

MFA Single Family Program CFPB Dodd-Frank Regulation Policies

Ability to Repay (“ATR”) and Qualified Mortgage (“QM”)

Mortgage loans originated and closed by lenders participating in a program administered by a Housing Finance Agency (MFA’s single family program) are exempt from the ATR requirement. However, HFA loans are not exempt from HOEPA requirements related to High-Cost mortgages and TILA requirements for Higher-Priced Mortgage Loans (“HPML’s”). MFA will purchase HPML’s, but not HOEPA loans. Please refer to the CFPB Small Entity guide for additional information.

High Priced Mortgage Loan (“HPML”)

Loans originated under MFA’s single family program are not subject to QM requirements of the HPML rule. MFA single family program loans are exempt from ATR requirements and therefore do not have QM status. However, loans originated within MFA single family program satisfy the QM criteria defined by FHA, VA, USDA and Fannie Mae, which makes the MFA single family program loan exempt from the HPML rule.

Regulation Z (“Reg. Z”)

- **List of Housing Counseling Agencies**-MFA Participating Lenders must provide a list of 10 HUD approved housing counseling agencies within 3 business days of a RESPA compliant application. Lenders may create their own list of Housing Counseling agencies from the CFPB website. MFA cannot be included in the list of HUD approved housing counseling agencies for the purpose of providing disclosure for Reg. Z.
- **Loan officer compensation**-MFA Participating Lenders are expected to adhere to all requirements related to the restrictions on loan officer compensation for loans delivered for purchase under MFA’s single family program. While MFA is not directly involved in providing compensation to individuals involved in the transaction, MFA prohibits Participating Lenders from basing compensation to loan originators based on the terms of the transaction and requires that Participating Lenders maintain sufficient records related to all compensation received and paid to loan originators in accordance with Reg. Z.
- **Loan Originator Identification (SAFE Act)**-MFA requires each first mortgage loan and second mortgage loan (if applicable) application, mortgage and note must include identification information, including the primary originators name and National Mortgage Licensing System & Registration (“NMLSR”), and the name and NMLSR of the originators employer.
- **Escrow Requirements for HPML**-MFA Participating Lenders are required to abide by all requirements regarding the establishment of escrow accounts on HPML.

Unfair, Deceptive, or Abusive Acts or Practices (“UDAAP”)

MFA requires Participating Lenders to adhere to all components of UDAAP as it relates to borrower communication on loans delivered to MFA’s single family program for purchase. MFA must approve all marketing/communication materials that reference MFA’s single family loan program prior to release of the marketing materials. MFA will provide copies of MFA’s logo and provide approved language for all communications developed and created by Participating Lenders for purposes of borrower communication.

Fair Lending

MFA abides by all fair housing and fair lending laws and employs no policy or practice that discriminates against members of a protected class. MFA requires all parties participating in MFA programs to abide by MFA’s Fair Lending Policy.

MFA’s Fair Lending Policy:

- MFA engages in certain housing-related transactions in fulfilling its public purpose and has, since its inception, pledged to the letter and spirit of US policy for the achievement of equal housing opportunity throughout the nation.
- MFA will not refuse to sell or rent, or refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, age, sexual orientation, gender identity, disability, familial status or national origin.
- MFA will not discriminate against any person in making available a residential real estate-related transaction, or in the terms or conditions of such a transaction, because of race, color, religion, sex, age, sexual orientation, gender identity, disability, familial status or national origin.
- MFA will contractually require compliance with all applicable Fair Housing laws by all recipients of MFA-administered funds.

For additional information regarding fair housing and fair lending laws please refer to the U.S. Department of Housing and Urban Development or Consumer Financial Protection Bureau websites; or simply click on the icons below.



Regulation B (“REG.B”)/ECOA Valuations

MFA requires Participating Lenders to abide by all components of Reg. B in providing loan applicants a free copy of all valuations developed in connection with an application for a first mortgage loan within MFA’s single family program. Participating Lenders must notify all applicants in writing that copies of appraisals will be provided promptly.