

Home Mortgage Disclosure Act (HMDA)¹

Background

The Home Mortgage Disclosure Act (HMDA) requires certain financial institutions to collect, report, and disclose information about their mortgage lending activity. HMDA was originally enacted by Congress in 1975 and is implemented by Regulation C (12 CFR [Part 1003](#)).

HMDA was enacted given public concern over credit shortages in certain neighborhoods. In particular, Congress believed that some financial institutions had contributed to the decline of various geographic areas through their failure to provide adequate home financing to qualified applicants on reasonable terms and conditions. Thus, one statutory purpose of HMDA is to provide the public with information that will help show whether financial institutions are serving the housing credit needs of the communities and neighborhoods in which they are located. A second statutory purpose is to aid public officials in distributing public-sector investment so as to attract private investment to areas where it is needed. Finally, the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) amended HMDA to require the collection and disclosure of data about applicant and borrower characteristics to assist in identifying possible discriminatory lending patterns and enforcing antidiscrimination statutes.

As the name implies, HMDA is a disclosure law that relies upon public scrutiny for its effectiveness. It does not prohibit any specific activity of lenders, and it does not establish a quota system of mortgage loans to be made in any geographic area.

Between 1988 and 1992, Congress amended HMDA's coverage. Coverage was expanded in the FIRREA amendments to include many independent non-depository mortgage lenders, in addition to the previously covered banks, savings associations, and credit unions. Coverage of independent mortgage bankers was further expanded by the Federal Deposit Insurance Corporation Improvement Act of 1991 HMDA amendments. For a more detailed discussion of the history of HMDA, see the Federal Financial Institutions Examination Council's (FFIEC) website at www.ffiec.gov/hmda/history2.htm.

Prior to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act), HMDA required financial institutions to report data regarding applications, loan originations, and loan purchases, as well as certain requests under a pre-approval program (as defined in Regulation C). HMDA also required financial institutions to report certain applicant and borrower demographic data, such as ethnicity, race, gender, and gross income. In addition, the reporting of certain pricing information and the type of purchaser was required. Data was reported in a "register" reporting format, compiled by supervisory agencies, and disclosed to the public.

The Dodd-Frank Act amended HMDA to, among other things, require reporting of additional data points, transfer HMDA rulemaking authority from the Board of Governors of the Federal Reserve System (FRB) to the Consumer Financial Protection Bureau (Bureau), and provide the Bureau with authority to mandate collection, recording, and reporting of such other information as the Bureau may require.² In August

¹ 12 USC 2801–2810. The HMDA Interagency Examination Procedures cover HMDA data collected in or after 2018, that is, for loans and applications for which final action was taken in or after 2018.

² In December 2011, the Bureau restated the Board of Governors of the Federal Reserve System's (FRB) existing Regulation

Interagency Consumer Laws and Regulations

HMDA

2014, the Bureau proposed amendments to Regulation C to implement the Dodd-Frank Act changes; to require collection, recording, and reporting of additional information to further HMDA's purposes; and to modernize the manner in which covered financial institutions report HMDA data. The Bureau published a final rule amending Regulation C in October 2015 (2015 HMDA Rule).³ The Bureau published a final rule further amending Regulation C in September 2017 to facilitate implementation of the 2015 HMDA Rule (2017 HMDA Rule).⁴

Beginning in 2018, as discussed further below, the 2015 HMDA Rule requires that financial institutions continue to report data regarding applications, loan originations, and loan purchases. The Bureau's 2015 HMDA Rule changed: (1) the definition of a financial institution that is subject to Regulation C; (2) the types of transactions that are subject to Regulation C; (3) the data that financial institutions are required to collect, record, and report pursuant to Regulation C; and (4) the processes for reporting and disclosing HMDA data. The data are submitted electronically to the Bureau on behalf of the appropriate Federal agency associated with the reporter, and most of the data are made available to the public on both an aggregate and a loan-level basis.⁵

On May 24, 2018, the President signed the Economic Growth, Regulatory Relief, and Consumer Protection Act (2018 Act) into law.⁶ Effective May 24, 2018, Section 104(a) of the 2018 Act created partial exemptions from some of HMDA's requirements for certain covered institutions. On August 31, 2018, the Bureau issued an interpretive and procedural rule (2018 HMDA Rule) to implement and clarify Section 104(a) of the 2018 Act (2018 HMDA Rule). The 2018 HMDA Rule was published in the *Federal Register* on September 7, 2018.⁷

On October 10, 2019, the Bureau issued the 2019 HMDA Rule to extend the temporary threshold for reporting data about open-end lines of credit and implement and further clarify the partial exemptions created by the 2018 Act.⁸

On April 16, 2020, the Bureau issued the 2020 HMDA Rule to adjust the thresholds for reporting data about closed-end mortgage loans, effective July 1, 2020, and the thresholds for reporting data about open-end lines of credit, effective January 1, 2022.⁹

C at 12 CFR 1003. See 76 Fed. Reg. 78465 (Dec. 19, 2011).

³ 80 Fed. Reg. 66128 (Oct. 28, 2015).

⁴ 82 Fed. Reg. 43088 (Sept. 13, 2017).

⁵ Information about the HMDA Platform through which financial institutions submit HMDA data to the Bureau to be processed and disclosed is available at ffiec.cfpb.gov.

⁶ Pub. L. 115-174, 132 Stat. 1296 (2018), Section 104(a) (codified at 12 USC 2803).

⁷ 83 Fed. Reg. 45325 (Sept. 7, 2018).

⁸ 84 Fed. Reg. 57946 (Oct. 29, 2019).

⁹ 85 Fed. Reg. 28364 (May 12, 2020).

Interagency Consumer Laws and Regulations

HMDA

The Federal supervisory agencies use HMDA data to support a variety of activities. For example, some Federal supervisory agencies use HMDA data as part of their fair lending examination process,¹⁰ and other agencies use HMDA data in conducting Community Reinvestment Act (CRA) performance evaluations.¹¹ Moreover, HMDA disclosures provide the public with information on the home mortgage lending activities of particular reporting entities and on activity in their communities. These disclosures are used by local, State, and Federal officials to evaluate housing trends and issues and by community organizations to monitor financial institution lending patterns. Because HMDA data serve numerous important purposes, validating the accuracy of HMDA data is a key element of the Federal supervisory agencies' examination activities.

Coverage

A. Institutional Coverage

Institutional Coverage Generally

An institution is required to comply with Regulation C only if it is a financial institution as that term is defined in Regulation C. The definition of financial institution includes both depository financial institutions and non-depository financial institutions, as those terms are separately defined in Regulation C. 12 CFR 1003.2(g).

An institution uses these two definitions, which are outlined below, as coverage tests to determine whether it is a financial institution that is required to comply with Regulation C. For the purpose of these examination procedures, the term financial institution refers to an institution that is either a depository financial institution or a non-depository financial institution that is subject to Regulation C.

Institutional Coverage Tests

Depository Financial Institutions

A bank, savings association, or credit union is a depository financial institution and subject to Regulation C if it meets **ALL** of the following:

1. **Asset-Size Threshold.** On the preceding December 31, the bank, savings association, or credit union had assets in excess of the asset-size threshold published annually in the *Federal Register*, as included in the Official Interpretations, 12 CFR Part 1003, Comment 2(g)-2, and posted on the Bureau's website. 12 CFR 1003.2(g)(1)(i). The phrase "preceding December 31" refers to the December 31 immediately preceding the current calendar year. For example, in 2021, the preceding December 31 is December 31, 2020. Comment 2(g)-1.
2. **Location Test.** On the preceding December 31, the bank, savings association, or credit union had a home or branch office located in a metropolitan statistical area (MSA). 12 CFR 1003.2(g)(1)(ii).

For purposes of this location test, a branch office for a bank, savings association, or credit union is an

¹⁰ 15 USC 1691–1691f, 42 USC 3605, and 12 CFR 1002.

¹¹ 12 USC 2901–2908, and 12 CFR 25, 195, 228, and 345.

Interagency Consumer Laws and Regulations

HMDA

office: (a) of the bank, savings association, or credit union (b) that is considered a branch by the institution's Federal or State supervisory agency. For purposes of Regulation C, an automated teller machine or other free-standing electronic terminal is not a branch office regardless of whether the supervisory agency would consider it a branch. 12 CFR 1003.2(c)(1).

A branch office of a credit union is any office where member accounts are established or loans are made, whether or not a Federal or State agency has approved the office as a branch. Comment 2(c)(1)-1.

3. **Loan-Activity Test.** During the preceding calendar year, the bank, savings association, or credit union originated at least one home purchase loan or refinancing of a home purchase loan secured by a first lien on a one-to-four-unit dwelling. 12 CFR 1003.2(g)(1)(iii). For more information on whether a loan is secured by a dwelling, is a home purchase loan, or is a refinancing, see 12 CFR 1003.2(f), (j), and (p) and associated commentary.
4. **Federally Related Test.** The bank, savings association, or credit union:
 - a. Is federally insured; or
 - b. Is federally regulated; or
 - c. Originated at least one home purchase loan or refinancing of a home purchase loan that was secured by a first lien on a one-to-four-unit dwelling and also (i) was insured, guaranteed, or supplemented by a Federal agency or (ii) was intended for sale to the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac). 12 CFR 1003.2(g)(1)(iv).
5. **Loan-Volume Thresholds.** The bank, savings association, or credit union meets or exceeds either the closed-end mortgage loan or the open-end line of credit loan-volume threshold in each of the two preceding calendar years.
 - Effective July 1, 2020, a bank, savings association, or credit union that originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 500 open-end lines of credit in each of the two preceding calendar years meets or exceeds the loan-volume threshold.
 - Effective January 1, 2022, when the temporary threshold of 500 open-end lines of credit expires, a bank, savings association, or credit union that originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 200 open-end lines of credit in each of the two preceding calendar years meets or exceeds the loan-volume threshold.

When the bank, savings association, or credit union determines whether it meets these loan-volume thresholds, it does not count transactions excluded by 12 CFR 1003.3(c)(1) through (10) and (13). 12 CFR 1003.2(g)(1)(v). Closed-end mortgage loans, open-end lines of credit, and these excluded transactions are discussed below in TRANSACTIONAL COVERAGE.

When determining if it meets the loan-volume thresholds, a bank, savings association, or credit union only counts closed-end mortgage loans and open-end lines of credit that it originated.

Interagency Consumer Laws and Regulations

HMDA

Only one institution is deemed to have originated a specific closed-end mortgage loan or open-end line of credit under Regulation C, even if two or more institutions are involved in the origination process. Only the institution that is deemed to have originated the transaction under Regulation C counts it for purposes of the loan-volume threshold. Comment 2(g)-5; see also comments 4(a)-2 through -4. These requirements are discussed below in TRANSACTIONS INVOLVING MULTIPLE ENTITIES.

Regulation C also includes a separate test to ensure that financial institutions that meet only the closed-end mortgage loan threshold are not required to report their open-end lines of credit, and that financial institutions that meet only the open-end line of credit threshold are not required to report their closed-end mortgage loans. 12 CFR 1003.3(c)(11) and (12).

Non-depository Financial Institutions

Under Regulation C, a for-profit mortgage-lending institution other than a bank, savings association, or credit union is a non-depository financial institution and subject to Regulation C if it meets **BOTH** of the following:

1. **Location Test.** The institution had a home or branch office in a metropolitan statistical area (MSA) on the preceding December 31. 12 CFR 1003.2(g)(2)(i). The phrase “preceding December 31” refers to the December 31 immediately preceding the current calendar year. For example, in 2021, the preceding December 31 is December 31, 2020. Comment 2(g)-1.

For purposes of this location test, a branch office of a non-depository financial institution is any one of the institution’s offices at which the institution takes from the public applications for covered loans. A non-depository financial institution is also deemed to have a branch office in an MSA or metropolitan division (MD) if, in the preceding calendar year, it received applications for, originated, or purchased five or more covered loans related to property located in that MSA or MD, even if it does not have an office in that MSA. 12 CFR 1003.2(c)(2). Covered loans and applications for covered loans are discussed below in TRANSACTIONAL COVERAGE.

2. **Loan-Volume Thresholds.** The institution meets or exceeds either the closed-end mortgage loan threshold or the open-end line of credit threshold in each of the two preceding calendar years.

- Effective July 1, 2020, an institution that originated at least 100 closed-end mortgage loans in each of the two preceding calendar years or originated at least 500 open-end lines of credit in each of the two preceding calendar years meets or exceeds the loan-volume threshold.
- Effective January 1, 2022, when the temporary threshold of 500 open-end lines of credit expires, an institution that originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 200 open-end lines of credit in each of the two preceding calendar years meets or exceeds the loan-volume threshold.

When an institution determines whether it meets the loan-volume thresholds, it does not count transactions excluded by 12 CFR 1003.3(c)(1) through (10) and (13). 12 CFR 1003.2(g)(2)(ii). Closed-end mortgage loans, open-end lines of credit, and these excluded transactions are discussed below in TRANSACTIONAL COVERAGE.

When determining if it meets the loan-volume thresholds, an institution only counts closed-end mortgage

loans and open-end lines of credit that it originated. Only one institution is deemed to have originated a specific closed-end mortgage loan or open-end line of credit under Regulation C, even if two or more institutions are involved in the origination process. Only the institution that is deemed to have originated the transaction under Regulation C counts it for purposes of the loan-volume threshold. Comment 2(g)-5. See also comments 4(a)-2 through -4. These requirements are discussed below in TRANSACTIONS WITH MULTIPLE ENTITIES.

Regulation C also includes a separate test to ensure that financial institutions that meet only the closed-end mortgage loan threshold are not required to report their open-end lines of credit, and that financial institutions that meet only the open-end line of credit threshold are not required to report their closed-end mortgage loans. 12 CFR 1003.3(c)(11)–(12).

B. Exemptions Based on State Law

Regulation C provides that financial institutions may apply for an exemption from coverage. Specifically, the Bureau may exempt a State-chartered or State-licensed financial institution if the Bureau determines that the financial institution is subject to a State disclosure law that contains requirements substantially similar to those imposed by Regulation C and adequate enforcement provisions. Any State-licensed or State-chartered financial institution or association of such institutions may apply to the Bureau for an exemption. An exempt institution shall submit the data required by State law to its State supervisory agency. 12 CFR 1003.3(a). A financial institution that loses its exemption must comply with Regulation C beginning with the calendar year following the year for which it last reported data under the State disclosure law. 12 CFR 1003.3(b).

C. Transactional Coverage

A financial institution is required to collect, record, and report information only for transactions that are subject to Regulation C.

Covered Loans

A covered loan can be either a closed-end mortgage loan or an open-end line of credit, but an excluded transaction cannot be a covered loan. 12 CFR 1003.2(e).

To determine if a transaction is subject to Regulation C, a financial institution should first determine whether the loan or line of credit involved in the transaction is either a closed-end mortgage loan or an open-end line of credit. See CLOSED-END MORTGAGE LOANS AND OPEN-END LINES OF CREDIT, below. If the loan or line of credit is neither a closed-end mortgage loan nor an open-end line of credit, the transaction does not involve a covered loan, and the financial institution is not required to report information related to the transaction. If the loan or line of credit is either a closed-end mortgage loan or an open-end line of credit, the financial institution must determine if the closed-end mortgage loan or open-end line of credit is an excluded transaction. See EXCLUDED TRANSACTIONS, below. If the closed-end mortgage loan or the open-end line of credit is an excluded transaction, it is not a covered loan, and the financial institution is not required to report information related to the transaction. If the loan or line of credit is a closed-end mortgage loan or an open-end line of credit and is not an excluded transaction, the financial institution may be required to report information related to the transaction. See REPORTABLE ACTIVITY, below.

Interagency Consumer Laws and Regulations

HMDA

Closed-End Mortgage Loans and Open-End Lines of Credit

A closed-end mortgage loan is:

1. An extension of credit,
2. Secured by a lien on a dwelling, and
3. Not an open-end line of credit. 12 CFR 1003.2(d).

An open-end line of credit is:

1. An extension of credit,
2. Secured by a lien on a dwelling, and
3. An open-end credit plan for which:
 - a) The lender reasonably contemplates repeated transactions;
 - b) The lender may impose a finance charge from time-to-time on an outstanding unpaid balance; and
 - c) The amount of credit that may be extended to the borrower during the term of the plan (up to any limit set by the lender) is generally made available to the extent that any outstanding balance is repaid. 12 CFR 1003.2(o); 12 CFR 1026.2(a)(20).

Financial institutions may rely on Regulation Z, 12 CFR 1026.2(a)(20), and its official commentary when determining whether a transaction is extended under a plan for which the lender reasonably contemplates repeated transactions, the lender may impose a finance charge from time-to-time on an outstanding unpaid balance, and the amount of credit that may be extended to the borrower during the term of the plan is generally made available to the extent that any outstanding balance is repaid.

A business-purpose transaction that is exempt from Regulation Z but is otherwise open-end credit under Regulation Z, 12 CFR 1026.2(a)(20), would be an open-end line of credit under Regulation C if it is an extension of credit secured by a lien on a dwelling and is not an excluded transaction. Comment 2(o)-1.

Extension of Credit

A closed-end loan or open-end line of credit is not a closed-end mortgage loan or an open-end line of credit under Regulation C unless it involves an extension of credit. Individual draws on an open-end line of credit are not separate extensions of credit. Comment 2(o)-2.

Under Regulation C,¹² an “extension of credit” generally requires a new debt obligation. Comment 2(d)-2. Thus, for example, a loan modification where the existing debt obligation is not satisfied and replaced is not generally a covered loan (i.e., closed-end mortgage loan or open-end line of credit) under Regulation C. Except as described below, if a transaction modifies, renews, extends, or amends the terms of an existing debt obligation, but the existing debt obligation is not satisfied and replaced, the transaction

¹² It is important to note that Regulation C, comments 2(d)-2 and 2(o)-2 defines the phrase “extension of credit” differently than Regulation B, 12 CFR Part 1002.2(q).

Interagency Consumer Laws and Regulations

HMDA

is not a covered loan.

Regulation C provides two narrow exceptions to the requirement that an “extension of credit” involve a new debt obligation. The exceptions are designed to capture transactions that are substantially similar to new debt obligations and should be treated as such.

First, assumptions are extensions of credit under Regulation C. A loan assumption is a transaction in which a financial institution enters into a written agreement accepting a new borrower in place of an existing borrower as the obligor on an existing debt obligation.

Regulation C clarifies that assumptions include successor-in-interest transactions in which an individual succeeds the prior owner as the property owner and then assumes the existing debt secured by the property. Assumptions are extensions of credit even if the new borrower merely assumes the existing debt obligation and no new debt obligation is created. Comment 2(d)-2.i.

Second, Regulation C provides that transactions completed pursuant to a New York State consolidation, extension, and modification agreement (New York CEMA) and classified as a supplemental mortgage under New York Tax Law Section 255, such that the borrower owes reduced or no mortgage recording taxes, is an extension of credit. However, the regulation also provides that certain transactions providing new funds that are consolidated into a New York CEMA are excluded from the HMDA reporting requirements. Comment 2(d)-2.ii; 12 CFR 1003.3(c)(13).

Secured by a Lien on a Dwelling

A loan is not a closed-end mortgage loan and a line of credit is not an open-end line of credit unless it is secured by a lien on a dwelling. A dwelling is a residential structure. There is no requirement that the structure be attached to real property or that it be the applicant’s or borrower’s residence. Examples of dwellings include:

1. Principal residences;
2. Second homes and vacation homes;
3. Investment properties;
4. Residential structures whether or not attached to real property;
5. Detached residential structures;
6. Individual condominium and cooperative units;
7. Manufactured homes or other factory-built homes; and
8. Multifamily residential structures or communities, such as apartment buildings, condominium complexes, cooperative buildings or housing complexes, and manufactured home communities. 12 CFR 1003.2(f); Comments 2(f)-1 and -2.

A dwelling is not limited to a structure that has four or fewer units. It also includes a multifamily dwelling which is a dwelling that includes five or more individual dwelling units. A multifamily dwelling includes

Interagency Consumer Laws and Regulations

HMDA

a manufactured home community.

A loan related to a manufactured home community is secured by a dwelling even if it is not secured by any individual manufactured homes, but is secured only by the land that constitutes the manufactured home community. However, a loan related to a multifamily residential structure or community other than a manufactured home community is not secured by a dwelling unless it is secured by one or more individual dwelling units. For example, a loan that is secured only by the common areas of a condominium complex or only by an assignment of rents from an apartment building is not secured by a dwelling. Comment 2(f)-2. Further, a covered loan secured by five or more separate dwellings, which are not multifamily dwellings, in more than one location is not a loan secured by a multifamily dwelling. For example, assume a landlord uses a covered loan to improve five or more dwellings, each with one individual dwelling unit, located in different parts of a town, and the loan is secured by those properties. The covered loan is not secured by a multifamily dwelling as defined by Section 1003.2(n). Likewise, a covered loan secured by five or more separate dwellings that are located within a multifamily dwelling, but which is not secured by the entire multifamily dwelling (e.g., an entire apartment building or housing complex), is not secured by a multifamily dwelling as defined by Section 1003.2(n). For example, assume that an investor purchases 10 individual unit condominiums in a 100-unit condominium complex using a covered loan. The covered loan would not be secured by a multifamily dwelling as defined by Section 1003.2(n). Comment 2(n)-3.

The following are not dwellings:

1. Recreational vehicles, such as boats, campers, travel trailers, or park model recreational vehicles;
2. Houseboats, floating homes, or mobile homes constructed before June 15, 1976;
3. Transitory residences, such as hotels, hospitals, college dormitories, or recreational vehicle parks; and
4. Structures originally designed as a dwelling but used exclusively for commercial purposes, such as a home converted to a daycare facility or professional office. Comment 2(f)-3.

A property that is used for both residential and commercial purposes, such as a building that has apartment and retail units, is a dwelling if the property's primary use is residential. Comment 2(f)-4.

A property used for both long-term housing and to provide assisted living or supportive housing services is a dwelling. However, transitory residences used to provide such services are not dwellings. Properties used to provide medical care, such as skilled nursing, rehabilitation, or long-term medical care, are not dwellings. If a property is used for long-term housing, to provide related services (such as assisted living), and to provide medical care, the property is a dwelling if its primary use is residential. Comment 2(f)-5.

A financial institution may use any reasonable standard to determine a property's primary use, such as square footage, income generated, or number of beds or units allocated for each use. It may select the standard on a case-by-case basis. Comments 2(f)-4 and -5.

D. Excluded Transactions

Regulation C does not apply to transactions that are specifically excluded from coverage. 12 CFR

Interagency Consumer Laws and Regulations

HMDA

1003.3(c). Therefore, an excluded transaction is not a covered loan. Regulation C retains and clarifies existing categories of transactions that are excluded from coverage. It also expands the existing exclusion for agricultural loans and adds new categories of transactions that are excluded from coverage. Except as noted below, effective January 1, 2018, the following are excluded transactions:

1. A closed-end mortgage loan or an open-end line of credit that a financial institution originates or purchases in a fiduciary capacity, such as a closed-end mortgage loan or an open-end line of credit that a financial institution originates or purchases as a trustee. 12 CFR 1003.3(c)(1); comment 3(c)(1).
2. A closed-end mortgage loan or an open-end line of credit secured by a lien on unimproved land. 12 CFR 1003.3(c)(2). Generally, a loan or line of credit must be secured by a dwelling to be a covered loan. Regulation C also lists closed-end mortgage loans and open-end lines of credit secured only by vacant or unimproved land as excluded transactions.¹³ However, a loan or line of credit secured by a lien on unimproved land is deemed to be secured by a dwelling (and might not be excluded) if the financial institution knows, based on information that it receives from the applicant or borrower at the time the application is received or the credit decision is made, that the proceeds of that loan or credit line will be used within two years after closing or account opening to construct a dwelling on, or to purchase a dwelling to be placed on, the land. Comment 3(c)(2)-1.
3. A closed-end mortgage loan or an open-end line of credit that is temporary financing. 12 CFR 1003.3(c)(3). A transaction is excluded as temporary financing if it is designed to be replaced by separate permanent financing extended to the same borrower at a later time. The separate permanent financing may be extended by any lender (i.e., by either the lender that extended the temporary financing or another lender). In addition, a construction-only loan or line of credit is considered temporary financing and excluded under Regulation C if the loan or line of credit is extended to a person exclusively to construct a dwelling for sale. Comments 3(c)(3)-1 and -2.
4. The purchase of an interest in a pool of closed-end mortgage loans or open-end lines of credit, such as mortgage-participation certificates, mortgage-backed securities, or real estate mortgage investment conduits. 12 CFR 1003.3(c)(4); Comment 3(c)(4)-1.
5. The purchase solely of the right to service closed-end mortgage loans or open-end lines of credit. 12 CFR 1003.3(c)(5).
6. The purchase of a closed-end mortgage loan or an open-end line of credit as part of a merger or acquisition or as part of the acquisition of all of a branch office's assets and liabilities. 12 CFR 1003.3(c)(6); Comment 3(c)(6)-1. For more information on mergers and acquisitions under Regulation C, see Comments 2(g)-3 and -4.
7. A closed-end mortgage loan or an open-end line of credit, or an application for a closed-end mortgage loan or open-end line of credit, for which the total dollar amount is less than \$500. 12 CFR 1003.3(c)(7).
8. The purchase of a partial interest in a closed-end mortgage loan or an open-end line of credit. 12 CFR

¹³ A dwelling also includes a multifamily residential structure or community such as an apartment, condominium, cooperative building or complex, or a manufactured home community. A loan related to a manufactured home community is secured by a dwelling for purposes of Section 1003.2(f) even if it is not secured by any individual manufactured homes, but only by the land that constitutes the manufactured home community including sites for manufactured homes. Comment 2(f)(2).

Interagency Consumer Laws and Regulations

HMDA

1003.3(c)(8); Comment 3(c)(8)-1.

9. A closed-end mortgage loan or an open-end line of credit if the proceeds are used primarily for agricultural purposes or if the closed-end mortgage loan or open-end line of credit is secured by a dwelling that is located on real property that is used primarily for agricultural purposes. 12 CFR 1003.3(c)(9); Comment 3(c)(9)-1. Regulation C directs financial institutions to Regulation Z's official commentary for guidance on what is an agricultural purpose. Regulation Z's official commentary states that agricultural purposes include planting, propagating, nurturing, harvesting, catching, storing, exhibiting, marketing, transporting, processing, or manufacturing food, beverages, flowers, trees, livestock, poultry, bees, wildlife, fish, or shellfish by a natural person engaged in farming, fishing, or growing crops, flowers, trees, livestock, poultry, bees, or wildlife. See Comment 3(a)-8 in the official interpretations of Regulation Z, 12 CFR Part 1026. A financial institution may use any reasonable standard to determine the primary use of the property, and may select the standard to apply on a case-by-case basis. Comment 3(c)(9)-1.
10. A closed-end mortgage loan or an open-end line of credit that is or will be made primarily for business or commercial purposes, unless it is a home improvement loan, a home purchase loan, or a refinancing. 12 CFR 1003.3(c)(10). Not all transactions that are primarily for a business purpose are excluded transactions. Thus, a financial institution must collect, record, and report data for dwelling-secured, business-purpose loans and lines of credit that are home improvement loans, home purchase loans, or refinancings if no other exclusion applies. For more information on determining whether a loan or line of credit is a home purchase loan, home improvement loan, or refinancing, see 12 CFR 1003.2(f), (i), (j), and (p) and the associated commentary.

Regulation C provides that, if a closed-end mortgage loan or an open-end line of credit is deemed to be primarily for a business, commercial, or organizational purpose under Regulation Z, 12 CFR 1026.3(a) and its official commentary, then the loan or line of credit also is deemed to be primarily for a business or commercial purpose. Comment 3(c)(10)-2. For more information and examples of business-purpose or commercial-purpose transactions that are covered loans, see Comments 3(c)(10)-3 and -4.

11. Effective July 1, 2020 a closed-end mortgage loan if the financial institution originated fewer than 100 closed-end mortgage loans in either of the two preceding calendar years. 12 CFR 1003.3(c)(11). A financial institution is not required to collect, record, or report closed-end mortgage loans if it originated fewer than 100 of them in either of the two preceding calendar years. However, the financial institution may still be required to collect and report information regarding open-end lines of credit, depending on the number of open-end lines of credit it originates in the preceding two calendar years. Comment 3(c)(11)-1. For more information on how to determine if a financial institution "originated" a particular loan when multiple entities are involved in the transaction, see Comments 4(a)-2 through -4.

A financial institution may report applications for, originations of, and purchases of closed-end mortgage loans that are excluded transactions under 12 CFR 1003.3(c)(11). However a financial institution that chooses to report such excluded applications, originations, and purchases must report all such applications it received for closed-end mortgage loans, all closed-end mortgage loans it originates, and all closed-end mortgage loans it purchases that would otherwise be covered loans for a given calendar year. 12 CFR 1003.3(c)(11); Comment 3(c)(11)-2. Regulation B permits a financial institution to collect information regarding the ethnicity, race, and sex of an applicant for a closed-end mortgage loan that is

Interagency Consumer Laws and Regulations

HMDA

an excluded transaction under 12 CFR 1003.3(c)(11), if the financial institution submits HMDA data concerning such closed-end mortgage loans and applications or if it submitted such HMDA data for any of the preceding five calendar years.¹⁴

12. An open-end line of credit if the number of open-end lines of credit that the financial institution originated in either of the two preceding calendar years does not meet or exceed the applicable threshold. 12 CFR 1003.3(c)(12); Comment 3(c)(12)-1. Effective January 1, 2018, until December 31, 2021 the applicable threshold is 500 open-end lines of credit. During this time period, a financial institution is not required to collect, record, or report open-end lines of credit if it originated fewer than 500 of them in either of the two preceding calendar years. Effective January 1, 2022, the applicable threshold is 200 open-end lines of credit and thus a financial institution will not be required to collect, record and report open-end lines of credit if it originated fewer than 200 open-end lines of credit in either of the two preceding calendar years. Comment 3(c)(12)-1. However, the financial institution will still be required to collect and report information regarding closed-end mortgage loans if it originated at least 100 of them in each of the two preceding calendar years. Comment 3(c)(12)-1. For more information on how to determine if a financial institution “originated” a particular line of credit when multiple entities are involved in the transaction, see Comments 4(a)-2 through -4.

A financial institution may report applications for, originations of, or purchases of open-end lines of credit that are excluded transactions under 12 CFR 1003.3(c)(12). However, a financial institution that chooses to report such excluded applications, originations, or purchases must report all applications for otherwise covered open-end lines of credit that it receives, all otherwise covered open-end lines of credit it originates, and all otherwise covered open-end lines of credit it purchases that would otherwise be covered loans for a given calendar year. 12 CFR 1003.3(c)(12); Comment 3(c)(12)-2. Regulation B permits a financial institution to collect information regarding the ethnicity, race, and sex of an applicant for an open-end line of credit that is an excluded transaction under 12 CFR 1003.3(c)(12), if it submits HMDA data concerning such open-end lines of credit and applications or if it submitted such HMDA data for any of the preceding five calendar years.¹⁵

13. A transaction that provided (or, in the case of an application, proposed to provide) new funds to the borrower in advance of being consolidated in a New York CEMA classified as a supplemental mortgage under New York Tax Law Section 255. However, the transaction is excluded only if final action on the consolidation was taken in the same calendar year as the final action on the new funds transaction. 12 CFR 1003.3(c)(13). Additionally, the transaction is excluded only if, at the time that it originated the transaction providing the new funds, the financial institution intended to consolidate the loan into a New York CEMA. This exclusion does not apply to similar preliminary transactions that are consolidated pursuant to laws other than New York Tax Law Section 255. Such preliminary transactions under other laws must be reported if they are covered loans and are not covered by another exclusion. Comment 3(c)(13)-1.

New funds provided in advance of being consolidated into a New York CEMA classified as a

¹⁴ Amendments to Equal Credit Opportunity Act (Regulation B) Ethnicity and Race Information Collection. 82 Fed. Reg. 45680 (Oct. 2, 2017) (October 2017 Regulation B Amendments). This final rule amends Regulation B to allow creditors flexibility in complying with Regulation B to facilitate compliance with Regulation C and transition to the 2016 Uniform Residential Loan Application (URLA).

¹⁵ October 2017 Regulation B Amendments.

supplemental mortgage under New York Tax Law Section 255 are reported only insofar as they form part of the total amount of the reported New York CEMA. They are not reported as a separate amount. If a New York CEMA that consolidates an excluded preliminary transaction is carried out in a transaction involving an assumption, the financial institution reports the New York CEMA and does not report the preliminary transaction separately.

Comment 3(c)(13)-1.

Reportable Activity

Once a financial institution has determined whether a transaction involves a covered loan, it must determine whether it has engaged in activity that obligates it to report information about the transaction. Generally, a financial institution is required to report information for actions taken on applications (as that term is defined below) for covered loans, originations of covered loans, and purchases of covered loans. If a financial institution receives an application and that application results in the financial institution originating a covered loan, the financial institution reports the origination of the covered loan and does not separately report the application. For more information on when to report information regarding applications and covered loans, see **APPLICATIONS** and **ORIGINATIONS AND PURCHASES OF COVERED LOANS**, below. There are special rules that apply if multiple entities are involved in the transaction. These special rules are discussed in **TRANSACTION INVOLVING MULTIPLE ENTITIES**, below. There are also partial exemptions for which the financial institution would not be required to collect, record, or report certain data points for the transaction that qualifies for the partial exemption. These partial exemptions are discussed below in **PARTIAL EXEMPTIONS**.

A. Applications

For purposes of Regulation C, an application is: (a) an oral or written request (b) for a covered loan (c) that is made in accordance with procedures the financial institution uses for the type of credit requested. 12 CFR 1003.2(b)(1).

This definition of application is similar to the Regulation B definition, except that prequalification requests are not applications under Regulation C. Interpretations that appear in the official commentary to Regulation B are generally applicable to the definition of application under Regulation C, except for those interpretations that include a prequalification request within the definition of application. Comment 2(b)-1.

Under Regulation C, a request for a preapproval may be treated differently than a request for a prequalification for certain types of loans. The determination of whether a request is a prequalification request (which is not an application) or a preapproval request (which might be an application) is based on Regulation C, not on the labels that a financial institution uses or interpretations of other regulations, such as Regulation B.

A preapproval request is an application under Regulation C if the request is:

1. For a home purchase loan,
2. Not secured by a multifamily dwelling,

Interagency Consumer Laws and Regulations

HMDA

3. Not for an open-end line of credit or for a reverse mortgage, and
4. Reviewed under a preapproval program (see definition of preapproval program immediately below). 12 CFR 1003.2(b)(2).

A preapproval program for purposes of Regulation C is a program in which the financial institution:

1. Conducts a comprehensive analysis of the applicant's creditworthiness (including income verification), resources, and other matters typically reviewed as part of the financial institution's normal credit evaluation program; and then
2. Issues a written commitment that: (a) is for a home purchase loan; (b) is valid for a designated period of time and up to a specified amount; and (c) is subject only to specifically permitted conditions. 12 CFR 1003.2(b)(2); Comment 2(b)-3.

The written commitment issued as part of the preapproval program can be subject to only the following types of conditions:

1. Conditions that require the identification of a suitable property;
2. Conditions that require that no material change occur regarding the applicant's financial condition or creditworthiness prior to closing; and
3. Limited conditions that (a) are not related to the applicant's financial condition or creditworthiness and (b) the financial institution ordinarily attaches to a traditional home mortgage application. Examples of conditions ordinarily attached to a traditional home mortgage application include requiring an acceptable title insurance binder or a certificate indicating clear termite inspection and, if the applicant plans to use the proceeds from the sale of the applicant's present home to purchase a new home, a settlement statement showing adequate proceeds from the sale of the present home. 12 CFR 1003.2(b)(2); Comment 2(b)-3.

A program that a financial institution describes as a "preapproval program" but that does not satisfy the Regulation C definition is not a preapproval program for purposes of the regulation. Comment 2(b)-3.

If a financial institution does not regularly use procedures to consider requests but instead considers requests on an ad hoc basis, the financial institution is not required to treat the ad hoc requests as having been reviewed under a preapproval program. However, a financial institution should be generally consistent in following uniform procedures for considering such ad hoc requests. Comment 2(b)-3.

Under Regulation C, a financial institution must collect, record, and report data regarding an application it receives if: (1) the application did not result in the financial institution originating a covered loan; and (2) the financial institution took action on the application or the applicant withdrew the application while the financial institution was reviewing it. For example, a financial institution reports information regarding an application that it denied, that it approved but the applicant did not accept, or that it closed for incompleteness. 12 CFR 1003.4(a), 1003.5(a) Comment 4(a)-1. If the application results in the financial institution originating a covered loan, the financial institution reports the covered loan, not the application itself. For more information on reporting applications when multiple entities are involved, see TRANSACTIONS INVOLVING MULTIPLE ENTITIES, below.

Interagency Consumer Laws and Regulations

HMDA

Although requests under preapproval programs are applications, a financial institution reports data regarding a request under a preapproval program only if the preapproval request is denied or approved but not accepted. A financial institution will also report a request under a preapproval program that results in the financial institution originating a home purchase loan, but it will be reported as an originated covered loan. Comment 4(a)-1.ii.

A financial institution reports the data for an application, including a reportable preapproval request, on the HMDA Loan/Application Register (LAR) for the calendar year during which it takes action even if the financial institution received the application in a previous calendar year. Comment 4(a)-1.iv.

B. Originations and Purchases of Covered Loans

A financial institution must collect, record, and report information regarding originations and purchases of covered loans. For more information on when a financial institution reports the origination or purchase of a covered loan when multiple entities are involved, see TRANSACTIONS INVOLVING MULTIPLE ENTITIES, below.

A purchase includes a repurchase of a covered loan, regardless of whether the financial institution chose to repurchase the covered loan or was required to repurchase it because of a contractual obligation, and regardless of whether the repurchase occurred within the same calendar year that the covered loan was originated or in a different calendar year. Comment 4(a)-5.

A purchase does not include a temporary transfer of a covered loan to an interim funder or warehouse creditor as part of an interim funding agreement under which the financial institution that originated the covered loan is obligated to repurchase it for sale to a subsequent investor.

Such funding agreements are often referred to as repurchase agreements and are sometimes used as the functional equivalents of warehouse lines of credit. Comment 4(a)-5.

C. Transactions Involving Multiple Entities

Only one financial institution reports the origination of a covered loan. If more than one institution is involved in the origination of a covered loan, the institution that makes the credit decision approving the application before loan closing or account opening is responsible for reporting the origination of the covered loan. It is not relevant whether the loan closed in the reporting financial institution's name. If more than one institution approved an application prior to loan closing or account opening and one of those institutions purchased the covered loan after closing or account opening, the institution that purchased the covered loan after closing or account opening is responsible for reporting the origination of the covered loan. Comment 4(a)- 2.

If a financial institution reports a covered loan as an origination, it reports all of the information required to be reported for the origination of a covered loan, even if the covered loan was not initially payable to the financial institution that is reporting the covered loan as an origination. Comment 4(a)-2.

In the case of an application that did not result in an origination, a financial institution reports the action it took on that application if it made a credit decision on the application or was reviewing the application when the application was withdrawn or closed for incompleteness. The financial institution is also required to report the application if the financial institution was reviewing the application when it was

withdrawn or the file was closed for incompleteness. Comment 4(a)- 2.ii.

If a financial institution makes a credit decision on a covered loan or application through the actions of an agent, the financial institution reports the covered loan or application. State law determines whether one party is the agent of another party. Comment 4(a)-4.

D. Partial Exemptions

The 2018 Act created partial exemptions from some of the 2015 HMDA Rule's requirements for certain financial institutions. Only certain covered loans and applications are covered under each of the two partial exemptions. If a covered loan or application is covered by a partial exemption, the financial institution is not required to collect, record, and report specific data points. The partial exemptions were effective May 24, 2018, and apply to the collection, recording, and reporting of HMDA data on or after that date. A list of the data points covered by the partial exemptions is provided below. See 2021 A Guide to HMDA Reporting: Getting It Right!

Appendix G for a list of both the partially exempt data fields and data points.

As discussed below, only a financial institution that is an insured credit union or an insured depository institution is eligible for the partial exemptions. Additionally, as explained below, in order to be eligible for the partial exemptions, an insured depository institution must not have received less than satisfactory ratings in its most recent performance evaluations under the Community Reinvestment Act (CRA).¹⁶

As discussed below, each of the partial exemptions applies only to certain covered loans and applications and only if an applicable loan-volume threshold is met. An eligible insured depository institution or insured credit union: (1) must meet the applicable loan-volume threshold for closed-end mortgage loans in order for a partial exemption to apply to its closed-end mortgage loan transactions; and (2) must meet the applicable loan-volume threshold for open-end lines of credit in order for a partial exemption to apply to its open-end line of credit transactions.

The 2018 Act created partial exemptions, not complete exclusions. Therefore, if a covered loan or application is covered by a partial exemption, the financial institution is required to collect, record, and report 22 specific data points specified in 12 CFR 1003.4(a)(1)–(38), but is exempt from collecting, recording, and reporting 26 other specific data points for that transaction.

Additionally, the financial institution may voluntarily report any or all of these remaining 26 data points for a covered loan or application covered by a partial exemption. COLLECTING, RECORDING, AND REPORTING FOR TRANSACTIONS COVERED BY A PARTIAL EXEMPTION, below, discusses the scope of the partial exemptions and includes tables that list both the 22 data points that are required to be collected, recorded, and reported and the 26 data points that are not required to be collected, recorded, and reported if a partial exemption applies to a covered loan or application.

Eligible Financial Institutions

¹⁶ Partial Exemptions from the Requirements of the Home Mortgage Disclosure Act Under the Economic Growth, Regulatory Relief, and Consumer Protection Act (Regulation C), 83 Fed. Reg. 45325 (Sept. 7, 2018).

Interagency Consumer Laws and Regulations

HMDA

In order to be eligible for a partial exemption, a financial institution must be an:

1. “Insured credit union,” as defined in Section 101 of the Federal Credit Union Act, 12 U.S.C. 1752; or
2. “Insured depository institution,” as defined in Section 3 of the Federal Deposit Insurance Act, 12 U.S.C. 1813.

Additionally, a financial institution that satisfies the definition of “insured depository institution” must not have received a less than satisfactory rating in its most recent CRA performance evaluations in order to be eligible for a partial exemption. More specifically, an insured depository institution must not have received either of the following:

1. A rating of “needs to improve record of meeting community credit needs” during each of its two most recent examinations under Section 807(b)(2) of the CRA; or
2. A rating of “substantial noncompliance in meeting community credit needs” on its most recent examination under Section 807(b)(2) of the CRA.

The CRA ratings used to determine if an insured depository institution is eligible for a partial exemption are the institution’s two most recent ratings as of December 31 of the preceding calendar year.

A financial institution that does not satisfy either the definition of an “insured credit union” or an “insured depository institution” may not rely on either of the partial exemptions, even if it satisfies the loan-volume thresholds discussed in PARTIAL EXEMPTION LOAN-VOLUME THRESHOLDS, below. Similarly, an insured depository institution that does not satisfy the criteria regarding CRA examination history cannot rely on either of the partial exemptions.

Partial Exemption Loan-volume Thresholds

In order for a partial exemption to apply to an application or covered loan (including a purchased covered loan), an eligible financial institution must also meet the applicable loan-volume threshold.

A partial exemption applies to an eligible financial institution’s applications for, originations of, and purchases of closed-end mortgage loans if the institution originated fewer than 500 closed-end mortgage loans in each of the two preceding calendar years. When a financial institution determines whether it meets the loan-volume thresholds for a partial exemption, it does not count transactions excluded by 12 CFR 1003.3(c)(1) through (10) and (13).

A partial exemption applies to an eligible financial institution’s applications for, originations of, and purchases of open-end lines of credit if the institution originated fewer than 500 open-end lines of credit in each of the two preceding calendar years.

For example, Bank B is an insured depository institution as defined in Section 3 of the Federal Deposit Insurance Act Insurance Act, and it received satisfactory ratings in its two most recent CRA examinations as of December 31, 2020. In 2019, Bank B originated 550 closed-end mortgage loans and 410 open-end lines of credit. In 2020, Bank B originated 570 closed-end mortgage loans and 425 open-end lines of credit. In 2021, a partial exemption applies to Bank B’s open-end lines of credit transactions, but a partial exemption does not apply to Bank B’s closed-end mortgage transactions. Additionally, because Bank B

Interagency Consumer Laws and Regulations

HMDA

originated at least 500 closed-end mortgage loans in both 2019 and 2020, Bank B cannot exclude closed-end mortgage loans from its reportable transactions in 2021.

The partial exemption for closed-end mortgage loans and the partial exemption for open-end lines of credit operate independently of one another. Thus, in a given calendar year, an eligible financial institution may be able to rely on one or both partial exemptions.

Collecting, Recording, and Reporting for Transactions Covered by a Partial Exemption

If a partial exemption applies to a covered loan or application (as discussed above), the financial institution is not required to collect, record, and report some of the data points that the 2015 HMDA Rule would otherwise require the institution to collect, record, and report for that transaction. More specifically, if a partial exemption applies to a covered loan or application, a financial institution is not required under the HMDA Rule to collect, record, or report the 26 data points listed in the table immediately below.

Data Points Eligible Financial Institutions Need Not Collect or Report under the 2018 HMDA Rule For Transactions Covered by a Partial Exemption

- Universal Loan Identifier (ULI) (1003.4(a)(1)(i))¹⁷
- Application Channel (1003.4(a)(33))
- Loan Term (1003.4(a)(25))
- Reasons for Denial (1003.4(a)(16))¹⁸
- Property Address (1003.4(a)(9)(i))
- Manufactured Home Secured Property Type (1003.4(a)(29))
- Manufactured Home Land Property Interest (1003.4(a)(30))
- Property Value (1003.4(a)(28))
- Multifamily Affordable Units (1003.4(a)(32))
- Debt-to-Income Ratio (1003.4(a)(23))
- Combined Loan-to-Value Ratio (1003.4(a)(24))

¹⁷ If the financial institution chooses not to report a ULI for a covered loan or application covered by a partial exemption, it must report a non-universal loan identifier.

¹⁸ Financial institutions supervised by the Office of the Comptroller of the Currency (OCC) are required to report reasons for denial on their HMDA loan/application registers (HMDA LARs), even if a partial exemption applies. 12 CFR 27.3(a)(1)(i), 128.6.

Interagency Consumer Laws and Regulations

HMDA

- Credit Score (1003.4(a)(15))
- Automated Underwriting System (1003.4(a)(35))
- Interest Rate (1003.4(a)(21))
- Introductory Rate Period (1003.4(a)(26))
- Rate Spread (1003.4(a)(12))
- Non-Amortizing Features (1003.4(a)(27))
- Total Loan Costs or Total Points and Fees (1003.4(a)(17))
- Origination Charges (1003.4(a)(18))
- Discount Points (1003.4(a)(19))
- Lender Credits (1003.4(a)(20))
- Prepayment Penalty Term (1003.4(a)(22))
- Reverse Mortgage Flag (1003.4(a)(36))
- Open-End Line of Credit Flag (1003.4(a)(37))
- Business or Commercial Purpose Flag (1003.4(a)(38))
- Mortgage Loan Originator Identifier (1003.4(a)(34))

A financial institution may opt to collect, record, and report one or more of these 26 data points for a covered loan or application that is covered by a partial exemption.

Seven of these 26 data points (i.e., property address, credit score, reasons for denial, total loan costs or total points and fees, non-amortizing features, application channel, and automated underwriting system) have multiple data fields. If a financial institution opts to report a data point with multiple fields, it must report all of the data fields that make up that data point.

If a financial institution opts not to report one of the 26 data points other than the ULI, the financial institution generally reports that the covered loan or application is exempt from that data point. However, if a data point is not applicable to the particular transaction and the transaction is exempt from that data point, the financial institution may choose to report either that the data point is not applicable or that the transaction is exempt from the data point.

If a covered loan or application is covered by a partial exemption, a financial institution must collect, record, and report 22 data points for the covered loan or application. These 22 data points are set forth in the following table.

Interagency Consumer Laws and Regulations

HMDA

Data Points That Must be Collected and Reported under the 2018 HMDA Rule for Covered Loans and Applications Covered by a Partial Exemption

- Ethnicity (1003.4(a)(10)(i))
- Race (1003.4(a)(10(i)))
- Sex (1003.4(a)(10(i)))
- Age (1003.4(a)(10(ii)))
- Income (1003.4(a)(10(iii)))
- Legal Entity Identifier (LEI) (1003.5(a)(3))
- Application Date (1003.4(a)(10(ii)))
- Preapproval (1003.4(a)(4))
- Loan Type (1003.4(a)(2))
- Loan Purpose (1003.4(a)(3))
- Loan Amount (1003.4(a)(7))
- Action Taken (1003.4(a)(8)(i))
- Action Taken Date (1003.4(a)(8)(ii))
- State (1003.4(a)(9)(ii)(A))
- County (1003.4(a)(9)(ii)(B))
- Census Tract (1003.4(a)(9)(ii)(C))
- Construction Method (1003.4(a)(5))
- Occupancy Type (1003.4(a)(6))
- Lien Status (1003.4(a)(14))
- Number of Units (1003.4(a)(31))
- HOEPA Status (1003.4(a)(13))
- Type of Purchaser (1003.4(a)(11))

Because the partial exemptions do not affect these 22 data points, financial institutions must continue to collect, record, and report these 22 data points for covered loans and applications in the manner specified in the 2015 HMDA Rule, as amended and clarified by the 2017 HMDA Rule. See the discussion

regarding excluded transactions in TRANSACTIONAL COVERAGE, above.

For more information on reporting data points if a covered loan or application is covered by a partial exemption, see the following COMPILED OF LOAN DATA section of these procedures and the Filing Instructions Guide that incorporates the 2018 HMDA Rule available at www.consumerfinance.gov/data-research/hmda/for-filers.

Compilation of Loan Data

Attachment A is a summary of the data points required to be collected, recorded, and reported beginning in 2018 and provides information on where to find specific guidance in the regulation and commentary on what should be included for each data point.¹⁹ Additional information on the data fields and codes used in preparing the HMDA LAR is provided in the HMDA Filing Instructions Guide (FIG) available at ffiec.cfpb.gov/.²⁰

Reporting

A. Recording

Regulation C requires a financial institution to record the data about a covered loan or application on a HMDA LAR within 30 calendar days after the end of the calendar quarter in which the financial institution takes final action on the covered loan or application. 12 CFR 1003.4(f). A financial institution is not required to record all of its HMDA data for a quarter on a single HMDA LAR. Rather, a financial institution may record data on a single HMDA LAR or may record data on one or more HMDA LARs for different branches or different loan types (such as home purchase loans or home improvement loans or loans on multifamily dwellings).

Comment 4(f)-1.

Other State or Federal regulations may require a financial institution to record its data on a HMDA LAR more frequently. Comment 4(f)-2.

Financial institutions may maintain their quarterly records in electronic or any other format, provided they can make the information available to their regulatory agencies in a timely manner upon request. Comment 4(f)-3.

B. Reporting

In addition to the required data discussed in 12 CFR 1003.4(a) and (b), effective January 1, 2019, a

¹⁹ Each data point may correspond to more than one field reported on the HMDA LAR. Accordingly, there are 48 data points described in Regulation C and 110 fields reported on the HMDA LAR. One example of a data point that corresponds to multiple fields is the ethnicity data point. Each applicant and co-applicant may enter up to five ethnicities on their application. See 12 CFR 1003.4(a)(10)(i); Appendix B to Part 1003.

²⁰ The HMDA Filing Instructions Guide (FIG), available at ffiec.cfpb.gov/ contains the file specifications, edit specifications, and additional resources for filing HMDA data collected in or after 2018.

Interagency Consumer Laws and Regulations

HMDA

financial institution must include the following when it submits its HMDA data:

1. Its name;
2. The calendar year and, effective January 1, 2020, if applicable, the calendar quarter to which the data relate (see 12 CFR 1003.5(a)(1)(ii)²¹ for information on quarterly reporting);
3. The name and contact information for a person who can be contacted with questions about the submission;
4. The financial institution's appropriate Federal agency;
5. The total number of entries in the submission;
6. The financial institution's Federal Taxpayer Identification Number (TIN); and
7. The financial institution's Legal Entity Identifier (LEI). 12 CFR 1003.5(a)(3).

If the appropriate Federal agency for a financial institution changes, the financial institution must identify its new appropriate Federal agency in its annual submission for the year of the change.

Comment 5(a)-2. For example, if a financial institution's appropriate Federal agency changes in February 2018, it must identify its new appropriate Federal agency beginning with its annual submission of 2018 data by March 1, 2019. Comment 5(a)-5. For a financial institution required to comply with quarterly reporting requirements (see 12 CFR 1003.5(a)(1)(ii)), the financial institution also must identify its new appropriate Federal agency in its quarterly submission beginning with its submission for the quarter of the change, unless the change occurs during the fourth quarter (in which case, the financial institution would identify the new appropriate Federal agency in its annual submission). For example, if the appropriate Federal agency for a financial institution changes during February 2020, the financial institution must identify its new appropriate Federal agency beginning with its quarterly submission for the first quarter of 2020. Comment 5(a)-2.

If a financial institution obtains a new TIN, it must provide the new TIN in its subsequent data submissions. For example, if two financial institutions that previously reported HMDA data merge and the surviving financial institution retained its LEI but obtained a new TIN, the surviving financial institution reports the new TIN beginning with its next HMDA data submission. Comment 5(a)-5.

A financial institution that is a subsidiary of a bank or savings association must complete its own HMDA LAR and submit it, directly or through its parent, to the appropriate Federal agency for the subsidiary's parent. 12 CFR 1003.5(a)(2). A financial institution is a subsidiary of a bank or savings association (for purposes of reporting HMDA data to the same agency as the parent) if the bank or savings association holds or controls an ownership interest in the financial institution that is greater than 50 percent. Comment 5(a)-3.

C. Annual Reporting

²¹ The quarterly reporting requirement, 12 CFR 1003.5(a)(1)(ii), became effective January 1, 2020.

Interagency Consumer Laws and Regulations

HMDA

Regulation C maintains the annual reporting requirement but requires financial institutions to submit data electronically in accordance with the procedures published by the Bureau. 12 CFR 1003.5(a)(5). These procedures do not provide detailed information about the HMDA submission process or file, data, and edit specifications. Information about those topics can be found on the FFIEC's web pages available at ffiec.cfpb.gov/ and www.ffiec.gov/hmda/.

Under Regulation C, a financial institution must submit its annual HMDA LAR in electronic format to its appropriate Federal supervisory agency by March 1 of the year following the calendar year for which the data are collected. 12 CFR 1003.5(a)(1)(i) An individual who is an authorized representative of the financial institution and who has knowledge regarding the submitted data must certify its accuracy and completeness. 12 CFR 1003.5(a)(1)(i)

A financial institution must retain a copy of its submitted annual HMDA LAR for at least three years. 12 CFR 1003.5(a)(1)(i). Financial institutions may retain their annual HMDA LARs in either paper or electronic form. Comment 5(a)-4.

For more information on reporting under Regulation C or on the electronic submission of data, please see ffiec.cfpb.gov/.

D. Quarterly Reporting

The HMDA Rule requires some financial institutions to report data on a quarterly basis as well as on an annual basis. The quarterly reporting requirement became effective January 1, 2020. It applies to a financial institution that reported at least 60,000 originated covered loans and applications (combined) for the preceding calendar year. The financial institution does not count purchased covered loans when determining whether the quarterly reporting requirement applies. If quarterly reporting is required, the financial institution must report all data required to be recorded for the calendar quarter within 60 calendar days after the end of the calendar quarter.

The quarterly reporting requirement does not apply, however, to the fourth quarter of the year. A financial institution subject to the quarterly reporting requirement reports its fourth-quarter data as part of its annual submission. In its annual submission, a quarterly reporter will resubmit the data previously submitted for the first three calendar quarters of the year, including any corrections to the data, as well as its fourth-quarter data. 12 CFR 1003.5(a)(ii).

Disclosure of Data

A. Disclosure Statement

Under Regulation C, the FFIEC shall provide a notice to the financial institution that the financial institution's disclosure statement (aggregated data derived from loan-level data submitted for the prior calendar year) is available. 12 CFR 1003.5(b)(1). No later than three business days (any calendar day other than a Saturday, Sunday, or legal public holiday) after receiving notice from the FFIEC, the financial institution must make available to the public, upon request, a written notice that clearly conveys that the financial institution's disclosure statement may be obtained on the Bureau's website at www.consumerfinance.gov/hmda. 12 CFR 1003.5(b)(2); comment 5(b)-1. A financial institution's disclosure statement may also be obtained from ffiec.cfpb.gov. A financial institution may, but is not

Interagency Consumer Laws and Regulations

HMDA

required to, use the sample notice in to satisfy Regulation C's disclosure statement requirement. The notice may be made available in paper or electronic form. Comment 5(b)-2.

A financial institution must make the notice available to the public for a period of five years. 12 CFR 1003.5(d)(1).

At its discretion, a financial institution may also provide its disclosure statement and impose a reasonable fee for costs incurred reproducing or providing the statement. 12 CFR 1003.5(d)(2). Even if it provides the disclosure statement, a financial institution must comply with the notice requirement.

B. Modified HMDA LAR²²

Upon request from a member of the public, a financial institution must provide a written notice regarding the availability of its modified HMDA LAR (the financial institution's HMDA LAR, as modified by the Bureau to protect applicant and borrower privacy). 12 CFR 1003.5(c). The written notice must clearly convey that the financial institution's HMDA LAR, as modified by the Bureau to protect borrower and applicant privacy, may be obtained on the Bureau's website at www.consumerfinance.gov/hmda. A financial institution's HMDA LAR is also available at ffiec.cfpb.gov.

A financial institution may, but is not required to, use the sample notice in comment 5(c)-2 to the regulation to satisfy Regulation C's modified HMDA LAR requirement. Comment 5(c)-2. A financial institution may, but is not required to, use the same notice for purposes of this disclosure requirement and the disclosure statement requirement discussed in the DISCLOSURE STATEMENT section above. The notice may be made available in paper or electronic form.

Comment 5(c)-1.

The notice must be made available in the calendar year following the calendar year for which the financial institution collected data. 12 CFR 1003.5(d)(1). The notice must be made available for three years. For example, for data that it was required to collect in 2018, a financial institution must make available a notice through calendar year 2021 that its modified HMDA 2018 LAR is available.

At its discretion, a financial institution may also provide its HMDA LAR, as modified by the Bureau, and impose a reasonable fee for any costs incurred to reproduce or provide the data. 12 CFR 1003.5(d)(2). Even if it decides to provide the modified HMDA LAR, a financial institution must comply with the notice requirement.

C. Posted Notices

A financial institution must post, in the lobby of its home office and each branch office physically located in an MSA or Metropolitan Division (MD), a general notice about the availability of its HMDA data on the Bureau's website. 12 CFR 1003.5(e). A financial institution may, but is not required to, use the sample notice in Comment 5(e)-1 to the regulation to satisfy this requirement. In any case, the notice must clearly convey that the financial institution's HMDA data are available on the Bureau's website at

²² The Bureau's final policy guidance describing the modifications it will make to protect consumer privacy for data collected in 2018 and reported in 2019 is available at www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-announces-policy-guidance-disclosure-home-mortgage-data/.

Interagency Consumer Laws and Regulations

HMDA

www.consumerfinance.gov/hmda. Comment 5(e)-1.

D. Aggregated data

The FFIEC will use the annual data submitted pursuant to Regulation C to make available aggregated data for each MSA and MD, showing lending patterns by property location, age of housing stock, and income level, sex, ethnicity, and race. 12 CFR 1003.5(f).

Administrative Enforcement

A violation of Regulation C is subject to administrative sanctions, including civil money penalties. Compliance can be enforced by the Bureau, the U.S. Department of Housing and Urban Development, the FDIC, the FRB, the National Credit Union Administration, or the Office of the Comptroller of Currency.

An error in compiling or recording data for a covered loan or application is not a violation of HMDA or Regulation C if the error was unintentional and occurred despite maintenance of procedures reasonably adapted to avoid such errors. 12 CFR 1003.6(b)(1). However, a financial institution that obtains the property-location information for applications and covered loans from third parties is responsible for ensuring that the information reported is correct. Comment 6(b)-

1. An incorrect entry for a census tract number is deemed a bona fide error and is not a violation if the financial institution maintains procedures reasonably adapted to avoid such an error. 12 CFR 1003.6(b)(2).

If an institution makes a good-faith effort to record all data concerning covered transactions fully and accurately within thirty calendar days after the end of each calendar quarter, and some data are nevertheless inaccurate or incomplete, the error or omission is not a violation of HMDA or Regulation C, provided that the institution corrects or completes the information prior to submitting the loan/application register to its regulatory agencies. 12 CFR 1003.6(b)(3).

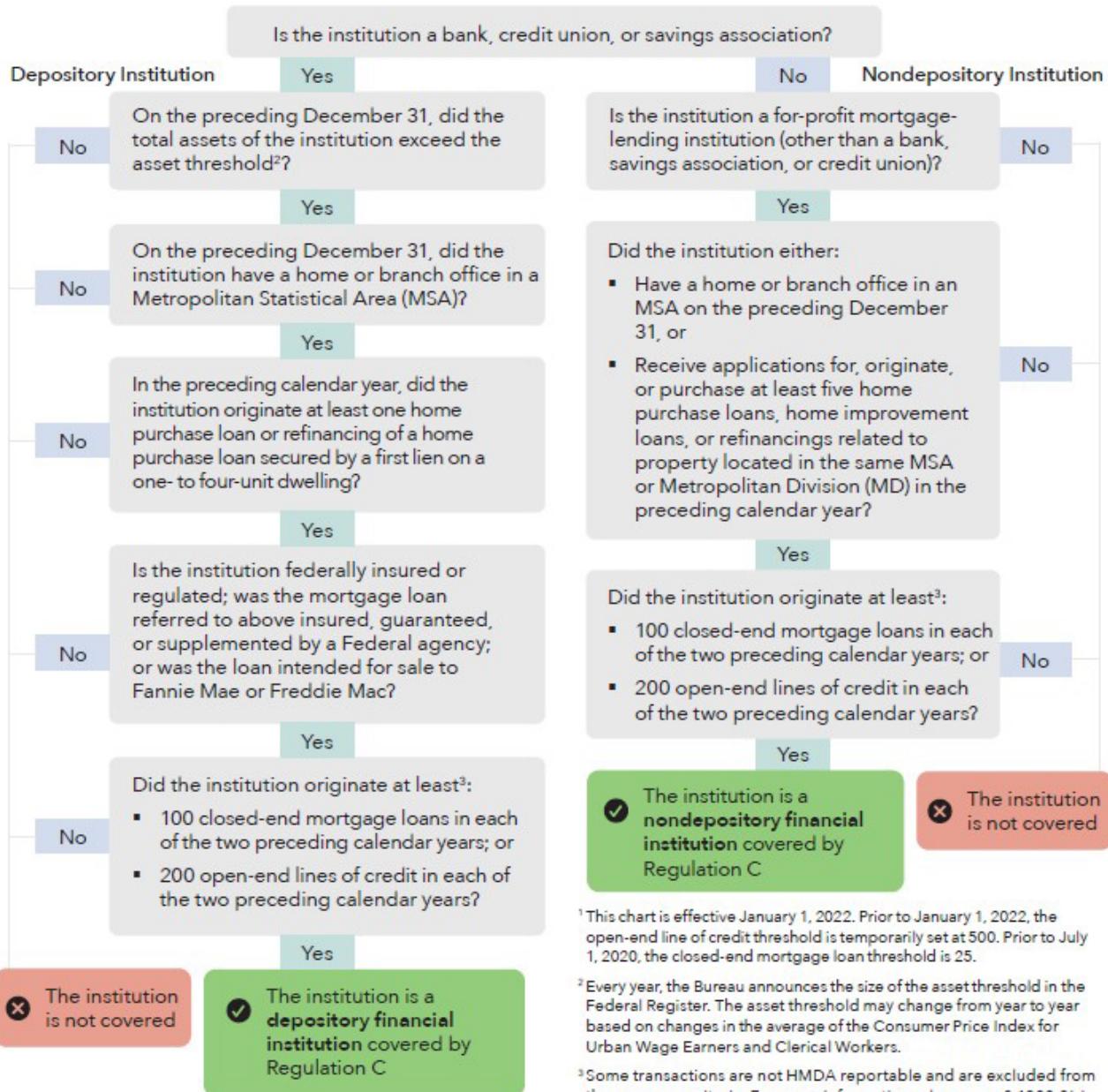
Interagency Consumer Laws and Regulations

HMDA

WHO MUST REPORT: HMDA INSTITUTIONAL COVERAGE

The precise criteria for whether an institution is covered by Regulation C are codified in 12 CFR § 1003.2(g). These criteria are illustrated by the following diagrams.

Coverage criteria | Effective January 1, 2022¹



¹This chart is effective January 1, 2022. Prior to January 1, 2022, the open-end line of credit threshold is temporarily set at 500. Prior to July 1, 2020, the closed-end mortgage loan threshold is 25.

²Every year, the Bureau announces the size of the asset threshold in the Federal Register. The asset threshold may change from year to year based on changes in the average of the Consumer Price Index for Urban Wage Earners and Clerical Workers.

³Some transactions are not HMDA reportable and are excluded from the coverage criteria. For more information, please see § 1003.3(c) of Regulation C.

Interagency Consumer Laws and Regulations

HMDA

HMDA TRANSACTIONAL COVERAGE

Effective January 1, 2022

Under HMDA and Regulation C, a transaction is reportable only if it is an Application for, an origination of, or a purchase of a Covered Loan. These materials illustrate one approach to help determine whether a transaction involves a Covered Loan. If the transaction involves a Covered Loan, it is reported only if the institution meets the applicable loan-volume thresholds. Terms that are defined in Regulation C are capitalized in this document for ease of reference. Click on the numbers below to view the instructions for each step.

Does the transaction involve a Covered Loan?

① Excluded by its purpose? [page 2](#)

No

Yes

② Secured by a lien on a Dwelling? [page 3](#)

Yes

No

③ Involve an extension of credit? [page 4](#)

Yes

No

④ Other exclusions apply? [page 5](#)

No

Yes

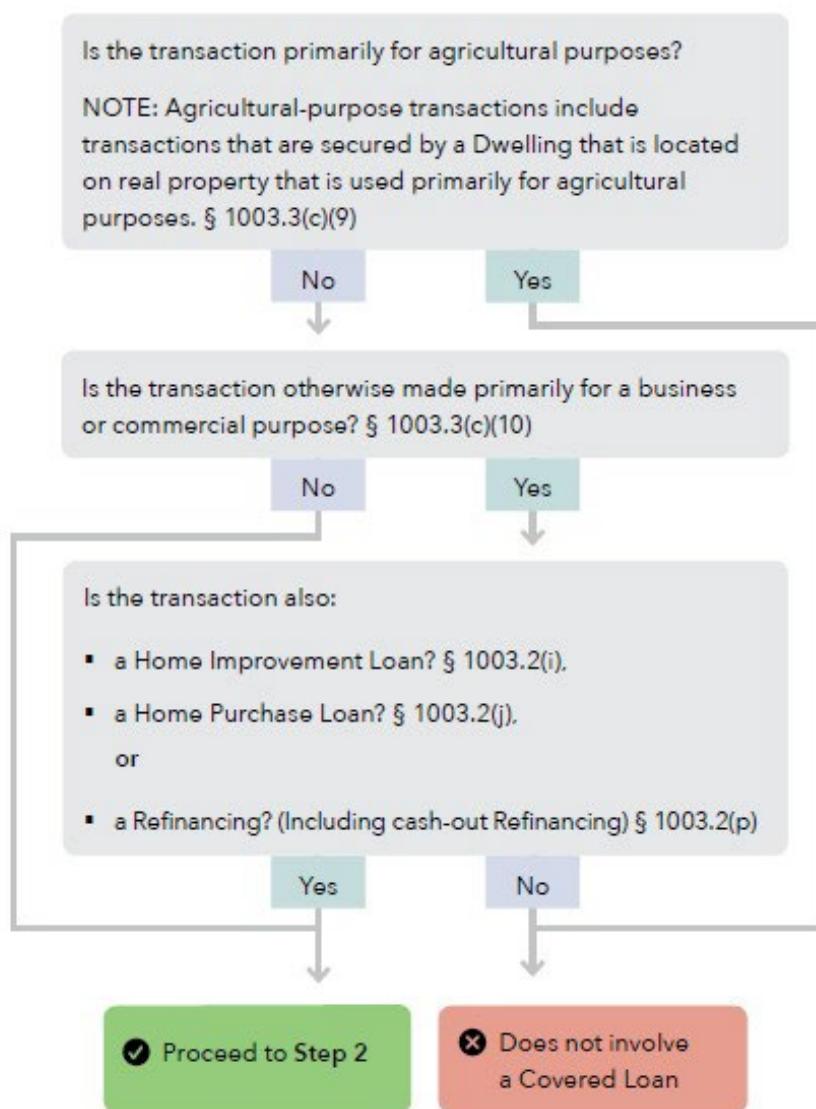
✓ Transaction involves a Covered Loan

✗ Does not involve a Covered Loan

Interagency Consumer Laws and Regulations

HMDA

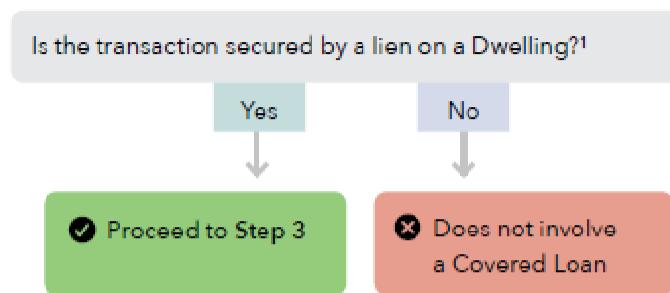
① Is the transaction excluded by its purpose?



Interagency Consumer Laws and Regulations

HMDA

② Is the transaction secured by a lien on a Dwelling?¹



Use the table below to help determine whether the transaction is secured by a lien on a Dwelling.

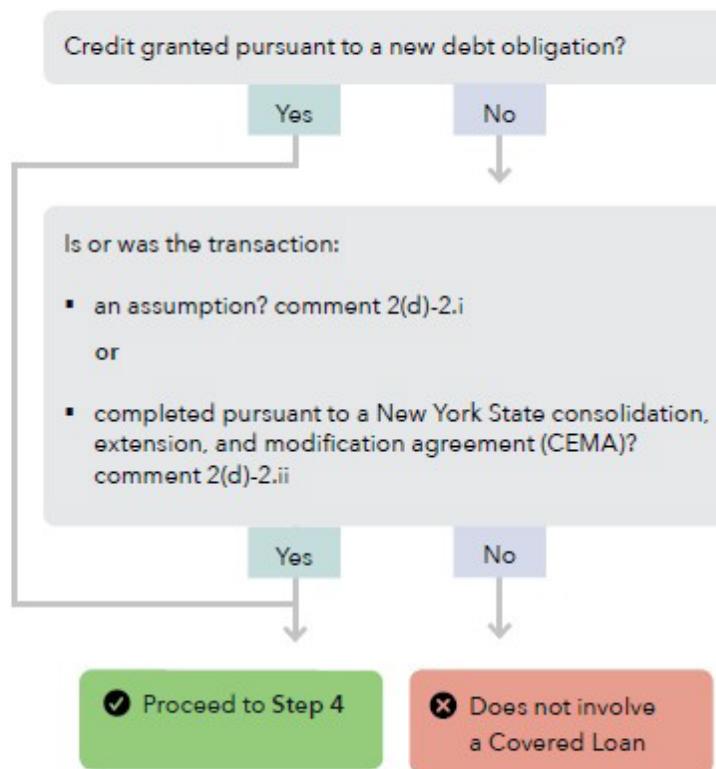
Single family structures	Multifamily structures	Mixed-use purposes
Dwelling	Dwelling	Dwelling
<ul style="list-style-type: none">▪ Principal residences▪ Second homes▪ Vacation homes▪ Manufactured Homes or other factory built homes▪ Investment properties▪ Individual condominium units▪ Detached homes▪ Individual cooperative units	<ul style="list-style-type: none">▪ Apartment buildings or complexes▪ Manufactured home communities▪ Condominium buildings or complexes▪ Cooperative buildings or complexes	<ul style="list-style-type: none">▪ Mixed-use property if primary use is residential▪ Properties for long-term housing and related services (such as assisted living for senior citizens or supportive housing for people with disabilities)▪ Properties for long-term housing and medical care if primary use is residential
Not a Dwelling	Not a Dwelling	Not a Dwelling
<ul style="list-style-type: none">▪ Transitory residences▪ Recreational vehicles▪ Boats▪ Campers▪ Travel trailers▪ Park model RVs▪ Floating homes▪ Houseboats▪ Mobile homes constructed before June 15, 1976	<ul style="list-style-type: none">▪ Transitory residences▪ Hotels▪ Hospitals and properties used to provide medical care (such as skilled nursing, rehabilitation, or long-term medical care)▪ College dormitories▪ Recreational vehicle parks	<ul style="list-style-type: none">▪ Mixed-use property if primary use is not residential▪ Transitory residences▪ Structures originally designed as Dwellings but used exclusively for commercial purposes▪ Properties for long-term housing and medical care if primary use is not residential

¹Dwelling means a residential structure, whether or not attached to real property. § 1003.2(f) and comments 2(f)-1 through -5.

Interagency Consumer Laws and Regulations

HMDA

③ Does the transaction involve an extension of credit?²



² Generally under Regulation C, an extension of credit refers to the granting of credit only pursuant to a new debt obligation. If the transaction modifies, renews, extends, or amends the terms of an existing debt obligation, but the existing debt obligation is not satisfied and replaced, the transaction is not a new extension of credit, unless it falls within the two exceptions noted above. § 1003.2(d) and (o), and comments 2(d)-2 and 2(o)-2

④ Do other exclusions apply? § 1003.3(c)(1) through (8) and (c)(13)

Is or was the transaction:

- originated or purchased by the Financial Institution acting in a fiduciary capacity?
- secured by a lien on unimproved land?
- temporary financing?
- the purchase of an interest in a pool of otherwise Covered Loans, such as mortgage-participation certificates, mortgage-backed securities, or real estate mortgage investment conduits?
- the purchase solely of the right to service an otherwise Covered Loan?
- a purchase as part of a merger or acquisition, or as part of the acquisition of all of the assets and liabilities of a branch office?
- for a total dollar amount that is less than \$500?
- a purchase of a partial interest in an otherwise Covered Loan?
- to provide new funds in advance of a consolidation agreement completed pursuant to a New York State CEMA where consolidation occurred in the same year as final action on the transaction?

If NO to all
of the questions

If YES to any
of the questions

✓ Transaction involves
a Covered Loan

✗ Does not involve
a Covered Loan

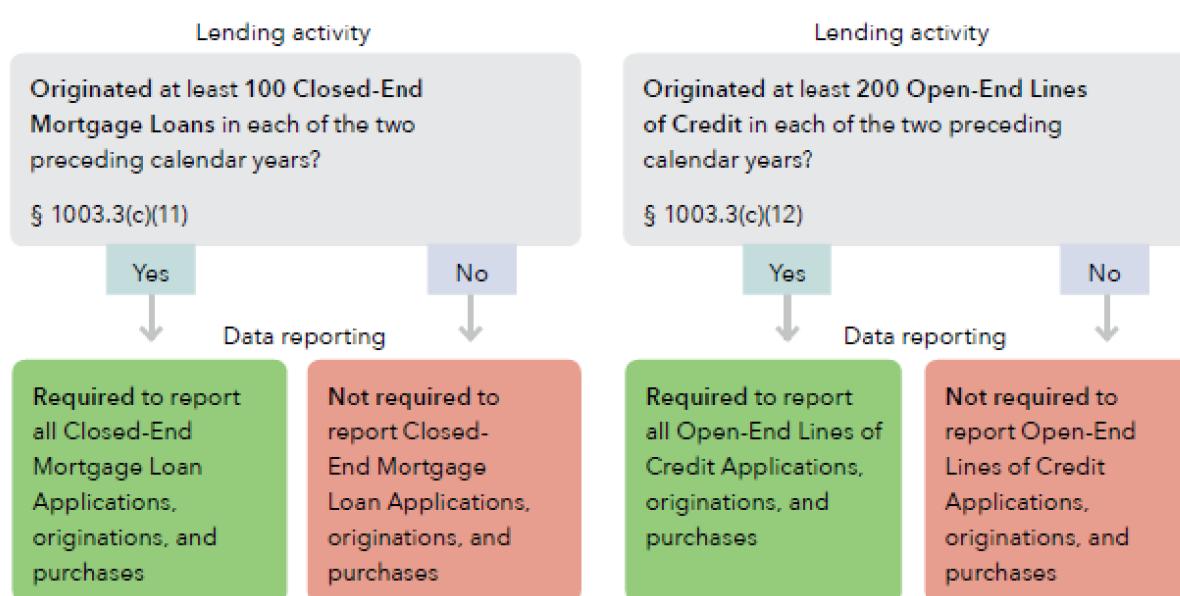
Interagency Consumer Laws and Regulations

HMDA

Transaction involves a Covered Loan

Regulation C provides different loan-volume reporting thresholds for transactions that involve a Covered Loan depending on whether they involve a Closed-End Mortgage Loan or an Open-End Line of Credit. § 1003.3(c)(11) and (12). Reporting is required if a threshold is met in each of the two preceding calendar years.³ (See Institutional coverage chart effective January 1, 2022 for guidance regarding institutional coverage.)

Closed-End Mortgage Loan § 1003.2(d) Open-End Line of Credit § 1003.2(o)



- Only originated Covered Loans count toward the loan-volume thresholds. If a threshold is met, the institution reports all Applications for Covered Loans that it receives, Covered Loans that it originates, and Covered Loans that it purchases for that type of transaction (either Closed-End Mortgage Loan or Open-End Line of Credit, or both, if both thresholds are met).
- Covered consumer and business or commercial purpose originations should be counted together when assessing the individual thresholds for Closed-End Mortgage Loans and Open-End Lines of Credit.
- A financial institution may voluntarily report Closed-End Mortgage Loans or Open-End Lines of Credit that are excluded because the financial institution does not meet the transactional threshold for that type of transaction. However, if it chooses to voluntarily report Closed-End Mortgage Loans or Open-End Lines of Credit, the financial institution must report all such transactions that would otherwise be covered loans for that calendar year.

³This chart is effective January 1, 2022. Prior to January 1, 2022, the open-end line of credit threshold is temporarily set at 500. The closed-end mortgage loan threshold is 25 prior to July 1, 2020.

References

[12 CFR Part 1003](#)

[Official Interpretations, Supplement I to 12 CFR Part 1003](#)

[HMDA Coverage Charts](#)

Institutional coverage charts are reference tools illustrating the criteria to help determine whether an institution is covered by Regulation C. Transactional coverage charts are reference tools illustrating one approach to help determine whether a transaction is reportable under HMDA.

See Coverage Charts:

Effective January 1, 2018 through June 30, 2020

[Institutional coverage chart effective January 1, 2018](#)

[Transactional coverage chart effective January 1, 2018](#)

Effective July 1, 2020 through December 31, 2021

[Institutional coverage chart effective July 1, 2020](#)

[Transactional coverage chart effective July 1, 2020](#)

Effective January 1, 2022 (Included herein at 29 – 35)

[Institutional coverage chart effective January 1, 2022](#)

[Transactional coverage chart effective January 1, 2022](#)

Home Mortgage Disclosure Act Examination Objectives

1. To determine the accuracy and timeliness of the financial institution's HMDA LAR.
2. To determine the financial institution's compliance with disclosure requirements.

Examination Procedures

Initial Procedures

A. Institutional Coverage

Determine whether an institution is subject to Regulation C because it meets the definition of a financial institution. 12 CFR 1003.2(g).

Depository Financial Institutions

A depository financial institution is subject to Regulation C if the requirements of 12 CFR 1003.2(g)(1) are met. If the institution is a bank, savings association, or credit union, determine whether it meets the Asset-Size Threshold Test, the Location Test, the Loan Activity Test, the Federally Related Test, and the Loan-Volume Threshold Test, which are listed below. If all five tests are satisfied, then the financial institution is required to report mortgage data in accordance with Regulation C.

1. **Asset-Size Threshold Test.** Determine whether, on the preceding December 31, the institution had assets in excess of the asset-size threshold published annually in the *Federal Register*, as included in the Official Interpretations, 12 CFR Part 1003, Comment 2(g)-12 CFR 1003.2(g)(1)(i).
2. **Location Test.** Determine whether, on the preceding December 31, the institution had a home or branch office located in an MSA. 12 CFR 1003.2(g)(1)(ii).
3. **Loan Activity Test.** Determine whether the institution originated at least one home purchase loan or refinancing of a home purchase loan secured by a first lien on a one-to-four-unit dwelling during the preceding calendar year. 12 CFR 1003.2(g)(1)(iii).
4. **Federally Related Test.** Determine whether the institution meets one of the following criteria:
 - a. The institution is federally insured or federally regulated. (12 CFR 1003.2(g)(1)(iv)(A)); or
 - b. The institution originated at least one home purchase loan or refinancing of a home purchase loan that was secured by a first lien on a one-to-four-unit dwelling and also (i) was insured, guaranteed, or supplemented by a Federal agency or (ii) was intended for sale to Fannie Mae or Freddie Mac (12 CFR 1003.2(g)(1)(iv)(B)).
5. **Loan-Volume Threshold Test.** Effective July 1, 2020 determine whether the institution originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 500 open-end lines of credit in each of the two preceding calendar years. Effective January 1, 2022,

Interagency Examination Procedures

HMDA

determine whether the institution originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 200 open-end lines of credit in each of the two preceding calendar years. Determine whether transactions are appropriately excluded from coverage by Regulation C according to criteria in 12 CFR 1003.3(c)(1)–(13). The list of excluded transactions and definitions for closed-end mortgage loans and open-end lines of credit are described below in the TRANSACTIONAL COVERAGE section of these procedures.

Non-depository Financial Institutions

A non-depository financial institution is subject to Regulation C if the requirements of 12 CFR 1003.2(g)(2) are met. If the institution is a non-depository financial institution other than a bank, savings association, or credit union, determine whether it meets the Location Test and the Loan-Volume Threshold Test described below. If both tests are satisfied, then the financial institution is required to report mortgage data in accordance with Regulation C.

1. **Location Test.** Determine whether the institution had a home or branch office in an MSA on the preceding December 31. 12 CFR 1003.2(g)(2)(i).
2. **Loan-Volume Threshold Test.** Effective July 1, 2020, determine whether the institution originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 500 open-end lines of credit in each of the two preceding calendar years. Effective January 1, 2022, determine whether the institution originated at least 100 closed-end mortgage loans in each of the two preceding calendar years, or originated at least 200 open-end lines of credit in each of the two preceding calendar years. Determine whether any transactions are appropriately excluded from coverage by Regulation C according to criteria in 12 CFR 1003.3(c)(1)–(13).

The list of excluded transactions and definitions for closed-end mortgage loans and open-end lines of credit are described below in the TRANSACTIONAL COVERAGE section.

Merger or Acquisition Activity

If recent merger or acquisition activity has occurred, determine whether the surviving or newly formed institution meets the definition of financial institution in 12 CFR 1003.2(g). After a merger or acquisition, the surviving or newly formed institution is a financial institution according to 12 CFR 1003.2(g) if it, considering the combined assets, location, and lending activity of the surviving or newly formed institution and the merged or acquired institutions or acquired branches, satisfies the criteria included in 12 CFR 1003.2(g). For examples of institutional coverage by Regulation C after merger or acquisition activity, please see Official Interpretations, Supplement I to 12 CFR Part 1003, Comment 2(g)-3.

B. Transactional Coverage

Determine whether a transaction is subject to Regulation C because it:

1. Meets the definition of a covered loan as defined in 12 CFR 1003.2(e), and
2. Is not an excluded transaction as defined in 12 CFR 1003.3(c)(1)–(13).

Interagency Examination Procedures

HMDA

Covered Loans

Institutions that meet the definition of financial institution according to 12 CFR 1003.2(g) must report data on transactions that meet the definition of a covered loan in 12 CFR 1003.2(e). Types of transactions enumerated in 12 CFR 1003.3(c)(1)–(13) are explicitly excluded from Regulation C reporting requirements.

1. **Covered Loan.** Determine whether the transaction meets the definition of covered loan according to 12 CFR 1003.2(e) and should be reported under Regulation C. A covered loan is a closed-end mortgage loan or an open-end line of credit that is not a transaction specifically excluded from the reporting requirements of the regulation.
 - a. Determine whether the transaction is a closed-end mortgage loan as defined in 12 CFR 1003.2(d). A closed-end mortgage loan is:
 - i. An extension of credit;
 - ii. Secured by a lien on a dwelling; and
 - iii. Is not an open-end line of credit, as defined by 12 CFR 1003.2(o).
 - b. Determine whether the transaction is an open-end line of credit as defined in 12 CFR 1003.2(o). An open-end line of credit is:
 - i. An extension of credit;
 - ii. Secured by a lien on a dwelling; and
 - iii. Is an open-end credit plan as defined in Regulation Z, 12 CFR 1026.2(a)(20), but without regard to whether the credit is consumer credit, as defined in 12 CFR 1026.2(a)(12), is extended by a creditor as defined in 12 CFR 1026.2(a)(17), or is extended to a consumer as defined in 12 CFR 1026.2(a)(11).
2. Note: Further, a covered loan secured by five or more separate dwellings, which are not multifamily dwellings, in more than one location is not a loan secured by a multifamily dwelling. For example, assume a landlord uses a covered loan to improve five or more dwellings, each with one individual dwelling unit, located in different parts of a town, and the loan is secured by those properties. The covered loan is not secured by a multifamily dwelling as defined by Section 1003.2(n). Likewise, a covered loan secured by five or more separate dwellings that are located within a multifamily dwelling, but which is not secured by the entire multifamily dwelling (e.g., an entire apartment building or housing complex), is not secured by a multifamily dwelling as defined by Section 1003.2(n). For example, assume that an investor purchases 10 individual unit condominiums in a 100-unit condominium complex using a covered loan. The covered loan would not be secured by a multifamily dwelling as defined by Section 1003.2(n). Comment 2(n)-3.
3. **Excluded Transactions.** Determine whether the type of transaction is listed as an excluded transaction in 12 CFR 1003.3(c). The following transactions are not required to be reported under Regulation C:

Interagency Examination Procedures

HMDA

- a. A closed-end mortgage loan or open-end line of credit originated or purchased by a financial institution acting in a fiduciary capacity (12 CFR 1003.3(c)(1));
- b. A closed-end mortgage loan or open-end line of credit secured by a lien on unimproved land (12 CFR 1003.3(c)(2));
- c. Temporary financing (12 CFR 1003.3(c)(3));
- d. The purchase of an interest in a pool of closed-end mortgage loans or open-end lines of credit (12 CFR 1003.3(c)(4));
- e. The purchase solely of the right to service closed-end mortgage loans or open-end lines of credit (12 CFR 1003.3(c)(5));
- f. The purchase of closed-end mortgage loans or open-end lines of credit as part of a merger or acquisition, or as part of the acquisition of all of the assets and liabilities of a branch office as defined in 12 CFR 1003.2(c) (12 CFR 1003.3(c)(6));
- g. A closed-end mortgage loan or open-end line of credit, or an application for a closed-end mortgage loan or open-end line of credit, for which the total dollar amount is less than \$500 (12 CFR 1003.3(c)(7));
- h. The purchase of a partial interest in a closed-end mortgage loan or open-end line of credit (12 CFR 1003.3(c)(8));
- i. A closed-end mortgage loan or open-end line of credit that is or will be used primarily for agricultural purposes (12 CFR 1003.3(c)(9));
- j. A closed-end mortgage loan or open-end line of credit that is or will be made primarily for a business or commercial purpose, unless the closed-end mortgage loan or open-end line of credit is a home improvement loan under 12 CFR 1003.2(i), a home purchase loan under 12 CFR 1003.2(j), or a refinancing under 12 CFR 1003.2(p) (12 CFR 1003.3(c)(10));
- k. Exclusions based on a financial institution's loan-volume:
 - i. An institution that originated fewer than 100 closed-end mortgage loans in either of the two proceeding calendar years is not required to report closed-end mortgage loans (12 CFR 1003.3(c)(11)).
 - ii. Effective January 1, 2018, and through December 31, 2021, an institution that originated fewer than 500 open-end lines of credit in either of the two preceding calendar years, and effective January 1, 2022, an institution that originated fewer than 200 open-end lines of credit in either of the two preceding calendar years, is not required to report open-end lines of credit, (12 CFR 1003.3(c)(12)).
- l. A transaction that provided or, in the case of an application, proposed to provide new funds to the applicant or borrower in advance of being consolidated in a New York State consolidation, extension, and modification agreement (as before, New York CEMA) classified as a supplemental mortgage under New York Tax Law section 255, where final

Interagency Examination Procedures

HMDA

action was taken on the consolidation and the new funds transaction in the same calendar year. (12 CFR 1003.3(c)(13)).

Disclosure and Reporting – 12 CFR 1003.5

1. Determine whether the financial institution satisfies requirements related to disclosure and reporting:
 - a. **Reporting to agency.** Determine whether the financial institution submits its HMDA LAR to the appropriate Federal agency no later than March 1 following the calendar year for which the data are compiled. 12 CFR 1003.5(a)(1)(i).
 - b. **HMDA LAR retention.** Determine whether the financial institution retained a copy of its submitted annual HMDA LAR for at least three years. 12 CFR 1003.5(a)(1)(i).
 - c. **Disclosure statement.** Determine whether no later than three business days after the financial institution receives notice from the FFIEC that the financial institution's disclosure statement is available the financial institution makes available to the public upon request at its home office, and each branch office physically located in each MSA and each MD, a written notice that clearly conveys that the financial institution's disclosure statement may be obtained on the Bureau's website at www.consumerfinance.gov/hmda. 12 CFR 1003.5(b)(2). A financial institution's disclosure statement may also be obtained from <https://ffiec.cfpb.gov>.
 - d. **Modified HMDA LAR.** Determine whether the financial institution makes available to the public upon request at its home office, and each branch office physically located in each MSA and each MD, a written notice that clearly conveys that the financial institution's HMDA LAR, as modified by the Bureau to protect applicant and borrower privacy, may be obtained on the Bureau's website at www.consumerfinance.gov/hmda. 12 CFR 1003.5(c). A financial institution's modified HMDA LAR may also be obtained from ffiec.cfpb.gov.
 - e. **Posted notice of availability of data.** Determine whether the financial institution posts a general notice about the availability of its HMDA data in the lobby of its home office and of each branch office located in each MSA and each MD. This notice must clearly convey that the financial institution's HMDA data is available on the Bureau's website at www.consumerfinance.gov/hmda. 12 CFR 1003.5(e). A financial institution's HMDA data is also available at ffiec.cfpb.gov.

If the financial institution is a bank or savings association and has a subsidiary covered by HMDA, determine whether the subsidiary completed a separate HMDA LAR and either submitted it directly or through its parent to the appropriate Federal agency for the parent. For this purpose, a financial institution is a subsidiary of a bank or savings association if the bank or savings association holds or controls an ownership interest of greater than 50 percent in the financial institution. (12 CFR 1003.5(a)(2), Comment 5(a)-6).

Transaction Testing

1. To conduct HMDA transaction testing, examiners select a random sample of entries from the financial institution's HMDA LAR (Total Sample) and ask the financial institution to provide the loan or application files (loan files) that correspond to the HMDA LAR sample entries. The size of the Total

Interagency Examination Procedures

HMDA

Sample will depend on the size of the financial institution's HMDA LAR, as shown in column A of the "HMDA Transaction Testing Sample Sizes and Thresholds" table (HMDA table) on page 10 of the procedures.

2. If a financial institution's HMDA data are collected through multiple data collection and reporting systems, examiners may test a single sample from the financial institution's entire HMDA LAR, test separate samples from each system, or test samples from selected systems chosen based on risk. If examiners do not take a single sample from the entire HMDA LAR, they should document in their work papers from which system(s) they chose the sample(s) and why.
3. Once examiners receive the loan files from the financial institution, they should verify the accuracy of the data in the entries in the HMDA LAR sample(s) against the corresponding loan files. Examiners should document in their work papers any differences between the data in the HMDA LAR and information in files, and determine whether the differences may be explained by any additional information that the financial institution may provide. Differences that are not adequately explained should be identified as errors.
4. All data fields within the sample may be reviewed, or the supervisory agency may prioritize designated fields for review.
5. HMDA transaction testing can be divided into two stages. Both stages test for errors only in individual data fields that are selected for review as provided above in paragraph 4. In Stage 1, examiners review only a subset of the sample (Initial Sample). The size of the Initial Sample will depend on the size of the financial institution's HMDA LAR, as shown in column B of the HMDA table. If the number of errors identified in the Initial Sample falls below the Initial Sample Threshold in column C of the HMDA table for each and every data field reviewed, no further sample review is required and the examiners may conclude the transaction testing. If the number of errors in any data field reviewed equals or exceeds the Initial Sample Threshold in column C of the HMDA table, examiners should proceed to Stage 2 and review the remainder of the Total Sample. In Stage 2, examiners must review all data fields that had one or more errors in the Initial Sample and may review any or all Initial Sample data fields reviewed and found to have no errors in Stage 1.
6. If, after reviewing the remainder of the Total Sample in Stage 2, the total number of errors in any data field equals or exceeds the Resubmission Threshold in column D of the HMDA table, examiners should direct the financial institution to correct any such data field in its full HMDA LAR and resubmit its HMDA LAR with the corrected data field(s).
7. A financial institution may also be directed to correct one or more individual data fields and resubmit its HMDA LAR, even if errors in that field or fields do not meet the Resubmission Threshold in column D of the HMDA table, if examiners have a reasonable basis to believe that errors in that field or fields will likely make analysis of the HMDA data unreliable. To illustrate, assume examiners discover that a financial institution has incorrectly coded withdrawn applications as denials to such an extent that it likely prevents reliable analysis of underwriting disparities in a fair lending examination. Examiners may direct a financial institution to correct the Action Taken data field and resubmit the HMDA LAR even if the number of Action Taken errors found in the Total Sample does not equal or exceed the Resubmission Threshold in column D of the HMDA table.

Interagency Examination Procedures

HMDA

8. A financial institution may be directed to resubmit its HMDA LAR in order to include reportable applications or loans that examiners determined were previously omitted from the HMDA LAR.

Tolerances

9. For the sole purpose of determining whether the number of errors equals or exceeds the Initial Sample Threshold in column C or the Resubmission Threshold in column D of the HMDA table, examiners should not count the following differences between data in the HMDA LAR and in the loan files as errors:

- Three calendar days or less in the date the application was received or the date shown on the application form reported pursuant to 12 CFR 1003.4(a)(1)(ii);
- One thousand dollars or less in the amount of the covered loan or the amount applied for, as applicable, reported pursuant to 12 CFR 1003.4(a)(7);
- Three calendar days or less in the date of the action taken by the financial institution reported pursuant to 12 CFR 1003.4(a)(8)(ii), provided that such differences do not result in reporting data for the wrong calendar year; and
- Rounding errors in reporting the dollar amount, rounded to the nearest thousand, of the gross annual income relied on in making the credit decision or, if a credit decision was not made, the gross annual income relied on in processing the application, reported pursuant to 12 CFR 1003.4(a)(10)(iii).

To illustrate, if a loan file indicates June 4 as the application date, a HMDA LAR application date of June 1 or June 7 would not be counted as an error because it is within three calendar days of June 4, but a HMDA LAR application date of May 31 or June 8 would be counted as an error because it is more than three calendar days from June 4.

Ethnicity or Race Data Errors

10. For purposes of these guidelines, the term “data field” generally refers to individual HMDA Filing Instructions Guide (FIG) fields, each identified by a distinct Data Field Number and Data Field Name. With respect to information on the ethnicity or race of an applicant or borrower, or co-applicant or co-borrower, however, a data field consists of a group of FIG fields as follows:

- The Ethnicity of Applicant or Borrower data field group: comprised of six FIG fields with information on an applicant’s or borrower’s ethnicity (FIG Data Field Numbers 19- 24);
- The Ethnicity of Co-Applicant or Co-Borrower data field group: comprised of six FIG fields with information on a co-applicant’s or co-borrower’s ethnicity (FIG Data Field Numbers 25- 30);
- The Race of Applicant or Borrower data field group: comprised of eight FIG fields with information on an applicant’s or borrower’s race (FIG Data Field Numbers 33-40); and
- The Race of Co-Applicant or Co-Borrower data field group: comprised of eight FIG fields with

Interagency Examination Procedures

HMDA

information on a co-applicant's or co-borrower's race (FIG Data Field Numbers 41-48).²³

To illustrate, for an applicant who indicates "Hispanic or Latino" and "Mexican" in response to the question of ethnicity, a financial institution reports the information in two FIG fields, for example, Ethnicity of Applicant or Borrower: 1 (1: Hispanic or Latino) and Ethnicity of Applicant or Borrower: 2 (11: Mexican). If one or more of the six Ethnicity of Applicant or Borrower FIG fields have errors, they would count as one (and only one) error for that data field group. If the Ethnicity of Applicant or Borrower data field group has errors in the Total Sample that meet or exceed the Resubmission Threshold in column D of the HMDA table, examiners should direct the financial institution to correct the six Ethnicity of Applicant or

Borrower FIG fields and resubmit its HMDA LAR with those FIG fields corrected. See example 4 on page 12 of the procedures.²⁴

Prospective Changes

11. Examiners may direct the financial institution to make any appropriate changes in its policies, procedures, audit processes, or other aspects of its compliance management system needed to prevent the reoccurrence of errors identified within the sample that are—absent such changes—capable of repetition, even if the number of errors does not equal or exceed either the Initial Sample Threshold in column C or the Resubmission Threshold in column D of the HMDA table, or even if the errors fall within the tolerances provided in paragraph 9.

HMDA Transaction Testing Sample Sizes and Thresholds

HMDA LAR count	A Total Sample size	B Initial Sample size	C Initial Sample Threshold	D Resubmission Threshold	
				#	%
25–50	30*	15	2	3	10.0*
51–100	30	20	2	3	10.0
101–130	47	29	2	3	6.4
131–190	56	29	2	3	5.4

²³ Data fields indicating whether ethnicity or race information was collected on the basis of visual observation or surname (FIG Data Field Numbers 31, 32, 49, and 50) are not included in any data group enumerated in paragraph 10 and are treated as individual data fields for purposes of these guidelines.

²⁴ Example 4 describes analogous error rates and corrective actions for the race field. Resubmission Threshold percentage will be higher for financial institutions with fewer than 30 HMDA LAR lines.

Interagency Examination Procedures

HMDA

191–500	59	30	2	3	5.1
501–100,000	79	35	2	4	5.1
100,001+	159	61	2	4	2.5

*For financial institutions with fewer than 30 HMDA LAR lines, the full sample size is the financial institution's total number of HMDA LAR lines. The Resubmission Threshold number remains at 3. Accordingly, the

Examples

1. Financial Institution A's HMDA LAR contains 35 entries. Examiners select a Total Sample of 30 loans as shown in column A of the HMDA table.
 - Examiners test the Initial Sample of 15 as shown in column B of the HMDA table and find two errors in the Action Taken data field, which equals the Initial Sample Threshold in column C of the HMDA table.
 - Accordingly, the examiners proceed to review the remaining 15 entries in the Total Sample and find one additional error in the Action Taken data field for a total of three errors in that field, which equals the Resubmission Threshold in column D of the HMDA table. In the review of the remaining entries in the Total Sample, examiners also find two errors in the Rate Spread data field, which is below the Resubmission Threshold in column D of the HMDA table.
 - Therefore, Financial Institution A is directed to correct the Action Taken data field and resubmit its HMDA LAR with that field corrected.
2. Financial Institution B's HMDA LAR contains 125 entries. Examiners select a Total Sample of 47 loans as shown in column A of the HMDA table.
 - Examiners test the Initial Sample of 29 loans as shown in column B of the HMDA table and find one error in the Action Taken data field, which is less than the Initial Sample Threshold in column C of the HMDA table; one error in the Loan Type data field, which is less than the Initial Sample Threshold; and no other errors.
 - Therefore, examiners end the HMDA transaction testing for Financial Institution B and do not proceed to Stage 2 testing of the 18 remaining entries in the Total Sample because no Stage 1 errors in any single data field equaled or exceeded the Initial Sample Threshold.
3. Financial Institution C's HMDA LAR contains 500,000 entries. Examiners select a Total Sample of 159 loans as shown in column A of the HMDA table.
 - Examiners test the Initial Sample of 61 loans as shown in column B of the HMDA table and find two errors in the Action Taken data field, which equals the Initial Sample Threshold in column C of the HMDA table; and five errors in the Loan Amount data field, which exceeds the Initial Sample Threshold in column C of the HMDA table.

Interagency Examination Procedures

HMDA

- Accordingly, examiners proceed to test the remaining 98 entries in the Total Sample and find two additional errors in the Action Taken data field, for a total of four errors in that field, which equals the Resubmission Threshold in column D of the HMDA table; five additional errors in the Loan Amount data field, for a total of ten errors in that field, which exceeds the Resubmission Threshold in column D of the HMDA table; and four errors in the Census Tract data field, which equals the Resubmission Threshold in column D of the HMDA table.
 - Therefore, Financial Institution C is directed to correct the Action Taken data field, the Loan Amount data field, and the Census Tract data field and resubmit its HMDA LAR with those fields corrected.
4. Financial Institution D's HMDA LAR contains 1,000 entries. Examiners select a Total Sample of 79 loans as shown in column A of the HMDA table.
- Examiners test the Initial Sample of 35 loans as shown in column B of the HMDA table and find one loan with an error in the FIG Applicant or Borrower Race: 1 field, and a different loan with an error in the FIG Applicant or Borrower Race: 2 field, for a total of two errors in the Race of Applicant or Borrower data field group, which equals the Initial Sample Threshold in column C of the HMDA table.
 - Accordingly, the examiners proceed to test the remaining 44 entries in the Total Sample and find one loan with an error in the FIG Applicant or Borrower Race: 2 field, and one loan with errors in both the FIG Applicant or Borrower Race: 1 field and the FIG Applicant or Borrower Race: 2 field, for a total of four loans with at least one error in one of the eight Race of Applicant or Borrower FIG fields, which equals the Resubmission Threshold in column D of the HMDA table.
 - Therefore, Financial Institution D is directed to correct all eight FIG fields in the Race of Applicant or Borrower data field group and resubmit its HMDA LAR with those FIG fields corrected.
 - The following table summarizes how the errors in this example are counted toward the Resubmission Threshold in column D of the HMDA table:

Example: Calculating Error Rates for Applicant or Borrower Race

	FIG Applicant or Borrower Race: 1 field	FIG Applicant or Borrower Race: 2 field	Race of Applicant or Borrower data field group
Loan #1	Error (Initial Sample)		1
Loan #2		Error (Initial Sample)	1

Interagency Examination Procedures

HMDA

Loan #3		Error (Remaining Sample)	1
Loan #4	Error (Remaining Sample)	Error (Remaining Sample)	1
Total errors			4

Interagency Examination Procedures

HMDA

Module 1: Compliance Management System

The Bureau's compliance management review examination procedures are available at: https://s3.amazonaws.com/files.consumerfinance.gov/f/documents/201708_cfpb_compliance-management-review_supervision-and-examination-manual.pdf.

Please note that HMDA is a data collection, reporting, and disclosure statute. Accordingly, HMDA compliance examinations are focused on the validation of an institution's HMDA data through transaction testing and ordinarily do not evaluate consumer harm or review consumer complaints.

Compliance Checklist

Applicability of the Regulation

Is the institution covered by HMDA and Regulation C?	Yes	No	N/A
Did the institution complete transactions covered by HMDA and Regulation C?	Yes	No	N/A

If the answers to both questions are Yes, proceed. If the answer to either question is No, consult with the appropriate Bureau personnel for guidance.

Evaluate Compliance Management System

Does the institution have adequate Board and Management oversight for compliance with HMDA?	Yes	No	N/A
Does the institution implement adequate corrective actions when it identifies potential violations of or risks of non-compliance with HMDA?	Yes	No	N/A
Does the institution have adequate policies and procedures for Ensuring monitoring compliance with HMDA?	Yes	No	N/A
Does the institution provide adequate training for individuals whose responsibilities relate to compliance with HMDA?	Yes	No	N/A
Does the institution conduct adequate monitoring and/or audit of compliance with HMDA?	Yes	No	N/A
Does the institution conduct adequate service provider oversight for compliance with HMDA?	Yes	No	N/A

Interagency Examination Procedures

HMDA

Evaluate Transaction Testing Results

Did the examiner's transaction testing of the sample of the institution's HMDA LAR identify errors above the applicable error-rate thresholds?

Yes No N/A

Evaluate Errors Outside of Transaction Testing Sample

Did the examiner's CMS review or other aspect of the examination identify HMDA errors outside of the transaction testing sample?

Yes No N/A

Reportable HMDA Data: A Regulatory and Reporting Overview Reference Chart for HMDA Data Collected in 2021

This chart is intended to be used as a reference tool for datapoints required to be collected, recorded, and reported under Regulation C, as amended by the HMDA Rules issued on October 15, 2015, on August 24, 2017, on October 10, 2019, and on April 16, 2020.^a Relevant regulation and commentary sections are provided for ease of reference. The chart also incorporates the information found in Section 4.2.2 of the 2021 Filing Instructions Guide and provides when to report not applicable or exempt, including the codes used for reporting not applicable or exempt from section 4 of the 2021 Filing Instructions Guide for ease of reference. This chart does not provide data fields or enumerations used in preparing the HMDA loan/application register (LAR). For more information on preparing the HMDA LAR, please see <http://ffiec.cfpb.gov>.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(1) Legal Entity Identifier (LEI)	§ 1003.4(a)(1)(i)(A)	Identifier issued to the financial institution (FI) by a utility endorsed by the Global LEI Foundation or LEI Regulatory Oversight Committee	Enter your financial institution's LEI. <i>Example:</i> If your institution's LEI is 10BX939C5543TQA1144M, enter 10BX939C5543TQA1144M.	

This is a compliance aid issued by the Consumer Financial Protection Bureau. The Bureau published a policy statement on compliance aids, available at consumerfinance.gov/policy-compliance/rulemaking/final-rules/policy-statement-compliance-aids, that explains the Bureau's approach to compliance aids.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(2) Universal Loan Identifier (ULI) or Non-Universal Loan Identifier (NULI)	§ 1003.4(a)(1)(i), Comments 4(a)(1)(i)-1 through 5, and appendix C	<p>ULI: Identifier assigned to identify and retrieve a loan or application that contains the FI's LEI, an internally generated sequence of characters, and a check digit</p> <p>NULI: Identifier assigned to identify a loan or application</p>	<p>ULI. Assign and report a ULI that:</p> <ol style="list-style-type: none"> 1. Begins with the financial institution's Legal Entity Identifier as defined in § 1003.4(a)(1)(i)(A). 2. Follows the Legal Entity Identifier with up to 23 additional characters to identify the covered loan or application, which: <ul style="list-style-type: none"> ▪ May be letters, numerals, or a combination of letters and numerals; ▪ Must be unique within the financial institution; and ▪ Must not include any information that could be used to directly identify the applicant or borrower. 3. Ends with a two-character check digit that is calculated using the ISO/IEC 7064, MOD 97-10 as it appears on the International Standard ISO/IEC 7064:2003, which is published by the International Organization for Standardization (ISO). <p>A check digit can be generated by:</p> <ul style="list-style-type: none"> ▪ Using the check digit tool. Information regarding the check digit tool will be located at https://ffiec.cfpb.gov/tools/check-digit; or ▪ Applying the procedures provided in appendix C to Regulation C. <p><i>ULI Example:</i></p> 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>NULI. If not reporting a ULI per the 2018 HMDA Rule, assign and report a NULI that:</p> <ol style="list-style-type: none"> 1. Is composed of up to 22 characters, which may include letters, numerals, or a combination of letters and numerals. 2. Is unique within the insured depository institution or insured credit union. 3. Does not include any information that could be used to directly identify the applicant or borrower. <p><i>NULI Example:</i> 999143X</p>	
(3) Application Date	§ 1003.4(a)(1)(ii), Comments 4(a)(1)(ii)-1 through 3	Date the application was received or the date on the application form	<p>Enter, in numeral form, the date the application was received or the date shown on the application form by year, month, and day, using YYYYMMDD format.</p> <p><i>Example:</i> If the application was received on July 21, 2021, enter 20210721.</p>	Enter “NA” for purchased covered loans, § 1003.4(a)(1)(ii).
(4) Loan Type	§ 1003.4(a)(2), Comment 4(a)(2)-1	Whether the loan or application is insured by the Federal Housing Administration, guaranteed by the Department of Veterans Affairs, Rural Housing Service, or Farm Service Agency	<p>Indicate the type of covered loan or application by entering:</p> <ul style="list-style-type: none"> ▪ Code 1—Conventional (not insured or guaranteed by FHA, VA, RHS, or FSA) ▪ Code 2—Federal Housing Administration insured (FHA) ▪ Code 3—Veterans Affairs guaranteed (VA) ▪ Code 4—USDA Rural Housing Service or Farm Service Agency guaranteed (RHS or FSA) 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(5) Loan Purpose	§ 1003.4(a)(3) , Comments 4(a)(3)-1 through -6	Whether the transaction is for home purchase, home improvement, refinancing, cash-out refinancing, or another purpose	Indicate the purpose of the covered loan or application by entering: <ul style="list-style-type: none"> ▪ Code 1—Home purchase ▪ Code 2—Home improvement ▪ Code 31—Refinancing ▪ Code 32—Cash-out refinancing ▪ Code 4—Other purpose ▪ Code 5—Not applicable 	To report not applicable, enter “ Code 5 ” for purchased covered loans where origination took place prior to January 1, 2018, Comment 4(a)(3)-6.
(6) Preapproval	§ 1003.4(a)(4) , Comments 4(a)(4)-1 and -2	Whether the transaction involved a preapproval request for a home purchase loan under a preapproval program	Indicate preapproval for a covered loan or application by entering: <ul style="list-style-type: none"> ▪ Code 1—Preapproval requested ▪ Code 2—Preapproval not requested 	
(7) Construction Method	§ 1003.4(a)(5) , Comments 4(a)(5)-1 through -3	Whether the dwelling is site-built or a manufactured home	Indicate the construction method for the dwelling by entering: <ul style="list-style-type: none"> ▪ Code 1—Site-built ▪ Code 2—Manufactured home 	
(8) Occupancy Type	§ 1003.4(a)(6) , Comments 4(a)(6)-1 through -5	Whether the property will be used as a principal residence, second residence, or investment property	Indicate the occupancy type by entering: <ul style="list-style-type: none"> ▪ Code 1—Principal residence ▪ Code 2—Second residence ▪ Code 3—Investment property 	
(9) Loan Amount	§ 1003.4(a)(7) , Comments 4(a)(7)-1 through -9	Amount of the loan or the amount applied for	Enter, in dollars, the amount of the covered loan, or the amount applied for, as applicable. <p><i>Example:</i> If the loan amount is \$110,500, enter 110500 or 110500.00. If the loan amount is \$110,500.24, enter 110500.24.</p>	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(10) Action Taken and (11) Action Taken Date	§ 1003.4(a)(8), Comments 4(a)(8)(i)-1 through -14 and 4(a)(8)(ii)-1 through -6	Type and date of action the FI took on the loan, application, or preapproval request	<p>ACTION TAKEN. Indicate the action taken on the covered loan or application by entering:</p> <ul style="list-style-type: none"> ▪ Code 1—Loan originated ▪ Code 2—Application approved but not accepted ▪ Code 3—Application denied ▪ Code 4—Application withdrawn by applicant ▪ Code 5—File closed for incompleteness ▪ Code 6—Purchased loan ▪ Code 7—Preapproval request denied ▪ Code 8—Preapproval request approved but not accepted <p>ACTION TAKEN DATE. Enter, in numeral form, the date of action taken by year, month, and day, using YYYYMMDD format. <i>Example:</i> If the action taken date is July 21, 2021, enter 20210721.</p>	
(12) Property Address	§ 1003.4(a)(9)(i), Comments 4(a)(9)-1 through -5 and 4(a)(9)(i)-1 through -3	Address of the property securing the loan (or proposed to secure a loan)	<p>STREET ADDRESS. Enter the street address of the property as one (1) data field. U.S. Postal Service Publication 28, Subsections 231–239, can be used as a guide for formatting the street address to help improve geocoding accuracy. Address components include, as applicable, the following individual items:</p> <ul style="list-style-type: none"> ▪ Primary Address Number ▪ Predirectional ▪ Street Name ▪ Prefix ▪ Suffix ▪ Postdirectional ▪ Secondary Address Identifier, such as apartment ▪ Secondary Address, such as apartment number <p>CITY. Enter the city of the property as one (1) data field.</p>	Enter “NA” in each of the property address fields for: <ul style="list-style-type: none"> ▪ Covered loans or applications if the property address of the property securing the covered loan is not known (e.g., the property did not have a property address at closing, or the property address was not provided to the institution before the application was denied, withdrawn, or closed for incompleteness), Comment 4(a)(9)(i)-3; ▪ Covered loans or applications if a site of a manufactured home has not been identified, Comment 4(a)(9)-5.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>STATE. Enter the two letter state code of the property as one (1) data field.</p> <p>ZIP CODE. Enter the ZIP code of the property as one (1) data field.</p> <p>NON-STANDARD ADDRESSING. U.S. Postal Service Publication 28, Subsection 24, 25, and 29, respectively, can be used as guides for formatting non-standard style addressing including rural route, Highway Contract Route, and Puerto Rico addresses to increase the accuracy for geocoding.</p> <p>The following address formats are generally not preferred:</p> <ul style="list-style-type: none"> ▪ General Delivery addresses, such as General Delivery, Anytown, CA 90049-9998. ▪ Post Office Box addresses, such as P.O. Box 100 Anytown, CA 90049-9998. ▪ Spelled-out numbers, such as Four Hundred Fifty Six W Somewhere Ave Apt Two Hundred One. 	<p>STATE ONLY: For transactions for which State reporting is not required under § 1003.4(a)(9)(i), a financial institution may not report not applicable for the Property Address State unless the institution is permitted to report not applicable for State for Property Location. See below for when you may report not applicable for Property Location.</p> <p>Enter “Exempt” in the Street Address, City, and Zip Code fields if, pursuant to the 2018 HMDA Final Rule, if your institution is not reporting Property Address.</p>
(13), (14), and (15) Property Location	§ 1003.4(a)(9)(ii) , Comments 4(a)(9)-1 through 5 , 4(a)(9)(ii)-1 , 4(a)(9)(ii)(A)-1 , 4(a)(9)(ii)(B)-1 and -2 , and 4(a)(9)(ii)(C)-1 and -2	Location of the property securing the loan (or proposed to secure a loan) by state, county, and census tract	<p>COUNTY. Enter the five-digit Federal Information Processing Standards (FIPS) numerical code for the county. Do not use commas.</p> <p><i>Example:</i> Enter 06037 for the FIPS code for Los Angeles County, CA.</p> <p>CENSUS TRACT. Enter the 11-digit census tract number as defined by the U.S. Census Bureau. Do not use decimals.</p> <p><i>Example:</i> Enter 06037264000 for a census tract within Los Angeles County, CA.</p>	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Applications only if the state, county, or census tract in which the property is located is not known before the application is denied, withdrawn, or closed for incompleteness, Comments 4(a)(9)(ii)(A)-1, 4(a)(9)(ii)(B)-2, and 4(a)(9)(ii)(C)-2; ▪ Covered loans or applications if a site of a manufactured home has not been identified, Comment 4(a)(9)-5;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>STATE. Enter the two letter state code of the property as one (1) data field.</p>	<ul style="list-style-type: none"> ▪ Covered loans or applications if the property is not located in an Metropolitan Statistical Area (MSA) or Metropolitan Division (MD) in which the institution has a home or branch office and the institution is not required to report data on small business, small farm, and community development lending under regulations that implement the Community Reinvestment Act of 1977, § 1003.4(a)(9)(ii) and § 1003.4(e); ▪ CENSUS TRACT ONLY: Covered loans or applications if the property is located in a county with a population of 30,000 or less according to the most recent decennial census conducted by the U.S. Census Bureau, § 1003.4(a)(9)(ii)(C). <p>NOTE: For transactions for which State, county, or census tract reporting is not required under § 1003.4(a)(9)(ii) or § 1003.4(e), financial institutions may report that the requirement is not applicable, or they may voluntarily report the State, county, or census tract information, Comment 4(a)(9)(ii)-1.</p> <p>STATE ONLY: For transactions for which State reporting is not required under § 1003.4(a)(9)(ii), a financial institution may not report not applicable for the Property Location State unless the</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(16) Ethnicity,	§ 1003.4(a)(10)(i) , Comments 4(a)(10)(i)-1 and -2 and appendix B	Applicant's or borrower's ethnicity, race, and sex, and if information was collected by visual observation or surname	<p>ETHNICITY OF APPLICANT OR BORROWER. Indicate the ethnicity of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, by entering up to five (5):</p> <ul style="list-style-type: none"> ▪ Code 1—Hispanic or Latino <ul style="list-style-type: none"> ○ Code 11—Mexican ○ Code 12—Puerto Rican ○ Code 13—Cuban ○ Code 14—Other Hispanic or Latino <p>NOTE: If the applicant or borrower, or any co-applicant or co-borrower, did not select Code 14, but provided an other Hispanic or Latino ethnicity(ies) in the Ethnicity Free Form Text Field for Other Hispanic or Latino, your institution is <i>permitted, but not required</i>, to report Code 14 in one of the Ethnicity of Applicant or Borrower data fields. This will be counted as one of the five (5) reported ethnicities, whether or not you also choose to report Code 14 as one of the Ethnicity of Applicant or Borrower, or Ethnicity of Co-Applicant or Co-Borrower, data fields. See below for information about the Ethnicity Free Form Text Field for Other Hispanic or Latino.</p> <ul style="list-style-type: none"> ▪ Code 2—Not Hispanic or Latino ▪ Code 3—Information not provided by applicant in mail, internet, or telephone application <p>NOTE: Use Code 3 if the applicant or borrower, or co-applicant or co-borrower does not provide the information in an application</p>	institution is permitted to report not applicable for Property Address. See above for when you may report not applicable for Property Address. <p>To report not applicable, enter “Code 4” for Ethnicity of Applicant or Borrower and “Code 3” for Ethnicity Collected on the Basis of Visual Observation or Surname for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans for which the financial institution chooses not to report the applicant's or co-applicant's ethnicity, race, and sex, appendix B; ▪ Covered loans or applications when applicant or co-applicant is not a natural person, appendix B. <p>NOTE: Use Code 3 for Ethnicity Collected on the Basis of Visual Observation or Surname if the financial institution received the application <i>prior to</i> January 1, 2018, and the financial institution chooses not to report whether the ethnicity of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname, Comment 4(a)(10)(i)-2.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>taken by mail, internet, or telephone. <i>Leave the remaining Ethnicity of Applicant or Borrower data fields blank.</i></p> <ul style="list-style-type: none"> ▪ Code 4—Not applicable NOTE: Use Code 4 if the requirement to report the applicant’s or borrower’s ethnicity does not apply to the covered loan or application that your institution is reporting. <i>Leave the remaining Ethnicity of Applicant or Borrower data fields blank.</i> ▪ Code 5—No co-applicant NOTE: Use Code 5 in the co-applicant field if there are no co-applicants or co-borrowers. <i>Leave the remaining Ethnicity of Applicant or Borrower data fields blank.</i> <p>If there is more than one co-applicant or co-borrower, provide the required information only for the first co-applicant or co-borrower listed on the collection form.</p> <p>Do not enter the same code more than once for the applicant or borrower, or any co-applicant or co-borrower, as applicable, for any covered loan or application.</p> <p>If fewer than five (5) ethnicities are provided by the applicant or borrower, or by any co-applicant or co-borrower, leave the remaining Ethnicity of Applicant or Borrower data fields blank.</p> <p>ETHNICITY FREE FORM TEXT FIELD. Enter the specific other Hispanic or Latino ethnicity(ies) not listed above, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. For example, enter Argentinean, Colombian, Dominican, Spanish, and so on, if provided by the</p>	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>applicant or borrower, or by any co-applicant or co-borrower, as applicable. Enter more than one other Hispanic or Latino ethnicity, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. The maximum number of characters for this field is 100 characters, including spaces. If the applicant or borrower, or any co-applicant or co-borrower, did not provide an other Hispanic or Latino ethnicity(ies), leave this field blank.</p> <p>ETHNICITY COLLECTED ON THE BASIS OF VISUAL OBSERVATION OR SURNAME. Indicate whether the ethnicity of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname by entering:</p> <ul style="list-style-type: none"> ▪ Code 1—Collected on the basis of visual observation or surname ▪ Code 2—Not collected on the basis of visual observation or surname ▪ Code 3—Not applicable <p>NOTE: Use Code 3 if the requirement to report the applicant’s or borrower’s ethnicity does not apply to the covered loan or application that your institution is reporting.</p> ▪ Code 4—No co-applicant <p>NOTE: Use Code 4 in the co-applicant field if there are no co-applicants or co-borrowers</p> <p>If there is more than one co-applicant or co-borrower, provide the required information only for the first co-applicant or co-borrower listed on the collection form.</p>	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(17) Race	§ 1003.4(a)(10)(i) , Comments 4(a)(10)(i)-1 and -2 and appendix B	Applicant’s or borrower’s ethnicity, race, and sex, and if information was collected by visual observation or surname	<p>RACE OF APPLICANT OR BORROWER. Indicate the race of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, by entering up to five (5):</p> <ul style="list-style-type: none"> ▪ Code 1—American Indian or Alaska Native <p>NOTE: If the applicant or borrower, or any co-applicant or co-borrower, did not select Code 1, but provided the name of the applicant’s or borrower’s American Indian or Alaska Native Enrolled or Principal Tribe(s) in the Race Free Form Text Field for American Indian or Alaska Native Enrolled or Principal Tribe, your institution is <i>permitted, but not required</i>, to report Code 1 in one of the Race of Applicant or Borrower data fields. Each reported race will be counted as one of the five (5) reported races, whether or not you also choose to report Code 1 as one of the Race of Applicant or Borrower, or Race of Co-Applicant or Co-Borrower, data fields. See below for information about the Race Free Form Text Field for American Indian or Alaska Native Enrolled or Principal Tribe.</p> ▪ Code 2—Asian <ul style="list-style-type: none"> ○ Code 21—Asian Indian ○ Code 22—Chinese ○ Code 23—Filipino ○ Code 24—Japanese ○ Code 25—Korean ○ Code 26—Vietnamese ○ Code 27—Other Asian <p>NOTE: If the applicant or borrower, or any co-applicant or co-borrower, did not select Code 27, but provided the name of the applicant’s or borrower’s other Asian race(s) in the <u>I for Other Asian</u>, your</p> 	<p>To report not applicable, enter “Code 7” for Race of Applicant or Borrower and “Code 3” for Race Collected On The Basis Of Visual Observation Or Surname for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans for which the financial institution chooses not to report the applicant’s or co-applicant’s ethnicity, race, and sex, appendix B; ▪ Covered loans or applications when applicant or co-applicant is not a natural person, appendix B. <p>NOTE: Use Code 3 if the financial institution received the application <i>prior to</i> January 1, 2018, and the financial institution chooses not to report whether the race of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>institution is <i>permitted, but not required</i>, to report Code 27 in one of the Race of Applicant or Borrower data fields. Each reported race will be counted as one of the five (5) reported races, whether or not you also choose to report Code 27 as one of the Race of Applicant or Borrower, or Race of Co-Applicant or Co-Borrower, data fields. See below for information about the Race Free Form Text Field for Other Asian.</p> <ul style="list-style-type: none"> ▪ Code 3—Black or African American ▪ Code 4—Native Hawaiian or Other Pacific Islander <ul style="list-style-type: none"> ○ Code 41—Native Hawaiian ○ Code 42—Guamanian or Chamorro ○ Code 43—Samoan ○ Code 44—Other Pacific Islander <p>NOTE: If the applicant or borrower, or any co-applicant or co-borrower, did not select Code 44, but provided the name of the applicant's or borrower's other Pacific Islander race(s) in the Race Free Form Text Field for Other Pacific Islander, your institution is <i>permitted, but not required</i>, to report Code 44 in one of the Race of Applicant or Borrower data fields. Each reported race will be counted as one of the five (5) reported races, whether or not you also choose to report Code 44 as one of the Race of Applicant or Borrower, or Race of Co-Applicant or Co-Borrower, data fields. See below for information about the Race Free Form Text Field for Other Pacific Islander.</p> ▪ Code 5—White ▪ Code 6—Information not provided by applicant in mail, internet, or telephone application 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>NOTE: Use Code 6 if the applicant or borrower, or co-applicant or co-borrower does not provide the information in an application taken by mail, internet, or telephone. <i>Leave the remaining Race of Applicant or Borrower data fields blank.</i></p> <ul style="list-style-type: none"> ▪ Code 7—Not applicable NOTE: Use Code 7 if the requirement to report the applicant’s or borrower’s race does not apply to the covered loan or application that your institution is reporting. <i>Leave the remaining Race of Applicant or Borrower data fields blank.</i> ▪ Code 8—No co-applicant NOTE: Use Code 8 in the co-applicant field if there are no co-applicants or co-borrowers. <i>Leave the remaining Race of Applicant or Borrower data fields blank.</i> <p>Do not enter the same code more than once for the applicant or borrower, or any co-applicant or co-borrower, as applicable, for any covered loan or application.</p> <p>If fewer than five (5) races are provided by the applicant or borrower, or by any co-applicant or co-borrower, <i>leave the remaining Race of Applicant or Borrower data fields blank.</i></p> <p>RACE FREE FORM TEXT FIELDS.</p> <ul style="list-style-type: none"> ▪ RACE FREE FORM TEXT FIELD FOR AMERICAN INDIAN OR ALASKAN NATIVE ENROLLED OR PRINCIPAL TRIBE. Enter the name of the applicant’s or borrower’s American Indian or Alaska Native enrolled or Principal Tribe(s), if provided by the applicant or borrower, or by any co-applicant or co-borrower, as Form Text Field for American 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>Indian or Alaskan Native Enrolled or Principal Tribe. For example, enter Navajo if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. Enter more than one American Indian or Alaska Native Enrolled or Principal Tribe, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. The maximum number of characters for this field is 100 characters, including spaces. If the applicant or borrower, or any co-applicant or co-borrower did not provide an American Indian or Alaska Native Enrolled or Principal Tribe(s), leave the Race Free Form Text Field for American Indian or Alaska Native Enrolled or Principal Tribe field blank.</p> <ul style="list-style-type: none"> ▪ RACE FREE FORM TEXT FIELD FOR OTHER ASIAN. Enter the specific other Asian race(s) not listed above, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable in the Race Free Form Text Field for Other Asian. For example, enter Hmong, Laotian, Thai, Pakistani, or Cambodian, and so on, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. Enter more than one other Asian race, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. The maximum number of characters for this field is 100 characters, including spaces. If the applicant or borrower, or any co-applicant or co-borrower, did not provide another Asian race(s), leave the Race Free Form Text Field for Other Asian field blank. ▪ RACE FREE FORM TEXT FIELD FOR OTHER PACIFIC ISLANDER. Enter the specific Other Pacific Islander race(s) not listed above, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable in the Race Free Form Text Field for Other Pacific Islander. For example, enter Fijian. 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>or Tongan, and soon, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. Enter more than one Other Pacific Islander race, if provided by the applicant or borrower, or by any co-applicant or co-borrower, as applicable. The maximum number of characters for this field is 100 characters, including spaces. If the applicant or borrower, or any co-applicant or co-borrower, did not provide an Other Pacific Islander race(s), leave the Race Free Form Text Field for Other Pacific Islander field blank.</p> <p>RACE COLLECTED ON THE BASIS OF VISUAL OBSERVATION OR SURNAME. Indicate whether the race of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname by entering:</p> <ul style="list-style-type: none"> ▪ Code 1—Collected on the basis of visual observation or surname ▪ Code 2—Not collected on the basis of visual observation or surname ▪ Code 3—Not applicable NOTE: Use Code 3 if the requirement to report the applicant’s or borrower’s race does not apply to the covered loan or application that your institution is reporting. ▪ Code 4—No co-applicant NOTE: Use Code 4 in the co-applicant field if there are no co-applicants or co-borrowers. <p>If there is more than one co-applicant or co-borrower, provide the required information only for the first co-applicant or co-borrower listed</p>	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(18) Sex	§ 1003.4(a)(10)(i) , Comments 4(a)(10)(i)-1 and -2 and appendix B	Applicant's or borrower's ethnicity, race, and sex, and if information was collected by visual observation or surname	<p>SEX OF APPLICANT OR BORROWER. Indicate the sex of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, by entering:</p> <ul style="list-style-type: none"> ▪ Code 1—Male ▪ Code 2—Female ▪ Code 3—Information not provided by applicant in mail, internet, or telephone application NOTE: Use Code 3 if the applicant or co-applicant does not provide the information in an application taken by mail, internet, or telephone. ▪ Code 4—Not applicable NOTE: Use Code 4 if the requirement to report the applicant's or borrower's sex does not apply to the covered loan or application that your institution is reporting. ▪ Code 5—No co-applicant NOTE: Use Code 5 in the co-applicant field if there are no co-applicants or co-borrowers. ▪ Code 6—Applicant selected both male and female NOTE: Use Code 6 if the applicant or co-applicant selected both male and female. <p>If there is more than one co-applicant or co-borrower, provide the required information only for the first co-applicant or co-borrower listed on the collection form.</p> <p>SEX COLLECTED ON THE BASIS OF VISUAL OBSERVATION OR SURNAME. Indicate whether the sex of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname by entering:</p>	<p>To report not applicable, enter “Code 4” for Sex of Applicant or Borrower and “Code 3” for Sex Collected on the Basis of Visual Observation or Surname for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans for which the financial institution chooses not to report the applicant's or co-applicant's ethnicity, race, and sex, appendix B; ▪ Covered loans or applications when applicant or co-applicant is not a natural person, appendix B. <p>NOTE: Use Code 3 if the financial institution received the application <i>prior to</i> January 1, 2018, and the financial institution chooses not to report whether the sex of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable, was collected on the basis of visual observation or surname.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 1—Collected on the basis of visual observation or surname ▪ Code 2—Not collected on the basis of visual observation or surname ▪ Code 3—Not applicable <p>NOTE: Use Code 3 if the requirement to report the applicant’s or borrower’s sex does not apply to the covered loan or application that your institution is reporting.</p> ▪ Code 4—No co-applicant <p>NOTE: Use Code 4 in the co-applicant field if there are no co-applicants or co-borrowers.</p> <p>If there is more than one co-applicant or co-borrower, provide the required information only for the first co-applicant or co-borrower listed on the collection form.</p>	
(19) Age	§ 1003.4(a)(10)(ii) , Comments 4(a)(10)(ii)-1 through -5	Applicant’s or borrower’s age	<p>Enter, in numeral form, the age, in years, of the applicant or borrower, or of the first co-applicant or co-borrower, as applicable. Age is calculated, as of the application date, as the number of whole years derived from the date of birth shown on the application form.</p> <p><i>Example:</i> If the applicant or borrower is 24 years old, enter 24.</p> <p>Or, enter:</p> <ul style="list-style-type: none"> ▪ Code 8888—Not applicable ▪ Code 9999—No co-applicant <p>NOTE: Use Code 9999 in the co-applicant field if there are no co-applicants or co-borrowers.</p> 	<p>To report not applicable, enter “Code 8888” for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans for which the financial institution chooses not to report the applicant’s or co-applicant’s age, Comment 4(a)(10)(ii)-3; ▪ Covered loans or applications when applicant or co-applicant is not a natural person, Comment 4(a)(10)(ii)-4.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(20) Income	§ 1003.4(a)(10)(iii) , Comments 4(a)(10)(iii)-1 through -10	If credit decision is made, gross annual income relied on in making the credit decision; Or, if a credit decision was not made, the gross annual income relied on in processing the application	Enter, in dollars, the gross annual income relied on in making the credit decision, or if a credit decision was not made, the gross annual income relied on in processing the application. Round all dollar amounts to the nearest thousand (round \$500 up to the next \$1,000).	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Covered loans or applications for which the credit decision did not consider, or would not have considered income, § 1003.4(a)(10)(iii); Comment 4(a)(10)(iii)-6; ▪ Covered loans or applications when applicant or co-applicant is not a natural person, Comment 4(a)(10)(iii)-7; ▪ Covered loan is secured by, or application is proposed to be secured by, a multifamily dwelling, Comment 4(a)(10)(iii)-8; ▪ Purchased covered loans for which the financial institution chooses not to report the income, Comment 4(a)(10)(iii)-9; ▪ Covered loan to, or an application from, the institution’s employees to protect their privacy, even if the institution relied on their income in making the credit decision, Comment 4(a)(10)(iii)-3.
(21) Type of Purchaser	§ 1003.4(a)(11) , Comments 4(a)(11)-1 through -10	Type of entity that purchased the loan	Indicate the type of entity purchasing a covered loan from your institution within the same calendar year that your institution originated or purchased the loan by entering: <ul style="list-style-type: none"> ▪ Code 0—Not applicable ▪ Code 1—Fannie Mae 	To report not applicable, enter “Code 0” for: <ul style="list-style-type: none"> ▪ Applications that were denied, withdrawn, closed for incompleteness, or approved but not accepted by the applicant, Comment 4(a)(11)-10;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 2—Ginnie Mae ▪ Code 3—Freddie Mac ▪ Code 4—Farmer Mac ▪ Code 5—Private securitizer ▪ Code 6—Commercial bank, savings bank, or savings association ▪ Code 71—Credit union, mortgage company, or finance company ▪ Code 72—Life insurance company ▪ Code 8—Affiliate institution ▪ Code 9—Other type of purchaser 	<ul style="list-style-type: none"> ▪ Preapproval requests that were denied or approved but not accepted by the applicant, Comment 4(a)(11)-10; ▪ Originated or purchased covered loans that the financial institution did not sell during that same calendar year, Comment 4(a)(11)-10.
(22) Rate Spread	§ 1003.4(a)(12) , Comments 4(a)(12)-1 through -9	Difference between the annual percentage rate and average prime offer rate for a comparable transaction	<p>Enter, as a percentage, to at least three (3) decimal places, the difference between the covered loan’s annual percentage rate (APR) and the average prime offer rate (APOR) for a comparable transaction as of the date the interest rate is set.</p> <p>Numbers calculated to beyond three (3) decimal places may either be reported beyond three (3) decimal places (<i>up to fifteen (15) decimal places</i>), or rounded or truncated to three (3) decimal places. Decimal place trailing zeros may either be included or omitted.</p> <ul style="list-style-type: none"> ▪ If the APR exceeds the APOR, enter a positive number. <i>Example:</i> If the APR is 3.678% and the APOR is 3.25%, enter 0.428. If the APR is 4.560% and the APOR is 4.25%, enter either 0.31 or 0.310. ▪ If the APR is less than the APOR, enter a negative number. <i>Example:</i> If the APR 3.1235% and the APOR is 3.25%, enter -0.1265. Alternatively, the rate spread may be truncated to -0.126 or rounded to -0.127. 	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Covered loans that are assumptions, reverse mortgages, purchased loans, or are not subject to Regulation Z, § 1003.4(a)(12)(i); Comment 4(a)(12)-7; ▪ Applications that did not result in an origination other than approved but not accepted, Comment 4(a)(12)-7; ▪ Applications approved but not accepted, if no disclosures under Regulation Z are required, Comment 4(a)(12)-8. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Final Rule, your institution is not reporting Rate Spread.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(23) HOEPA Status	§ 1003.4(a)(13) , Comment 4(a)(13)-1	Whether the loan is a high-cost mortgage under the Home Ownership and Equity Protection Act (HOEPA)	Indicate whether the covered loan is a high-cost mortgage under Regulation Z, § 1026.32(a) by entering: <ul style="list-style-type: none"> ▪ Code 1—High-cost mortgage ▪ Code 2—Not a high-cost mortgage ▪ Code 3—Not applicable 	To report not applicable, enter “Code 3” for: <ul style="list-style-type: none"> ▪ Covered loans not subject to the Home Ownership and Equity Protection Act (HOEPA) of 1994, as implemented in Regulation Z, § 1026.32(a), § 1003.4(a)(13); Comment 4(a)(13)-1; ▪ Applications that did not result in originations, Comment 4(a)(13)-1.
(24) Lien Status	§ 1003.4(a)(14) , Comments 4(a)(14)-1 and -2	Whether the property is a first or subordinate lien	Indicate the lien status of the property securing the covered loan, or in the case of an application, proposed to secure the covered loan, by entering: <ul style="list-style-type: none"> ▪ Code 1—Secured by a first lien ▪ Code 2—Secured by a subordinate lien 	
(25) Credit Score	§ 1003.4(a)(15) , Comments 4(a)(15)-1 through -7	Credit score(s) relied on and the name and version of the credit scoring model	<p>CREDIT SCORE OF APPLICANT OR BORROWER. Enter, in numeral form, the credit score, or scores relied on in making the credit decision for the applicant or borrower, or of the first co-applicant or co-borrower, as applicable. If Regulation C requires your institution to report a single score that corresponds to multiple applicants or borrowers, report the score in either the applicant field or the co-applicant field.</p> <p>Or, enter</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 7777—Credit score is not a number <p>NOTE: Use Code 7777 if your institution relied on a credit score that is not a number (e.g., a credit score of “Meets Threshold”). Code 7777 should not be used if a credit scoring model that produces numeric credit scores returns a result stating that the credit score could not be determined.</p>	To report not applicable, enter “Code 8888” for Credit Score of Applicant or Borrower or ‘Code 9’ for Name and Version of Credit Scoring Model for: <ul style="list-style-type: none"> ▪ Purchased covered loans, § 1003.4(a)(15)(i); Comment 4(a)(15)-6; ▪ Transactions for which no credit decision was made (e.g., files closed for incompleteness, or if an application was withdrawn before a credit decision was made), Comment 4(a)(15)-4; ▪ Transactions for which the credit decision was made without relying on a credit score, Comment 4(a)(15)-5;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 8888—Not applicable ▪ Code 9999—No co-applicant <p>NOTE: Use Code 9999 in the co-applicant field if there are no co-applicants or co-borrowers.</p> <p>NOTE: If Regulation C requires your institution to report a single score that corresponds to multiple applicants or borrowers, either report the credit score in the applicant field, and use Code 8888 in the co-applicant field; or report the credit score in the co-applicant field and use Code 8888 in the applicant field.</p> <p>NAME AND VERSION OF CREDIT SCORING MODEL. Indicate the name and version of the credit scoring model used to generate the credit score, or scores, relied on in making the credit decision by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Equifax Beacon 5.0 <p>NOTE: Use Code 1 for Equifax Beacon 5.0, which may also be known as FICO Score 5.</p> ▪ Code 2—Experian Fair Isaac Risk Model v2 <p>NOTE: Use Code 2 for Experian Fair/Isaac Risk Model v2, which may also be known as FICO Score 2 or FICO Classic v2.</p> ▪ Code 3—TransUnion FICO Risk Score Classic 04 <p>NOTE: Use Code 3 for TransUnion FICO Risk Score Classic 04, which may also be known as FICO Score 4 or TU-04.</p> ▪ Code 4—TransUnion FICO Risk Score Classic 98 <p>NOTE: Use Code 4 for TransUnion FICO Risk Score Classic 98, which may also be known as FICO 98 or TU-98.</p> 	<ul style="list-style-type: none"> ▪ Covered loans or applications when applicant and co-applicant are not natural persons, Comment 4(a)(15)-7. <p>Enter “Code 1111” for Credit Score and Name and Version of Credit Scoring Model if, pursuant to the 2018 HMDA Rule, your institution is not reporting Credit Score.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 5—VantageScore 2.0 ▪ Code 6—VantageScore 3.0 ▪ Code 7—More than one credit scoring model ▪ Code 8—Other credit scoring model <p>NOTE: If Code 8 is selected in the Name and Version of Credit Scoring Model Field, enter the specific other credit scoring model that is not listed above in the Name and Version of Credit Scoring Model Conditional Free Form Text Field for Code 8. If Code 8 is not entered, leave this field blank.</p> <ul style="list-style-type: none"> ▪ Code 9—Not applicable ▪ Code 10—No co-applicant <p>NOTE: Use Code 10 in the co-applicant field if there are no co-applicants or co-borrowers.</p> <p>NOTE: If Regulation C requires your institution to report a single score for a covered loan or application involving multiple applicants or borrowers, report either (A) the name and version of the credit scoring model, or that multiple credit scoring models were used, in the applicant field, and use Code 9 in the co-applicant field; or (B) the name and version of the credit scoring model, or that multiple credit scoring models were used, in the co-applicant field, and use Code 9 in the applicant field.</p>	
(26) Reason for Denial	§ 1003.4(a)(16) , Comments 4(a)(16)-1 through 4(a)(16)-4	Reason(s) the application was denied	Indicate the principal reason, or reasons, for denial by entering up to four (4): <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Debt-to-income ratio ▪ Code 2—Employment history ▪ Code 3—Credit history 	To report not applicable, enter “Code 10” for applications that were not denied (e.g., loan is originated or purchased by the financial institution), Comment 4(a)(16)-4.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 4—Collateral ▪ Code 5—Insufficient cash (downpayment, closing costs) ▪ Code 6—Unverifiable information ▪ Code 7—Credit application incomplete ▪ Code 8—Mortgage insurance denied ▪ Code 9—Other <p>NOTE: If Code 9 is selected in any Reason for Denial field, enter the specific other reason(s) for denial not listed above in the Reason for Denial Conditional Free Form Text Field for Code 9. See below for more information on the Reason for Denial Conditional Free Form Text Field for Code 9.</p> ▪ Code 10—Not applicable <p>NOTE: Use Code 10 if the requirement to report reasons for denial does not apply to the covered loan or application that your institution is reporting. <i>Leave the remaining Reason for Denial data fields blank.</i></p> <p>Do not enter the same code more than once for any covered loan or application.</p> <p>If there are fewer than four principal (4) reasons for denial, leave the remaining Reason for Denial data fields blank.</p> <p>MODEL FORM. If your institution uses the model form contained in appendix C to Regulation B, 12 CFR part 1002 (Form C–1, Sample Notice of Action Taken and Statement of Reasons), use the following:</p> <ul style="list-style-type: none"> ▪ Code 1—Income insufficient for amount of credit requested, and Excessive obligations in relation to income 	<p>Enter “Code 1111” if, pursuant to the 2018 HMDA Rule, your institution is not reporting the Reasons for Denial. Leave the remaining Reason for Denial data fields blank.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 2—Temporary or irregular employment, and Length of employment ▪ Code 3—Insufficient number of credit references provided; Unacceptable type of credit references provided; No credit file; Limited credit experience; Poor credit performance with us; Delinquent past or present credit obligations with others; Number of recent inquiries on credit bureau report; Garnishment, attachment, foreclosure, repossession, collection action, or judgment; and Bankruptcy ▪ Code 4—Value or type of collateral not sufficient ▪ Code 6—Unable to verify credit references; Unable to verify employment; Unable to verify income; and Unable to verify residence ▪ Code 7—Credit application incomplete ▪ Code 9—Length of residence; Temporary residence; and Other reasons specified on the adverse action notice. 	
(27) Total Loan Costs or Total Points and Fees	§ 1003.4(a)(17) , Comments 4(a)(17)(i)-1 through -3 and 4(a)(17)(ii)-1 through -2	Either total loan costs, or total points and fees charged	<p>Enter either Total Loan Costs or Total Points and Fees:</p> <ul style="list-style-type: none"> ▪ TOTAL LOAN COSTS. Enter, in dollars, the amount of total loan costs. If the amount is zero, enter 0. ▪ TOTAL POINTS AND FEES. Enter, in dollars, the total points and fees charged in connection with the covered loan. If the amount is zero, enter 0. 	<p>Enter “NA” for:</p> <p>TOTAL LOAN COSTS.</p> <ul style="list-style-type: none"> ▪ Applications, Comment 4(a)(17)(i)-1; ▪ Covered loans that are not subject to Regulation Z, § 1026.43(c), § 1003.4(a)(17);

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p><i>Example:</i> If the total loan costs or the total points and fees are \$2,399.04, enter 2399.04.</p>	<ul style="list-style-type: none"> ▪ Covered loans subject to Regulation Z, § 1026.43(c) for which a disclosure <i>is not</i> provided pursuant to § 1026.19(f), § 1003.4(a)(17); ▪ Purchased covered loans for which applications were received by the selling entity prior to the effective date of Regulation Z, § 1026.19(f), Comment 4(a)(17)(i)-2. <p>TOTAL POINTS AND FEES.</p> <ul style="list-style-type: none"> ▪ Applications, Comment 4(a)(17)(ii)-1; ▪ Covered loans that are not subject to Regulation Z, § 1026.43(c), Comment 4(a)(17)(ii)-1; ▪ Covered loans subject to Regulation Z, § 1026.43(c) for which a disclosure <i>is</i> provided pursuant to Regulation Z, § 1026.19(f), § 1003.4(a)(17)(ii); ▪ Purchased covered loans, Comment 4(a)(17)(ii)-1. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Total Loan Costs or Total Points and Fees.</p>
(28) Origination Charges	§ 1003.4(a)(18) , Comments 4(a)(18)-1 through 3	Total borrower-paid origination charges	<p>Enter, in dollars, the total of all itemized amounts that are designated borrower-paid at or before closing. If the total is zero, enter 0.</p> <p><i>Example:</i> If the origination charges are \$2,399.04, enter 2399.04.</p>	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Applications, Comment 4(a)(18)-1; ▪ Covered loans not subject to Regulation Z, § 1026.19(f), § 1003.4(a)(18); Comment 4(a)(18)-1;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(29) Discount Points	§ 1003.4(a)(19) , Comments 4(a)(19)-1 through -3	Points paid to the creditor to reduce the interest rate	Enter, in dollars, the points paid to the creditor to reduce the interest rate. If no points were paid, leave this field blank. <i>Example:</i> If the amount paid for discount points is \$2,399.04, enter 2399.04.	<ul style="list-style-type: none"> Purchased covered loans with applications that were received by the selling entity prior to the effective date of Regulation Z, § 1026.19(f), Comment 4(a)(18)-2. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Origination Charges.</p>
(30) Lender Credits	§ 1003.4(a)(20) , Comments 4(a)(20)-1 through -3	Amount of lender credits	Enter, in dollars, the amount of lender credits. If no lender credits were provided, leave this field blank. <i>Example:</i> If the amount is \$1500.24, enter 1500.24.	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> Applications, Comment 4(a)(19)-1; Covered loans not subject to Regulation Z, § 1026.19(f), § 1003.4(a)(19); Comment 4(a)(19)-1; Purchased covered loans with applications that were received by the selling entity prior to the effective date of Regulation Z, § 1026.19(f), Comment 4(a)(19)-2. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Discount Points.</p>
				<p>Enter “NA” for:</p> <ul style="list-style-type: none"> Applications, Comment 4(a)(20)-1; Covered loans not subject to Regulation Z, § 1026.19(f), § 1003.4(a)(20); Comment 4(a)(20)-1;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(31) Interest Rate	§ 1003.4(a)(21) , Comments 4(a)(21)-1 through -3	Interest rate on the approved application or loan	<p>Enter, as a percentage, to at least three (3) decimal places, the interest rate. Numbers calculated to beyond three (3) decimal places may either be reported beyond three (3) decimal places or rounded or truncated to three (3) decimal places. Decimal place trailing zeros may be either included or omitted.</p> <p><i>Example:</i> If the interest rate is 4.125%, enter 4.125.</p>	<p>Enter “NA” for applications that have been denied, withdrawn, or closed for incompleteness, Comment 4(a)(21)-2.</p> <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Lender Credits.</p>
(32) Prepayment Penalty Term	§ 1003.4(a)(22) , Comments 4(a)(22)-1 through -2	Term in months of any prepayment penalty	<p>Enter, in numeral form, the term, in months, of any prepayment penalty.</p> <p><i>Example:</i> If a prepayment penalty may be imposed within the first 24 months after closing or account opening, enter 24.</p>	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Covered loans or applications that are not subject to Regulation Z, § 1026, § 1003.4(a)(22); Comment 4(a)(22)-1; ▪ Covered loans or applications that have no prepayment penalty, Comment 4(a)(22)-2.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(33) Debt-to-Income Ratio	§ 1003.4(a)(23) , Comments 4(a)(23)-1 through -7	Ratio of the applicant's or borrower's total monthly debt to total monthly income relied on	Enter, as a percentage, the ratio of the applicant's or borrower's total monthly debt to the total monthly income relied on in making the credit decision. Use decimal places only if the ratio relied upon uses decimal places. The HMDA Platform can accept up to fifteen (15) decimal places and can accept negative numbers for Debt-to-Income Ratio. <i>Example:</i> If the relied upon debt-to-income ratio is 42.95, enter 42.95, not 43. If, however, your institution rounded the ratio up to 43% and relied on the rounded-up number, enter 43.	Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Prepayment Penalty Term. Enter “NA” for: <ul style="list-style-type: none">▪ Purchased covered loans, § 1003.4(a)(23); Comment 4(a)(23)-7;▪ Transactions for which no credit decision was made (e.g., files closed for incompleteness, or if an application was withdrawn before a credit decision was made), Comment 4(a)(23)-3;▪ Transactions for which the credit decision was made without relying on debt-to-income ratio, Comment 4(a)(23)-4;▪ Covered loans or applications when applicant and co-applicant are not natural persons, Comment 4(a)(23)-5;▪ Covered loan secured by, or an application proposed to be secured by, a multifamily dwelling, Comment 4(a)(23)-6.
(34) Combined Loan-to-Value Ratio	§ 1003.4(a)(24) , Comments 4(a)(24)-1 through -6	Ratio of the total amount of debt that is secured by the property to the value of the property relied on in making the credit decision.	Enter, as a percentage, the ratio of the total amount of debt secured by the property to the value of the property relied on in making the credit decision. Use decimal places only if the ratio relied upon uses decimal	Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Debt-to-Income-Ratio. Enter “NA” for: <ul style="list-style-type: none">▪ Purchased covered loans, § 1003.4(a)(24); Comment 4(a)(24)-5;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
		the property that was relied on	<p>places. The HMDA Platform can accept up to fifteen (15) decimal places for the Combined Loan-to-Value Ratio.</p> <p><i>Example:</i> If the relied upon combined loan-to-value ratio is 80.05, enter 80.05, not 80. If, however, your institution rounded the ratio down to 80 and relied on the rounded-down number, enter 80.</p>	<ul style="list-style-type: none"> ▪ Transactions for which no credit decision was made (e.g., files closed for incompleteness, or if an application was withdrawn before a credit decision was made), Comment 4(a)(24)-3; ▪ Transactions for which the credit decision was made without relying on combined loan-to-value ratio, Comment 4(a)(24)-4. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Combined Loan-to-Value Ratio.</p>
(35) Loan Term	§ 1003.4(a)(25) , Comments 4(a)(25)-1 through -5	Number of months after which the legal obligation will mature or terminate	<p>Enter, in numeral form, the number of months after which the legal obligation will mature or terminate, or would have matured or terminated.</p> <p><i>Example:</i> If the loan term is 360 months, enter 360.</p>	<p>Enter “NA” for covered loan or application without a definite term, such as a reverse mortgage, Comment 4(a)(25)-5.</p> <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Loan Term.</p>
(36) Introductory Rate Period	§ 1003.4(a)(26) , Comments 4(a)(26)-1 through -5	Number of months until the first date the interest rate may change	<p>Enter, in numeral form, the number of months, or proposed number of months in the case of an application, until the first date the interest rate may change after closing or account opening.</p> <p><i>Example:</i> If the introductory rate period is 24 months, enter 24.</p>	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Covered loan or application with a fixed rate, Comment 4(a)(26)-3; ▪ Purchased covered loan with a fixed rate, Comment 4(a)(26)-4. <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Introductory Rate Period.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(37) Non-Amortizing Features	§ 1003.4(a)(27) , Comment 4(a)(27)-1	Whether the transaction involves a balloon payment, interest-only payments, negative amortization, or any other type of non-amortizing feature	<p>BALLOON PAYMENT. Indicate whether the contractual terms include, or would have included, a balloon payment by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Balloon payment ▪ Code 2—No balloon payment <p>INTEREST-ONLY PAYMENTS. Indicate whether the contractual terms include, or would have included, interest-only payments by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Interest-only payments ▪ Code 2—No interest-only payments <p>NEGATIVE AMORTIZATION. Indicate whether the contractual terms include, or would have included, a term that would cause the covered loan to be a negative amortization loan by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Negative amortization ▪ Code 2—No negative amortization <p>OTHER NON-AMORTIZING FEATURES. Indicate whether the contractual terms include, or would have included, any term, other than those described in § 1003.4(a)(27)(i), (ii), and (iii) that would allow for payments other than fully amortizing payments during the loan term by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Other non-fully amortizing features ▪ Code 2—No other non-fully amortizing features 	Enter “Code 1111” for Balloon Payment, Interest-Only Payments, Negative Amortization, and Other Non-Amortizing Features if, pursuant to the 2018 HMDA Rule, your institution is not reporting Non-Amortizing Features.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(38) Property Value	§ 1003.4(a)(28) , Comments 4(a)(28)-1 through 4	Value of the property relied on that secures the loan	Enter, in dollars, the value of the property securing the covered loan or, in the case of an application, proposed to secure the covered loan, relied on in making the credit decision. <i>Example:</i> If the property value is \$350,500, enter 350500.	Enter “NA” for: <ul style="list-style-type: none">▪ Transactions for which no credit decision was made (e.g., files closed for incompleteness, or if an application was withdrawn before a credit decision was made), Comment 4(a)(28)-3;▪ Transactions for which the credit decision was made without relying on property value, Comment 4(a)(28)-4. Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Property Value.
(39) Manufactured Home Secured Property Type	§ 1003.4(a)(29) , Comments 4(a)(29)-1 through 4	Whether the covered loan is secured by a manufactured home and land or a manufactured home and not land	Indicate whether the covered loan or application is, or would have been, secured by a manufactured home and land, or by a manufactured home and not land, by entering: <ul style="list-style-type: none">▪ Code 1111—Exempt▪ Code 1—Manufactured home and land▪ Code 2—Manufactured home and not land▪ Code 3—Not applicable	To report not applicable, enter “Code 3” for: <ul style="list-style-type: none">▪ The dwelling related to the property identified is not a manufactured home, § 1003.4(a)(29); Comment 4(a)(29)-4.▪ The dwelling related to the property identified is a manufactured home community that is a multifamily dwelling, Comment 4(a)(29)-2; Comment 4(a)(29)-4. Enter “Code 1111” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Manufactured Home Secured Property Type.
(40) Manufactured Home Land Property Interest	§ 1003.4(a)(30) , Comments 4(a)(30)-1 through 6	Information about the applicant’s or borrower’s ownership or leasehold interest in	Indicate the applicant’s or borrower’s land property interest in the land on which a manufactured home is, or will be, located by entering: <ul style="list-style-type: none">▪ Code 1111—Exempt▪ Code 1—Direct ownership	To report not applicable, enter “Code 5” for: <ul style="list-style-type: none">▪ The dwelling related to the property identified is not a manufactured home, § 1003.4(a)(30); Comment 4(a)(30)-6.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
		the land where the manufactured home is located	<ul style="list-style-type: none"> ▪ Code 2—Indirect ownership ▪ Code 3—Paid leasehold ▪ Code 4—Unpaid leasehold ▪ Code 5—Not applicable 	<ul style="list-style-type: none"> ▪ The dwelling related to the property identified is a manufactured home community that is a multifamily dwelling, Comment 4(a)(30)-4; Comment 4(a)(30)-6. ▪ A location for the manufactured home related to a covered loan or application has not been identified, § 1003.4(a)(30); Comment 4(a)(9)-5. <p>Enter “Code 111” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Manufactured Home Land Property Interest.</p>
(41) Total Units	§ 1003.4(a)(31) , Comments 4(a)(31)-1 through 4	Number of individual dwelling units related to the property	<p>Enter, in numeral form, the number of individual dwelling units related to the property securing the covered loan or, in the case of an application, proposed to secure the covered loan.</p> <p><i>Example:</i> If there are five (5) individual dwelling units, enter 5.</p>	
(42) Multifamily Affordable Units	§ 1003.4(a)(32) , Comments 4(a)(32)-1 through 6	Number of individual dwelling units related to the property that are income-restricted under federal, state, or local affordable housing programs	<p>Enter, in numeral form, the number of individual dwelling units related to any multifamily dwelling property securing the covered loan or, in the case of an application, proposed to secure the covered loan, that are income-restricted pursuant to Federal, State, or local affordable housing programs.</p> <p><i>Example:</i> If there are five (5) multifamily affordable units, enter 5.</p> <p>NOTE: Enter “0” for a covered loan or application related to a multifamily dwelling that does not contain any such income-restricted individual dwelling units.</p>	<p>Enter “NA” for covered loans or applications where the property securing the covered loan or, in the case of an application, proposed to secure the covered loan is not a multifamily dwelling, § 1003.4(a)(32); Comment 4(a)(32)-6.</p> <p>Enter “Exempt” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Multifamily Affordable Units.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(43) Application Channel (Submission of Application and Initially Payable to Your Institution)	§ 1003.4(a)(33) , Comments 4(a)(33)-1 , 4(a)(33)(i)-1 , and 4(a)(33)(ii)-1 through -2	Indicators of whether the application was submitted directly to the FI, and whether the obligation was initially payable to the FI	<p>SUBMISSION OF APPLICATION. Indicate whether the applicant or borrower submitted the application directly to your institution by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Submitted directly to your institution ▪ Code 2—Not submitted directly to your institution ▪ Code 3—Not applicable <p>INITIALLY PAYABLE TO YOUR INSTITUTION. Indicate whether the obligation arising from the covered loan was, or, in the case of an application, would have been, initially payable to your institution by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Initially payable to your institution ▪ Code 2—Not initially payable to your institution ▪ Code 3—Not applicable 	<p>To report not applicable for Submission of Application, enter “Code 3”</p> <ul style="list-style-type: none"> ▪ Purchased covered loans, § 1003.4(a)(33); <p>To report not applicable for Initially Payable to Your Institution, enter “Code 3”</p> <ul style="list-style-type: none"> ▪ Purchased covered loans, § 1003.4(a)(33); ▪ Applications that were withdrawn, denied, or closed for incompleteness, if the institution had not determined whether the covered loans would have been initially payable to the institution reporting the applications, Comment 4(a)(33)(ii)-2. <p>Enter “Code 1111” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Submission of Application and Initially Payable to Your Institution.</p>
(44) Mortgage Loan Originator NMLS Identifier	§ 1003.4(a)(34) , Comments 4(a)(34)-1 through -4	National Mortgage Licensing System & Registry (NMLS) identifier for the mortgage loan originator	<p>Enter the Nationwide Mortgage Licensing System and Registry mortgage loan originator unique identifier (NMLS ID) for the mortgage loan originator.</p> <p><i>Example:</i> If the NMLS ID for the mortgage loan originator is 123450, enter 123450.</p>	<p>Enter “NA” for:</p> <ul style="list-style-type: none"> ▪ Covered loans or applications in which the mortgage loan originator is not required to obtain and has not been assigned an NMLS identifier, Comment 4(a)(34)-2. <p>Enter “NA” or voluntarily report the NMLS ID for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans that satisfy the coverage criteria of Regulation Z, § 1026.36(g) and were originated prior to January 10, 2014, Comment 4(a)(34)-4;

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(45) Automated Underwriting System	§ 1003.4(a)(35) , Comments 4(a)(35)-1 through -7	Name of the automated underwriting system used by the FI to evaluate the application and the result generated by that system	<p>AUTOMATED UNDERWRITING SYSTEM. Indicate the automated underwriting system(s) (AUS) used by your institution to evaluate the application by entering up to five (5) of the following:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Desktop Underwriter (DU) ▪ Code 2—Loan Prospector (LP) or Loan Product Advisor ▪ Code 3—Technology Open to Approved Lenders (TOTAL) Scorecard ▪ Code 4—Guaranteed Underwriting System (GUS) ▪ Code 5—Other <p>NOTE: If Code 5 is selected in any Automated Underwriting System field, enter the name of the specific other AUS(s) not listed above in the AUS Conditional Free Form Text Field for Code 5. See below for more information on the AUS Conditional Free Form Text Field for Code 5.</p> <ul style="list-style-type: none"> ▪ Code 6—Not applicable ▪ Code 7—Internal Proprietary System 	<p>To report not applicable, enter “Code 6” for Automated Underwriting System and “Code 17” for Automated Underwriting System Result for:</p> <ul style="list-style-type: none"> ▪ Purchased covered loans, § 1003.4(a)(35); Comment 4(a)(35)-5; ▪ Transactions for which an AUS, as defined in § 1003.4(a)(35)(ii), was not used to evaluate the application, Comment 4(a)(35)-2 and -4; ▪ Covered loans or applications when applicant and co-applicant are not natural persons, Comment 4(a)(35)-6. <p>Enter “Code 1111” for Automated Underwriting System and Automated Underwriting System Result if, pursuant to the 2018 HMDA Rule, your institution is not reporting Automated Underwriting System.</p>

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p>NOTE: If fewer than five (5) automated underwriting systems were used by your institution to evaluate the application or if Code 6 is selected, leave the remaining Automated Underwriting System data fields blank.</p> <p>AUS CONDITIONAL FREE FORM TEXT FIELD FOR CODE 5. Enter more than one other Automated Underwriting System, as applicable. The maximum number of characters for this field is 255 characters, including spaces. If Code 5 is not entered, leave this field blank.</p> <p>AUTOMATED UNDERWRITING SYSTEM RESULT. Indicate the result(s) generated by the automated underwriting system (AUS) previously indicated by entering:</p> <ul style="list-style-type: none"> ▪ Code 1111—Exempt ▪ Code 1—Approve/Eligible ▪ Code 2—Approve/Ineligible ▪ Code 3—Refer/Eligible ▪ Code 4—Refer/Ineligible ▪ Code 5—Refer with Caution ▪ Code 6—Out of Scope ▪ Code 7—Error ▪ Code 8—Accept ▪ Code 9—Caution ▪ Code 10—Ineligible ▪ Code 11—Incomplete ▪ Code 12—Invalid ▪ Code 13—Refer ▪ Code 14—Eligible 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<ul style="list-style-type: none"> ▪ Code 15—Unable to Determine ▪ Code 16—Other <p>NOTE: If Code 16 is selected in an Automated Underwriting System Result field, enter the specific other AUS result(s) not listed above in the AUS Result Conditional Free Form Text Field for Code 16. See below for more information on the AUS Result Conditional Free Form Text Field for Code 16.</p> ▪ Code 17—Not applicable <p>NOTE: Use Code 17 if the requirement to report an AUS result does not apply to the covered loan or application that your institution is reporting. Leave the remaining Automated Underwriting System Result data fields blank.</p> ▪ Code 18—Accept/Eligible ▪ Code 19—Accept/Ineligible ▪ Code 20—Accept/Unable to Determine ▪ Code 21—Refer with Caution/Eligible ▪ Code 22—Refer with Caution/Ineligible ▪ Code 23—Refer/Unable to Determine ▪ Code 24—Refer with Caution/Unable to Determine <p>For the following AUS results returned, use the following Codes for these AUS:</p> <ul style="list-style-type: none"> ▪ Federal National Mortgage Association (Fannie Mae) commonly returns results that correspond to Codes 1, 2, 3, 4, 5, 6, 7, or 15. If your result(s) differ, report the AUS result(s) received. ▪ Federal Home Loan Mortgage Corporation (Freddie Mac) commonly returns results that correspond to Codes 8, 9, 10, 11, 12, or 13. If more than one result is returned <i>on the Feedback</i> 	

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
			<p><i>Certificate</i>, report the Risk Class result. If your result(s) differ, report the AUS result(s) received.</p> <ul style="list-style-type: none"> ▪ FHA TOTAL Scorecard commonly returns results that correspond to Codes 1, 2, 3, 4, 8, 13, 18 and 19. If your results differ, report the AUS result(s) received. ▪ GUS commonly returns results that correspond to Codes 3, 4, 10, 15, 18, 19, 20, 21, 22, 23 or 24. If your result(s) differ, report the AUS result(s) received. <p>NOTE: If fewer than five (5) results were generated by the automated underwriting system(s) previously indicated or Code 17 is used, leave the remaining Automated Underwriting System Result data fields blank.</p> <p>AUS RESULT CONDITIONAL FREE FORM TEXT FIELD FOR CODE</p> <p>16. Enter more than one other Automated Underwriting System Result, as applicable. The maximum number of characters for this field is 255 characters, including spaces. If Code 16 is not entered, leave this field blank.</p>	
(46) Reverse Mortgage	§ 1003.4(a)(36)	Indicator of whether the transaction is for a reverse mortgage	Indicate whether the covered loan is, or the application is for, a reverse mortgage by entering: <ul style="list-style-type: none"> ▪ Code 1111 —Exempt ▪ Code 1—Reverse mortgage ▪ Code 2—Not a reverse mortgage 	Enter “ Code 1111 ” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Reverse Mortgage.
(47) Open-End Line of Credit	§ 1003.4(a)(37) , Comment 4(a)(37)-1	Indicator of whether the transaction is for an open-end line of credit	Indicate whether the covered loan is, or the application is for, an open-end line of credit by entering: <ul style="list-style-type: none"> ▪ Code 1111 —Exempt ▪ Code 1—Open-end line of credit ▪ Code 2—Not an open-end line of credit 	Enter “ Code 1111 ” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Open-End Line of Credit.

Data point	Regulation C references	Description	Filing instructions ^b	Reporting “Not Applicable” ^c or “Exempt” ^d
(48) Business or Commercial Purpose	§ 1003.4(a)(38) , Comment 4(a)(38)-1	Indicator of whether the transaction is primarily for a business or commercial purpose	Indicate whether the covered loan is, or the application is for a covered loan that will be made, primarily for a business or commercial purpose by entering: <ul style="list-style-type: none"> ▪ Code 1111 —Exempt ▪ Code 1—Primarily for a business or commercial purpose ▪ Code 2—Not primarily for a business or commercial purpose 	Enter “Code 1111” if, pursuant to the 2018 HMDA Rule, your institution is not reporting Business or Commercial Purpose.

^a HMDA filers should report the data points described in the HMDA Rule issued on October 15, 2015 and the HMDA Rule issued on April 24, 2017, as modified by the HMDA Rule issued on October 10, 2019, which implements and clarifies the requirements of the Economic Growth, Regulatory Relief, and Consumer Protection Act for insured depository institutions and insured credit unions reporting transactions covered by a partial exemption. The HMDA Rule issued on April 16, 2020, adjusts Regulation C’s institutional and transactional coverage thresholds for closed-end mortgage loans and open-end lines of credit.

^b This column provides the information from Section 4.2 of the [2021 Filing Instructions Guide](#). Further information can be found in the 2021 Filing Instructions Guide. Some information may not be presented exactly as in the 2021 Filing Instructions Guide. This chart is not a substitute for the 2021 Filing Instructions Guide, which should be consulted.

^c The “not applicable” portion of this column details the information provided in Regulation C about when a data point is considered not applicable and the appropriate code found in the 2021 Filing Instructions Guide to signify it. If more information is needed, please review the rule and commentary specified and the 2021 Filing Instructions Guide.

^d The “exempt” portion of this column details when a data point is exempt for insured depository institutions and insured credit unions reporting transactions covered by a partial exemption under the Economic Growth, Regulatory Relief, and Consumer Protection Act and the appropriate code found in the 2021 Filing Instructions Guide to signify it.