

Governance, Risk & Compliance

# What's New with the Documents

ComplianceOne<sup>®</sup> mortgage

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## Governance, Risk & Compliance

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## What's New

### **MULTI-STATE**

#### **Application Summary Report**

The Application Summary Report has been updated to print credit bureaus with the tied credit scores in the Loan Decision Information section.

#### **Appraisal Report Delivery Waiver**

Selection rules of the Appraisal Report Delivery Waiver document have been updated. Select for an application of credit where the loan is to be secured by a first lien on residential real estate or a mobile home residence, the lender has indicated they want to waive the three business day requirement, and either the loan is not higher-priced (HPML) or the loan is higher-priced (HPML) but is exempt from the HPML appraisal requirements. Do not select if the Military Lending Act applies to the transaction.

#### **Freddie Mac Form 5510 ARM Note with Rate Caps**

Freddie Mac Guide Bulletin 2021-4 announced retirement of LIBOR-indexed ARMs. The name of the Freddie Mac Forms 5510 5530 and 5531 ARM Note with Rate Caps document has been updated to 'Freddie Mac Form 5510 ARM Note with Rate Caps'. The form will no longer be selected for Freddie Mac ARM product 5531 where the Variable Index Type is 'One Year Wall Street Journal LIBOR'. The language specific to 'One Year Wall Street Journal LIBOR' has been removed from the following sections:

- Section 4(B). The Index;
- Section 5. Borrower Right To Prepay;
- Section 11. Uniform Secured Note;
- Section 12. No Sale or Transfer of Security.

The document will continue to be selected for the Freddie Mac ARM product 5510 with the 'One Year Treasury' Variable Index Type.

#### **Freddie Mac Form 5110 ARM Rider with Rate Caps**

Freddie Mac Guide Bulletin 2021-4 announced retirement of LIBOR-indexed ARMs. The name of the Freddie Mac Forms 5110 5130 And 5131 ARM Rider with Rate Caps document has been updated to 'Freddie Mac Form 5110 ARM Rider With Rate Caps'. The form will no longer be selected when the Variable Index Type is 'One Year Wall Street Journal LIBOR'. The language specific to 'One Year Wall Street Journal LIBOR' has been removed from the following sections:

- Section 4(B). The Index;
- Section – B. Transfer of the Property or a Beneficial Interest in Borrower.

The document will continue to be selected for the 'One Year Treasury' Index Type within Freddie Mac ARM product 5510.

#### **Government Monitoring Information**

The Government Monitoring Information has been updated to select for each applicant the lender wants a form

for. Previously, only one instance was generated for two joint co-applicants.

#### **HUD92800.5b Conditional Commitment**

The U.S. Department of Housing and Urban Development has renewed the HUD92800.5b Conditional Commitment document. There were multiple text formatting and language changes throughout the form:

- The expiration date was extended to 01/31/2024.
- General Commitment Conditions section updates:
  - a new condition has been added "Certification: The information provided on this form and in any accompanying documentation is certified to be true and accurate."
  - the condition regarding Validity Period has been updated to print "This document expires 120 days from the effective date of the appraisal (plus 30 day extension when applicable) or 240 days from effective date of the initial appraisal when an appraisal update is completed."
- Conditional Commitment underwriter's identification number assigned by HUD field under Commitment Terms section has been updated to use the FHA assigned number that identifies the Direct Endorsement underwriter authorized to approve the loan on behalf of the FHA. The identifier can be entered on the left menu on the document within **FHA Underwriter Computerized Homes Underwriting System Identifier** field under Note node.
- The condition description under letter T under Specific Commitment Conditions section has been replaced with "Reserved".

#### **HUD 92900A Addendum to Uniform Residential Loan Application**

The Mortgagee's Certification on page 4 of the HUD 92900A Addendum to Uniform Residential Loan Application document must now be signed by a post-closing representative of the lender or mortgage broker. The form has been updated to allow the lender or mortgage broker to provide a name and title that is unique to the post-closing review and not someone involved in the origination and underwriting of the loan. The data can be entered within a left menu on the document.

#### **HUD 9991 Condominium Approval Questionnaire**

The HUD 9991 Condominium Approval Questionnaire document has been updated with the following changes:

- Public Reporting Burden and General hardcoded text has been updated with the new language.
- the Section 3: Loan Level Requirements and the Section 4: Additional Requirements for Single-Unit Approval has been removed from page 1.
- the Contact Title to the Contact Name field has been added in section 1a. Mortgagee Information.
- Section 2 Condominium Project Information changes:
  - Table 2.a. Condominium Project has been updated. Loan Level and Single-Unit approval checkboxes have been added to the header of the section, as well as the Project Completion Date, Number of Phases and Number of Completed Phases fields at the bottom of the table.
  - Table 2.c. Management Company has been removed.
- Section 3 has been renamed to "Condominium Project Eligibility" from "Loan Level Requirements" as well as the following changes:
  - Tables 3.a. Occupancy Requirements by Construction Type and 3.b. Individual Owner Concentration have been restructured.
  - Row 2 - Hazard Insurance and row 3 - Flood Insurance have been relocated from Table 3.e. Insurance Requirements to Table 4.d. Additional Insurance Requirements for Single-Unit Approval of the Section 4: Single-Unit Approval.
  - Table 3.f. Required Documentation for All Units (Loan Level and Single-Unit Approval) has been removed.
- Section 4 has been renamed to "Single-Unit Approval" from "Additional Required Documentation for Single-Unit Approval" as well as the tables have been restructured and Table 4.g. Additional Required

Documentation for Single-Unit Approval has been removed.

- A new Section - WARNING has been added with hardcoded text at the bottom of the document.

### **IRS 1099S Proceeds from Real Estate Transactions**

The IRS 1099S Proceeds from Real Estate Transactions has been updated to match the IRS model form. The changes are the following:

- The year shown on the form has been updated from 2020 to 2021.
- The Instructions for Transferor have been updated to include two new sections: Future Developments and FreeFile.

### **IRS1099SSU-Cert For No Interest Reporting**

The IRS1099SSU-Cert For No Interest Reporting has been updated to include two additional Seller Assurances:

- 'There has been no period of nonqualified use after December 31, 2008.'
- 'The full amount of the gain from the sale is excludable under Internal Revenue Code section 121.'

### **Tax Information Authorization**

The Tax Information Authorization document has been revised to follow the model form with revision date of January 2021. Also Appointee has been changed to designee, and a new section to collect the information for a second designee has been added. A new checkbox has been added if notices and communications are to be sent to the designee. The Disclosure of tax information section has been removed and Signature of taxpayer section title has been changed to Taxpayer signature.

### **Uniform Residential Loan Application**

The Uniform Residential Loan Application has been updated in the following way:

- checkbox `I am applying for individual credit` would be selected on the instance for the borrower who does not have a CoApplicant;
  - checkbox `I am applying for joint credit` would be selected on the instance for 2 borrowers who are CoApplicants. Total Number of Borrowers would always print 2 when this checkbox is selected.
- Both checkboxes and the field to enter number of borrowers will remain editable from Document Data page.

### **Uniform Underwriting and Transmittal Summary**

The Uniform Underwriting and Transmittal Summary has been revised to accommodate additional borrower names and longer property address. That is why additional lines have been added to the Borrower Name and Property Address fields.

### **Universal Credit Application Real Estate Universal Credit Application Real Estate Supplement**

The Credit Application Real Estate and Credit Application Real Estate Supplement documents display rules have been revised to add the word "Universal". Also the Legal Description of the Subject Property has been updated to print "See Exhibit" if the lender has indicated that they will use an Exhibit to document the legal description of the collateral.

### **Universal Credit Application Real Estate HMDA**

The Legal Description of the Subject Property of the Universal Credit Application Real Estate HMDA document has been updated to print "See Exhibit" if the lender has indicated that they will use an Exhibit to document the legal description of the collateral.

## **INDIANA**

**Assignment Leases and Rents**  
**Assignment of Real Estate Security Instrument**  
**Construction Loan Extension Agreement**  
**Conventional First Mortgage and Subordinate Security Instrument**  
**Landlord Lien Subordination Agreement**  
**Modification Agreement Agency Based**  
**Modification Agreement Mortgage**  
**Mortgage Closed End**  
**Partial Release of Real Estate Security Instrument**  
**Release of Real Estate Security Instrument**  
**Subordination Agreement Real Estate Lien**

Indiana HB 1056, signed by the Governor on 2/18/2021 and effective immediately, amended Indiana Code Title 32. Property § 32-21-2-3. This amendment corrected an error made in Indiana SB 340 which resulted in requiring two notarial acts, first for the acknowledgment and second, for proof of execution by a witness on a recordable real estate document.

The applicable documents have been updated to require either an acknowledgment or proof of execution, so the section "Indiana Certificate of Proof" has been removed.

### **Motor Vehicle Title Application-IN**

The Motor Vehicle Title Application document for Indiana has been revised to match the Indiana Bureau of Motor Vehicle form 205 with a revision date of 3/20.

The following changes to the document have been made:

- "Approved by State Board of Accounts, 2016" has been deleted in the title, as well as numerous text changes throughout the document.
- New fields have been added for "Electronic Lien and Title (ELT) identification number".

## **MICHIGAN**

### **Manufactured Housing Title Application-MI**

The Manufactured Housing Title Application-MI has been updated to match the model form with revision date of February 2019. The changes include:

- The Owner's Name(s) and Address has been split into two separate sections.
- The Mailing Address section has been added to the form.
- A new field Applicant Identification Type Description has been added to the Applicant Identification section for cases when the applicant is not an owner.

## **NEW JERSEY**

### **Universal Title Application-NJ**

The Motor Vehicle Title Application for New Jersey has been completely revised to match New Jersey Motor Vehicle Commission form OS/SS-UTA with a revision date of 1/2020. The updated form has been renamed to Universal Title Application-NJ and is a combination of three prior documents - Motor Vehicle Title Application - NJ, Motor Vehicle Title Notification - NJ and Boat Title Application - NJ.

### **Motor Vehicle Title Notification-NJ**

The Motor Vehicle Title Notification for New Jersey has been discontinued. The Motor Vehicle Title Application, the Motor Vehicle Title Notification and the Motor Vehicle Title Boat Title Application documents have been combined into the Universal Title Application for New Jersey.

## **NEW YORK**

### **Motor Vehicle Title Notification-NY**

The Motor Vehicle Title Notification document for New York has been updated to match the model form with a new revision date of 7/2019 and new text for information on filing electronically at the top of the page has been added.

### **Motor Vehicle Title Notice-NY**

The Motor Vehicle Title Notice document for New York has been updated to match the model form with a new revision date of 8/2019 and new text for information on filing electronically has been added.

## **OHIO**

### **Ohio Homebuyers' Protection Act Informational Document**

The Ohio Homebuyers' Protection Act Informational Document has been updated to match the model form. The last item paragraph has been removed: 'Attempting to enforce a prepayment penalty against you on a first mortgage when your loan amount is less than \$88,503 (for calendar year 2017), or \$89,261 (for calendar year 2018)'.

## **PENNSYLVANIA**

### **Motor Vehicle Title Notice-PA**

The Motor Vehicle Title Notice document for the state of Pennsylvania has been updated with a new revision date of 07/2019. Also text changes that include new fee amounts have been made.

## **VIRGINIA**

### **Deed of Trust Closed End**

### **FHA Deed of Trust**

Several real estate security instruments have been updated to include the original interest rate in the disclosure for refinance transactions that are subject to Virginia Code section 55.1-319. The Deed of Trust Closed End and the FHA Deed of Trust documents have been updated to include the original interest rate for a Virginia refinance transaction under Virginia Code section 55.1-319.

## **WEST VIRGINIA**

### **Motor Vehicle Title Application-WV**

The Motor Vehicle Title Application document for West Virginia has been updated with a new revision date of 10/2018 as well as new fields for Dept., Unit, and Title Numbers for DMV use only on page 1. On page 2 for the 6% Sales Tax the amount has been updated from \$25.00 to \$30.00.

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