

115TH CONGRESS
2D SESSION

S. 3731

To provide regulatory relief to charitable organizations that provide housing assistance, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 2018

Mrs. FISCHER (for herself and Mr. VAN HOLLEN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide regulatory relief to charitable organizations that provide housing assistance, 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 “Building Up Inde-
5 pendent Lives and Dreams Act” or the “BUILD Act”.

6 **SEC. 2. MORTGAGE LOAN TRANSACTION DISCLOSURE RE-**
7 **QUIREMENTS.**

8 (a) TILA AMENDMENT.—Section 105 of the Truth
9 in Lending Act (15 U.S.C. 1604) is amended by inserting
10 after subsection (d) the following:

1 “(e) DISCLOSURE FOR CHARITABLE MORTGAGE
2 LOAN TRANSACTIONS.—With respect to a mortgage loan
3 transaction involving a residential mortgage loan offered
4 at 0 percent interest primarily for charitable purposes by
5 an organization described in section 501(c)(3) of the In-
6 ternal Revenue Code of 1986 and exempt from taxation
7 under section 501(a) of such Code, forms HUD–1 and
8 GFE (as defined under section 1024.2(b) of title 12, Code
9 of Federal Regulations) together with a disclosure sub-
10 stantially in the form of the Loan Model Form H–2 (as
11 depicted in Appendix H to part 1026 of title 12, Code
12 of Federal Regulations) shall, collectively, be an appro-
13 priate model form for purposes of subsection (b) of this
14 section.”.

15 (b) RESPA AMENDMENT.—Section 4 of the Real Es-
16 tate Settlement Procedures Act of 1974 (12 U.S.C. 2603)
17 is amended by adding at the end the following:

18 “(d) DISCLOSURE FOR CHARITABLE MORTGAGE
19 LOAN TRANSACTIONS.—With respect to a mortgage loan
20 transaction involving a residential mortgage loan offered
21 at 0 percent interest primarily for charitable purposes, an
22 organization described in section 501(c)(3) of the Internal
23 Revenue Code of 1986 and exempt from taxation under
24 section 501(a) of such Code may use forms HUD–1 and
25 GFE (as defined under section 1024.2(b) of title 12, Code

1 of Federal Regulations) together with a disclosure sub-
2 stantially in the form of the Loan Model Form H-2 (as
3 depicted in Appendix H to part 1026 of title 12, Code
4 of Federal Regulations), collectively, in lieu of the dislo-
5 sure published under subsection (a) of this section.”.

6 (c) REGULATIONS.—Not later than 180 days after
7 the date of the enactment of this Act, the Director of the
8 Bureau of Consumer Financial Protection shall issue such
9 regulations as may be necessary to implement the amend-
10 ments made by subsections (a) and (b).

11 (d) EFFECTIVE DATE.—The amendments made by
12 subsections (a) and (b) shall take effect on the date of
13 the enactment of this Act.

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