

BCG Monthly Telephone Briefing

May 2017

RESPA Section 8 Update: What Not to Do

Section 8 of RESPA prohibits a lender or other party from paying or receiving a fee or other thing of value for the referral of a mortgage loan. Kickbacks and unearned fees are also prohibited. In contrast, paying for *bona fide* services is allowed. There is a tension between these provisions. Marketing services agreements between mortgage lenders and realtors or other settlement-service providers have long been subject to scrutiny but never more so than now. The CFPB issued guidance in 2015 warning supervised lenders to be careful about making payments for “marketing services” when the person performing the marketing services has also referred mortgage business to the lender. The Bureau showed it meant business in its recent enforcement actions taken against Prospect Mortgage, ReMax and related parties in California. This month’s telephone briefing will include a recap of the basic prohibitions of Section 8 and a detailed discussion of “what not to do” in light of the Prospect Mortgage cases.

CFPB Proposes Clarifications to Regulation C 2015 Final Rule

For more than a year, lenders have been gearing up for complying with the amendments to Regulation C, which implements the Home Mortgage Disclosure Act (HMDA), that were adopted by the CFPB in October 2015. While the 2015 Final Rule is being phased in over the next few years, the majority of the amendments take effect as of January 1, 2018. As with any major overhaul to a regulation, many questions have been raised as to just what the amended regulation requires. Recognizing that the massive revisions made to Regulation C have caused confusion for many lenders, on April 25, 2017 the CFPB issued a proposal that is intended to clarify certain requirements of the regulation and to make some technical corrections. 82 FR 19142. During this month’s briefing, we will discuss the more significant aspects of the Bureau’s proposed clarifications. Please join us as we walk through the CFPB’s new Reg C proposal.



BCG Monthly Telephone Briefing

Friday, May 19
12:00 –1:30 p.m.
(with live Q&A)

Presented by
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Aldrich & Bonnefin is hosting a Monthly Telephone Briefing for Bankers' Compliance Group® Members on **Friday, May 19, 2017**. This meeting will be presented live and will include two question and answer sessions. Members can ask questions by telephone or email. Each member that registers for the Monthly Telephone Briefing will be given a password and instructions to call in to the Briefing.

ORGANIZE YOUR PARTICIPANTS

BCG Main or Registration Contacts are encouraged to organize multiple attendees to participate at one location or several locations concurrently. In this manner, several attendees can be accommodated in one conference room with a speakerphone. All Briefing connections are included in your BCG Membership.

REGISTRATION

To register, please contact your institution's BCG Main or Registration Contact or, if authorized, log in at <http://register.bankerscompliancegroup.com/subadmin> and select "Register for Events." Registration closes at noon **two business days** prior to the Briefing date. On the day before the Briefing, registrants will receive an email with call-in instructions and single-use PIN.

CD-Rom: Members can also register to receive a CD-Rom package. This package, which includes any Handouts, is mailed to registrants approximately 2-3 weeks after the Briefing.

DOWNLOAD THE HANDOUTS

The Handouts are *generally* posted on the BCG Website by noon on the business day before the Briefing. All registrants will receive an email notification when the Handouts are posted. To download a Handout, go to www.bankerscompliancegroup.com/monthly-telephone-briefing.php and click on the "Download Handout Here" link at the end of each Briefing description.

CANCELLATION

It is not necessary for registrants to contact BCG if they cannot attend a Briefing and need to cancel their registration.

SIGN UP ANNUALLY

Sign up annually for the 2017 BCG Monthly Telephone Briefings! If you like attending the Briefings, but don't want to register every month, you can have your institution's Registration contact sign you up for the entire year.

MISSED THE BRIEFING?

Should you or others at your institution miss the briefing, you can tune into our streaming audio available on the BCG website one week after the Briefing, at www.bankerscompliancegroup.com/listen-while-you-work.php.