

Compliance Focus Areas – Maine

Application Disclosures

Appraisal Disclosure

- State law is not clear on a date requirement. Best practice is to disclose within three days of submission to underwriting for broker loans; within three days of 1003 for retail/correspondent loans.
- Differs from ECOA requirement by including language that Borrower may request appraisal within 90 days after (i) providing notice of action taken on application or (ii) closing, whichever is later, or (iii) 90 days after the application is withdrawn.

State of Maine Bureau of Consumer Credit Protection Mortgage Broker Agreement/Contract

- Confirm dated prior to submission to UW.
- Must be signed by Borrower.
- Applies to broker transactions only.

Notice to Consumer

- Confirm dated prior to Broker Agreement or prior to any money paid by Borrower, whichever occurs first.
- Applies to broker transactions only.

Right to Own Attorney Disclosure

Statute has no specific date requirement. Best practice is that it be dated at or before final approval.

Marital Rights

Maine is **not** a community property state. Non-borrowing titled spouses are required to sign the Mortgage, CD and Right of Rescission (if applicable). Non-borrowing non-titled spouses are not required to sign unless the non-owner spouse has filed a claim in the registry of deeds and either a divorce action is still pending or the non-owner spouse has been granted an interest in the real estate by the court.

Predatory Lending

UWM does not originate or purchase high-cost loans. A high-cost loan is defined as (1) the APR equals or exceeds the federal HOEPA rate and (2) for loans of \$40,000 or greater, total points and fees (less excluded points and fees as listed in the statute) exceed 5% of the total loan.

Closing Practices

Maine is a wet settlement state. Funds must be presented to the closing agent no later than closing.