

Union Calendar No. 319

115TH CONGRESS
1ST SESSION

H. R. 3971

[Report No. 115-432]

To amend the Truth in Lending Act and the Real Estate Settlement Procedures Act of 1974 to modify the requirements for community financial institutions with respect to certain rules relating to mortgage loans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 5, 2017

Ms. TENNEY (for herself, Mr. SHERMAN, and Mr. WILLIAMS) introduced the following bill; which was referred to the Committee on Financial Services

NOVEMBER 30, 2017

Additional sponsors: Mr. LOEBSACK and Mr. SESSIONS

NOVEMBER 30, 2017

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

To amend the Truth in Lending Act and the Real Estate Settlement Procedures Act of 1974 to modify the requirements for community financial institutions with respect to certain rules relating to mortgage loans, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Community Institution
 5 Mortgage Relief Act of 2017”.

6 **SEC. 2. COMMUNITY FINANCIAL INSTITUTION MORTGAGE**
 7 **RELIEF.**

8 (a) EXEMPTION FROM ESCROW REQUIREMENTS FOR
 9 LOANS HELD BY SMALLER CREDITORS.—Section 129D
 10 of the Truth in Lending Act (15 U.S.C. 1639d) is amend-
 11 ed—

12 (1) by adding at the end the following:

13 “(k) SAFE HARBOR FOR LOANS HELD BY SMALLER
 14 CREDITORS.—

15 “(1) IN GENERAL.—A creditor shall not be in
 16 violation of subsection (a) with respect to a loan if—

17 “(A) the creditor has consolidated assets of
 18 \$25,000,000,000 or less; and

19 “(B) the creditor holds the loan on the bal-
 20 ance sheet of the creditor for the 3-year period
 21 beginning on the date of the origination of the
 22 loan.

23 “(2) EXCEPTION FOR CERTAIN TRANSFERS.—

24 In the case of a creditor that transfers a loan to an-
 25 other person by reason of the bankruptcy or failure

1 of the creditor, the purchase of the creditor, or a su-
2 pervisory act or recommendation from a State or
3 Federal regulator, the creditor shall be deemed to
4 have complied with the requirement under para-
5 graph (1)(B).”; and

6 (2) by striking the term “Board” each place
7 such term appears and inserting “Bureau”.

8 (b) MODIFICATION TO EXEMPTION FOR SMALL
9 SERVICERS OF MORTGAGE LOANS.—Section 6 of the Real
10 Estate Settlement Procedures Act of 1974 (12 U.S.C.
11 2605) is amended by adding at the end the following:

12 “(n) SMALL SERVICER EXEMPTION.—The Bureau
13 shall, by regulation, provide exemptions to, or adjustments
14 for, the provisions of this section for a servicer that annu-
15 ally services 30,000 or fewer mortgage loans, in order to
16 reduce regulatory burdens while appropriately balancing
17 consumer protections.”.

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