state.
- If a married person executes a conveyance of a homestead, such as by mortgage, both spouses must sign the mortgage unless it is a purchase money mortgage

## **PREDATORY LENDING**

- UWM does not purchase high-cost loans. A high-cost loan is defined as a loan transaction with points and fees payable by the borrower at or before the loan closing that exceed 6% of the total loan amount.

#### **CLOSING PRACTICES**

- Wisconsin is a wet settlement state. Funds must be presented to the closing agent no later than closing.

Compliance Focus Areas - Wyoming (WY)

#### **APPLICATION DISCLOSURES**

Loan Origination and Compensation Agreement

- Verify dated within three business days of 1003.
- This disclosure must be signed by both Borrower and Broker.
- This disclosure applies to wholesale transactions only.

#### **FULFILLMENT DISCLOSURE**

*RE-DISCLOSURE EXPLANATION DOCUMENT*

#### **MARITAL RIGHTS**

- Wyoming is **not** a community property state.
- Non-borrower spouses must sign the mortgage, CD and Right to Cancel (if applicable). If can determine with certainty that the property is non-homestead, then non-borrowing, non-titled spouse does not need to sign.

#### **PREDATORY LENDING**

UWM does not purchase high-cost loans. Wyoming law does not contain specific provisions regarding disclosure for high cost mortgage loans.

#### **CLOSING PRACTICES**

There are no specific laws in Wyoming on when money must be provided for closing, but general practice is that funds are provided to the settlement agent the day of closing.