



REVISED - TILA-RESPA Integrated Disclosure (TRID)

Purpose of Revision

On July 21, 2015, the CFPB issued a final rule announcing delay of the effective date for TRID from August 1, 2015 to October 3, 2015. The effective date for compliance with TRID is revised in this Announcement

Summary

The Consumer Financial Protection Bureau (CFPB) adopted a final regulation, creating new, integrated disclosures for mortgage loans. Specifically, the Truth in Lending Act-Real Estate Settlement Procedures Act (TILA-RESPA) Integrated Disclosure Rule (TRID) consolidates the:

- Good Faith Estimate (GFE) and Early Truth-in-Lending (TIL) into the new Loan Estimate (LE), and
- HUD-1 and Final TIL into the new Closing Disclosure (CD).

This announcement is intended to bring awareness of the TRID changes and their potential impact on how Brokers do business with RAC. It is not intended to provide legal or compliance advice.

Effective Date

The TRID disclosure requirements apply to loans with applications taken on or after October 3, 2015, as outlined below:
Applications taken:

- On or before October 2, 2015 – Old disclosures (GFE, TIL and HUD-1)
- On or after October 3, 2015 – New disclosures (LE and CD)

Client Responsibility

Brokers are liable under TRID for ensuring the accuracy of the LE and CD contents and ensuring compliance with the regulatory timing requirements. In preparation for these changes, Brokers should:

- Review and understand TRID
- Establish policies and processes, including quality control processes to evidence and ensure compliance
- Work with vendors to identify and resolve any technological issues that may prevent compliance



TILA-RESPA Integrated Disclosure (TRID) (continued)

Loan Estimate- Requirements

- Brokers must deliver the Loan Estimate (LE) to the borrower(s) within three business days of receiving an application and not less than seven business days from consummation.
- The LE must be provided in “good faith” based on the best information reasonably available. Brokers are generally bound to the LE and may not revise technical errors, miscalculations or underestimations. The regulation provides limited exceptions.
- Brokers must comply with all timing requirements for disclosure and re-disclosure in accordance with CFPB requirements

Note: Refer to CFPB TRID guidelines for complete details regarding LE contents, timing, definition of business days and re-disclosure requirements.

- Brokers must provide a fully completed LE on all loans subject to TRID
- A copy of all LEs provided to the consumers must be included in the loan file

Note: In accordance with CFPB guidelines, the LE is not required to be signed by the consumer. However, the LE must contain the appropriate required confirm receipt/loan acceptance language as defined in the CFPB regulation

Closing Disclosure – Requirements

- Regardless of the method of delivery of the CD, Broker must properly document that the transaction was in compliance with the CD timing requirements under TRID.
- Regardless of who prepares the CD, the Broker remains liable for the contents of the disclosure, and for the overall liability with respect to compliance with all CFPB TRID requirements.
- Brokers must comply with all timing requirements for disclosure and re-disclosure in accordance with CFPB requirements.
- The Partial Payments section of the CD must be completed in accordance with your company’s partial payment requirements.
- For rescindable loans, Broker must ensure that all consumers, with the right to rescind, are provided proper disclosures, as required under the regulation



TILA-RESPA Integrated Disclosure (TRID) (continued)

- Brokers must provide a fully completed CFPB-compliant CD on all loans subject to TRID
- A copy of all CDs provided to the consumers must be included in the loan file
- Loans in which the consumer waived their CD three-day waiting period are not eligible

Note: The CD must be signed and dated by each consumer required to execute.

For Additional Information For additional information on TRID, click on the below-referenced CFPB Links:

- [CFPB Rulemaking](#)
- [Implementation Page](#)
- [Compliance Guide](#)
- [Guide to Forms](#)
- [Disclosure Timeline](#)
- [Forms](#)