

Course Title: The New RESPA NM Course # 21010141

Description: RESPA is the Federal law that regulates all the service providers in a transaction involving a Federally-regulated loan. This course is intended to help the broker navigate through the maze of those regulations, and others, including MDIC, HVCC, and others. Specifically, the course looks at various individual sections of the law, including those dealing with loan disclosures, HUD-1 preparation and delivery, servicing practices, and kickbacks (aka illegal inducements). Focus is on understanding those provisions, and using those provisions to maximize the performance and cooperation with lenders and other real estate transactional affiliates.

Learning Objectives:

L1: Students will identify the various restrictions and regulations imposed by the federal statutes RESPA, MDIA, HVAC.

L2: Students will be able to convert the specific RESPA restrictions into strategies to make transactions more effective; Loan Application documentation, including the GFE and TIL, Special Information Booklets, Servicing 20/60 rule, HUD-1 disclosure and delivery and illegal inducements

L3: Students can construct strategies to enforce these regulations with their affiliates and others SSPs to create transactional communication, fluidity and communication to assure consumer protection

L3: Students will be able to assist homeowners in the exercise of their own federal disclosure and servicing rights, empowering the consumers to maximize their information and protection

L4: Broker will be able to troubleshoot compliance issues quicker and easier, and request compliance from their affiliates, for consumer protection.

L5: Broker will be better able to advise their clients on loan and closing costs and evaluate the performance of their settlement service providers.

The following will be the means used in assessing whether the Learned Objectives have been met: Q+A=questions and answers; CS = case study; L = lecture, PP = power point; GD = group discussions

Timed Outline

0-15	Class introduction and review objectives; the history of RESPA regulations and its defined goals	L; PP; GD
15-30	The application of RESPA to transactions (to whom does RESPA apply (Federally-related loans), and who is exempt (cash and post-closing SSPs)	PP; L
30-45	The Special Information Booklet required for delivery to borrowers, its content and how to ensure delivery to borrowers and evaluate loan officers under the performance requirements; assuring compliance and protecting our consumers	L; PP; GD
45-60	The GFE: definitions, assuring compliance; comparisons to the final HUD	PP;GD; Q+A
60-75	The HUD-1: original intentions, development of the forms, compliance issues for lenders, delivery and contract/closing strategies	GD; PP; CS
75-90	The three-bucket approach to HUD-1 fees and transactional costs	PP; GD; L
90-105	Escrow accounts and Section 10; aggregate accounting	PP; GD; CS
105-120	Section 6 and Servicing Disclosures, the 20/60 rules for complaint resolution	L; PP; GD; CS
120-135	Section 9 and title company selection ; limitations on title companies (State and Fed regulations)	PP; GD; CS
135-150	Affiliated Business Relationships; disclosure requirements	CS; PP; GD; Q+A
150-165	Section 8 and prohibitions against kickbacks and unearned fees; fee splitting; liability for violations; RESPA prosecutions and settlements; Colorado, Texas, California and national case studies	PP; GD; L; CS
165-180	RESPA and limitations on seller financing; the 1 and 3 property exclusions	PP; L; GD
180-195	HVCC regulations and requesting geographical competence	PP; GD
195-210	MDIA and changes affecting the TIL disclosure; closing strategies	PP; GD
210-225	Strategies to assure your client of proper disclosure and compliance	PP: GD; Q+A
225-240	Websites to explore; how to file a complaint; what the future holds under new CFPB enforcement; review objectives	PP; GD; Q+A