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Enacted Legislation regarding Predatory Mortgage Lending
September 23, 2003

Arkansas	<p>H.B. 2598 <i>Signed by governor 4/16/03, Act 1340</i> http://www.arkleg.state.ar.us/ftproot/acts/2003/public/act1340.pdf Creates the Arkansas Home Loan Protection Act.</p>
California	<p>A.B. 489 <i>Chaptered by secretary of state 10/11/01, Chapter 732</i> http://www.leginfo.ca.gov/pub/bill/asm/ab_0451-0500/ab_489_bill_20011011_chaptered.html Imposes various requirements on consumer loans secured by specified real property, defined as "covered loans." Prohibits various acts in making covered loans, including the following: failing to consider the financial ability of a borrower to repay the loan, financing specified types of credit insurance into a consumer loan transaction, recommending or encouraging a consumer to default on an existing consumer loan in order to solicit or make a covered loan that refinances the consumer loan, and making a covered loan without providing the consumer a specified disclosure. Provides that a violation of its provisions would be subject to a civil penalty.</p>
	<p>A.J.R. 26 <i>Chaptered by secretary of state 6/27/02, Resolution Chapter 96</i> http://www.leginfo.ca.gov/pub/bill/asm/ab_0001-0050/ajr_26_bill_20020627_chaptered.html Memorializes the President and Congress of the United States to do all of the following: (a) Stand firm in protecting the financial interest of military reserve personnel. (b) Enact new legislation that strengthens the provisions of the Soldiers and Sailors Relief Act of 1940. (c) Look into the practice of predatory lending against military reservists based on their reserve status. (d) Enact legislation that makes it a crime to discriminate against military reserve personnel based on reserve status when applying for financing.</p>
Colorado	<p>H.B. 1259 <i>Signed by governor 6/7/02, Chapter 323</i> http://www.state.co.us/gov_dir/leg_dir/olls/sl2002a/sl.323.htm Adds a new article to the Uniform Consumer Credit Code creating increased</p>

	<p>consumer protections regarding covered loans under the federal Home Ownership and Equity Protection Act of 1994. Defines terms. Creates additional protections regarding covered loans, including limitations on balloon payments, accelerations of indebtedness, negative amortization, increased interest rates after default, mandatory arbitration clauses, prepayment penalties, the use of loan proceeds to pay home improvement contractors, the financing of credit insurance, recommendations to default on existing loans, and charging a fee for providing a credit balance. Further protects covered loan consumers by requiring certain disclosures and reporting and by prohibiting advance payments, lending without regard to repayment ability, and refinancing that does not benefit the borrower or that results in a loss of certain benefits to the borrower. Preempts local law attempting to regulate lending activities that are subject to the Act or to certain federal authorities. Specifies civil remedies and grants the attorney general authority to enforce the consumer protections.</p>
Connecticut	<p>H.B. 6131 <i>Signed by governor 5/31/01, Public Act 01-34</i> http://www.cga.state.ct.us/2001/act/Pa/2001PA-00034-R00HB-06131-PA.htm Establishes a statutory scheme to curb abusive lending practices; and to prohibit mortgagees from charging a mortgagor or the mortgagor's attorney or agent a fee for the first payoff statement provided in a calendar year.</p>
	<p>H.B. 5073 <i>Signed by governor 4/22/02, Public Act 02-12</i> http://www.cga.state.ct.us/2002/act/Pa/2002PA-00012-R00HB-05073-PA.htm Clarifies the definition of "prepaid finance charge" and makes that definition applicable to the provision limiting such charges in secondary mortgage loan transactions.</p>
	<p>S.B. 984 <i>Signed by governor 6/3/03, Public Act 03-61</i> http://www.cga.state.ct.us/2003/act/Pa/2003PA-00061-R00SB-00984-PA.htm Updates the bonding requirements of the "Money Transmission Act" and exempts Connecticut-chartered banks and credit unions from licensure under the act, regardless of whether they are federally-insured; provides that the notice of right to cancel certain insurance products required by the high cost home loan provisions be in not less than 12-point type and be sent separately to the borrower by mail; and makes certain technical and clarifying changes</p>
District of Columbia	<p>B13-800 <i>Approved 12/5/00, Law 13-263</i> Enacts a new mortgage law for the District of Columbia which will clarify the status of deeds of trust and mortgages by changing and redefining certain common law and existing case law relating to mortgages, deeds of trust, foreclosure, the conduct of residential lending activities and the relationships among various persons in real property financing transactions; codifies a loan and foreclosure process that is definite, fair, inclusive, and improved for all affected persons; provides residential property owners with additional protection from predatory lending practices including an expedited judicial</p>

	<p>review of certain residential loans for predatory lending practices prior to foreclosure; audits all foreclosure sales for compliance with procedures and proper allocation of the foreclosure sale proceeds; and expands the District of Columbia's real property financing laws to include significant portions of the Restatement of the Law Third of Property (Mortgages) as adopted May 14, 1996 by the American Law Institute.</p>
	<p>B14-416 <i>Approved 11/6/01, Act 14-188</i> http://dccouncil.dc.gov/images/00001/20011113144356.pdf Amends, on an emergency basis, the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000 to clarify its applicability and provide a four-month time period for revisions and clarifications.</p>
	<p>B14-417 <i>Approved 12/4/01, Law 14-086</i> http://dccouncil.dc.gov/images/00001/20011210145230.pdf Amends, on a temporary basis, the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000 to clarify its applicability and provide a four-month time period for revisions and clarifications.</p>
	<p>PR14-431 <i>Approved 11/6/01, Resolution 14-249</i> http://dccouncil.dc.gov/images/00001/20011113140048.pdf Declares the existence of an emergency with respect to the need to amend the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000 to clarify its applicability and provide a four-month time period for revisions and clarifications.</p>
	<p>B14-515 <i>Approved 2/19/02, Act 14-296</i> http://dccouncil.dc.gov/images/00001/20020225155957.pdf Creates the Home Loan Protection Act of 2002; prohibits certain predatory lending practices with respect to residential mortgage loans, repeals the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000.</p>
	<p>B14-536 <i>Approved 2/5/02, Act 14-273</i> http://dccouncil.dc.gov/images/00001/20020213104716.pdf Amends, on an emergency basis, due to Congressional review, the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000 to clarify its applicability and provide a four-month time period for revisions and clarifications; and amends a section of the Protections from Predatory Lending and Mortgage Foreclosure Improvements Temporary Amendment Act of 2001 to correct a technical error.</p>
	<p>B14-555 <i>Approved 2/19/02, Act 14-295</i> http://dccouncil.dc.gov/images/00001/20020225160309.pdf Prohibits, on an emergency basis, certain predatory lending practices with respect to residential mortgage loans, and repeals the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000.</p>

	<p>PR-546 <i>Approved 2/5/02, Resolution 14-354</i> http://dccouncil.dc.gov/images/00001/20020213104558.pdf Declares the existence of an emergency, due to Congressional review, with respect to the need to amend the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000 to clarify its applicability and provide a four-month time period for revisions and clarifications; and to amend a section of the Protections from Predatory Lending and Mortgage Foreclosure Improvements Temporary Amendment Act of 2001 to correct a technical error.</p>
	<p>PR-576 <i>Approved 2/19/02, Resolution 14-372</i> http://dccouncil.dc.gov/images/00001/20020225160402.pdf Declares the existence of an emergency with respect to the need to prohibit certain predatory lending practices with respect to residential mortgage loans, and to repeal the Protections from Predatory Lending and Mortgage Foreclosure Improvements Act of 2000.</p>
Florida	<p>S.B. 2262 <i>Signed by governor 4/22/02, Chapter 57</i> http://www.leg.state.fl.us/cgi-bin/view_page.pl?Tab=session&Submenu=1&FT=D&File=sb2262er.html&Directory=session/2002/Senate/bills/billtext/html/ Creates the Florida Fair Lending Act; provides legislative findings; specifies prohibited acts regarding high-cost home loans; specifies required disclosures for high-cost home loans; requires lenders of high-cost home loans to provide notice to borrowers prior to taking foreclosure actions; allows borrowers to cure defaults; provides that a lender who violates this Act forfeits the interest in a high-cost home loan; directs the Department of Insurance to approve specified enrollment forms.</p>
Georgia	<p>H.B. 1361 <i>Signed by governor 4/22/02</i> http://www.legis.state.ga.us/Legis/2001_02/fulltext/hb1361.htm Enacts the Georgia Fair Lending Act; prohibits abusive home loan practices; provides for definitions; provides for prohibited practices and limitations relating to high-cost home loans; creates specific and numerous consumer protections for high-cost home loans; provides for penalties and enforcement; and provides for exceptions for unintentional violations.</p>
	<p>S.B. 53 <i>Signed by governor 3/7/03, Act 1</i> http://www.legis.state.ga.us/legis/2003_04/fulltext/sb53.htm Amends the Georgia Fair Lending Act; provides for revisions to certain definitions; provides for changes in limitations on late payment charges; specifies when a reasonable, tangible net benefit occurs; clarifies that certain home loan refinancing shall not be presumed to be a flipping; provides for reasonable attorneys' fees; provides for liability of creditors for violations of the Act; provides for certain exceptions and limitations consistent with federal law; provides the Department of Banking and Finance with express authority to promulgate rules and regulations; provides for good faith reliance on guidance</p>

	from the Department of Banking and Finance.
Kentucky	H.B. 287 <i>Signed by governor 3/12/03</i> http://www.lrc.state.ky.us/record/03rs/HB287.htm Regulates mortgage lending practices.
Louisiana	H.R. 103 <i>Passed House 6/1/03</i> http://www.legis.state.la.us/leg_docs/03RS/CVT1/OUT/0000KJKZ.PDF Requests the Office of Financial Institutions to promulgate rules and regulations to increase public awareness of prohibited predatory lending practices.
Maine	L.D. 494 <i>Signed by governor 4/17/03, Public Law Chapter 49</i> http://janus.state.me.us/legis/LawMakerWeb/externalsiteframe.asp?ID=280008623&LD=494&Type=1 Amends the law related to the provision of high-rate, high-fee mortgages. Enhances consumer protections, retains the state's already stringent regulatory oversight by the Office of Consumer Credit Regulation and preserves availability of such mortgages in the marketplace.
Maryland	H.B. 399 <i>Signed by governor 4/20/01, Chapter 148</i> http://mlis.state.md.us/2001rs/billfile/HB0399.htm Requires credit unions to submit to the commissioner of Financial Regulation a detailed plan to encourage low income persons to join credit unions and to expand their usage of services that provide low income members financial alternatives to predatory lending practices.
	S.B. 377 <i>Signed by governor 4/20/01, Chapter 147</i> http://mlis.state.md.us/2001rs/billfile/sb0377.htm Requires credit unions to submit to the commissioner of financial regulation a detailed plan to encourage low income persons to join credit unions and to expand their usage of services that provide low income members financial alternatives to predatory lending practices.
	H.B. 649 <i>Signed by governor 5/16/02, Chapter 532</i> http://mlis.state.md.us/2002rs/billfile/HB0649.htm Prohibits specified lenders and credit grantors from financing specified single premium insurance as part of specified mortgage loans; prohibits specified lenders and credit grantors from making specified loans without giving due regard to the specified borrower's ability to repay the loans; requires specified borrowers to be provided with specified home buyer education or housing counseling information under specified circumstances.
Michigan	H.B. 6121 <i>Signed by governor 12/30/02, Public Act 660</i> Creates the Consumer Mortgage Protection Act, which would: 1) prohibit certain acts in offering to make or making some kinds of mortgage loans (e.g., refinancing loans and home equity loans) and provide for enforcement against

	<p>violations; 2) specify that the business of brokering, making, servicing, and collecting mortgage loans are to be solely regulated by federal and state governments and prohibit and preempt such regulation by municipal corporations or other political subdivisions of the state; and 3) require that, no later than March 1, 2003, the Office of Financial and Insurance Services develop and make available to local units of government, financial institutions, and other interested persons one or more model programs for financial education. The program would have to be designed to teach personal financial management skills and the basic principles involved with saving, borrowing, investing, and protection against predatory and other fraudulent lending practices.</p>
Minnesota	<p>S.F. 2988 <i>Signed by governor 4/17/02, Chapter 342</i> http://www.revisor.leg.state.mn.us/cgi-bin/getbill.pl?session=ls82&version=latest&number=sf2988 Regulates detached facilities, certain charges and fees, and mortgage prepayment penalties.</p>
Nebraska	<p>L.B. 218 <i>Signed by governor 3/20/03</i> http://www.unicam.state.ne.us/Legal/SLIP_LB218.pdf Prohibits predatory practices in the mortgage loan industry and to increase the authority of the Nebraska Department of Banking and Finance to take action against persons engaged in predatory lending practices. Amends §45-702, which is the definitional section of the Mortgage Bankers Registration and Licensing Act (“Mortgage Bankers Act”), to remove installment loan licensees from the definition of “financial institution.” Amends §45-704 to provide that registrations under the Mortgage Bankers Act will expire on the next March 1; to allow for a renewal of registrations; and to provide for a renewal fee of \$50. Currently registrations under the Act do not expire. A grace period for those registrants is set until March 1, 2004.</p>

<p>New Jersey</p>	<p>A.B. 75 <i>Signed by governor 5/1/03, Public Law Chapter 64</i> Prohibits certain lending practices in regard to home loans, covered home loans and high cost home loans, directs the Department of Banking and Insurance, in consultation with the Divisions of Consumer Affairs and Civil Rights, to develop and implement a program of consumer education to protect vulnerable consumers against practices regarding high-cost home loans, and provides that the department and the Division of Consumer Affairs shall enforce the provisions of the bill. Practices prohibited with respect to all home loans include the following: a) financing of certain credit insurance premiums or debt cancellation agreements; b) recommending or encouraging default on an existing mortgage loan; c) charging a late payment fee in excess of 5 percent of the amount of the payment due and other prohibitions enumerated in the bill; d) acceleration of the indebtedness at the creditor's sole discretion; and e) charging a fee for information concerning a borrower's payoff balance. Prohibits, in regard to covered home loans, "flipping," or the refinancing of a loan that was consummated within the prior 60 months and charging additional fees with no reasonable, tangible net benefit to the borrower.</p>
	<p>A.R. 269 <i>Passed Assembly 3/13/03</i> http://www.njleg.state.nj.us/2002/Bills/AR/269_I1.HTM Memorializes the President and Congress to uphold states' authority concerning predatory lending practices.</p>
<p>New Mexico</p>	<p>S.B. 449 <i>Signed 4/11/03, Chapter 436</i> http://legis.state.nm.us/Sessions/03%20Regular/bills/senate/SB0449.html Relates to home loans; enacts the Home Loan Protection Act; prohibits certain practices by creditors; providing civil remedies.</p>
<p>New York</p>	<p>A.B. 11856 <i>Signed by governor 10/3/02, Chapter 626</i> Regulates the making and foreclosure of high-cost home loans, imposing various prohibitions and limitations; imposes responsibilities in connection therewith on home improvement contractors; requires a certain notice in foreclosure actions and requires certain proofs by the party plaintiff; establishes affirmative defenses and permits recovery of attorneys' fees and closing costs.</p>
<p>North Carolina</p>	<p>H.B. 1182 <i>Signed by governor 8/7/03, Session Law 401</i> http://www.ncleg.net/html2003/bills/AllVersions/House/H1182vc.html Expands the usury exemption; relates to equity lines of credit; provides consumer protection in certain high-cost home loans; allows prepayment fees.</p>
	<p>S.B. 1149 <i>Signed by governor 7/22/99, Session Law 332</i> http://www.ncga.state.nc.us/html1999/bills/CurrentVersion/ratified/senate/sbil1149.full.html Modifies permissible fees which may be charged in connection with home loans secured by first mortgage or first deed of trust, imposes restrictions and limitations on high-cost home loans, revises the permissible fees and charges on</p>

	<p>certain loans, prohibits unfair or deceptive practices by mortgage brokers and lenders, and provides for public education and counseling about predatory lenders.</p>
	<p>S.B. 904 <i>Signed by governor 8/26/02, Chapter 393</i> http://www.ncga.state.nc.us/html2001/bills/AllVersions/Senate/S904vc.html Enacts the Mortgage Lending Act, which prohibits specified activities for mortgage lenders and mortgage brokers.</p>
Ohio	<p>H.B. 386 <i>Signed by governor 2/22/02</i> http://www.legislature.state.oh.us/bills.cfm?ID=124_HB_386 Enacts §1.63 of the Revised Code to state the intent of the General Assembly on the relationship of state and local laws regarding the regulation of loans and other forms of credit, and establishes the Predatory Lending Study Committee to report to the General Assembly about predatory lending practices in mortgage lending or origination.</p>
	<p>S.B. 76 <i>Signed by governor 7/27/01</i> http://www.legislature.state.oh.us/bills.cfm?ID=124_SB_76 Revises the laws governing mortgage brokers and loan officers, including the fees that may be charged for services rendered.</p>
Oklahoma	<p>S.B. 1481 <i>Signed by governor 5/19/00</i> Relates to consumer credit; modifies charges; modifies procedures relating to reverse mortgage transactions.</p>
Pennsylvania	<p>S.B. 377 <i>Signed by governor 6/25/01, Act 55</i> http://www.legis.state.pa.us/WU01/LI/BI/BT/2001/0/SB0377P1240.HTM Amends the mortgage bankers and brokers act, further providing for license exemptions, for application for license, for licensee requirements, for authority of department or commission and for penalties; regulates the terms and conditions of certain subprime mortgage loan transactions; and makes editorial changes.</p>
Rhode Island	<p>S.B. 2205 <i>Became law without governor's signature 6/14/02, Chapter 117</i> http://www.rilin.state.ri.us/Billtext/BillText02/SenateText02/S2205A.pdf Requires lending institutions to prominently disclose all charges and assessments that may be incurred by borrowers through prepayment of a mortgage.</p>
	<p>S.R. 839 <i>Passed Senate 4/2/03</i> http://www.rilin.state.ri.us/Billtext/BillText03/SenateText03/S0839.pdf Memorializes Congress regarding federal preemption of predatory lending legislation.</p>
	<p>S.R. 1203 <i>Passed both houses 7/2/03</i> http://www.rilin.state.ri.us/Billtext/BillText03/SenateText03/S1203.pdf</p>

	Creates a special legislative commission to study predatory mortgage lending practices.
South Carolina	<p>S.B. 438 <i>Signed by governor 6/3/03, Act</i> Enacts the South Carolina High-Cost and Consumer Home Loans Act; defines the subject loans; prohibits provisions in a high-cost home loan agreement for acceleration, balloon payment, negative amortization, interest increase, advance payments from loan proceeds, and additional fees in certain circumstances; requires a high-cost home loan lender to ensure that the borrower receives loan counseling and is reasonably able to meet his loan obligations; prohibits the financing of certain fees in connection with making a high-cost home loan and the charging of points and fees in connection with the refinancing of an existing high-cost home loan; regulates the payment of a home improvement contractor from the proceeds of a high-cost home loan; provides that a bad-faith violation of the high-cost home loan prohibitions or restrictions is an unfair or deceptive trade practice subject to Chapter 5 of Title 39; provides for enforcement by the administrator of the Department of Consumer Affairs, attorney general, commissioner of Banking, or a party to the loan; provides that the remedies and penalties for violations of the high-cost home loan restrictions and prohibitions are cumulative; provides for establishment of good faith by a high-cost home loan lender; provides certain restrictions and prohibitions in the making of a consumer home loan, including restrictions on the charging of points and fees and the prohibition of "flipping" a loan, financing certain insurance premiums, and encouraging default of a previous loan; provides that a violation of the consumer home loan restrictions or prohibitions is an unfair or deceptive trade practice; provides for enforcement by the administrator of the Department of Consumer Affairs, attorney general, commissioner of Banking, or a party to the consumer home loan; and provides for penalties and remedies, including attorneys' fees, and to make them cumulative of and in addition to other remedies and penalties provided at law.</p>
	<p>S.R. 1431 <i>Adopted 6/1/00</i> http://www.lpittr.state.sc.us/ Creates a subcommittee of the Senate banking and insurance committee to study the problems encountered by low income borrowers seeking home equity and mortgage loans, and to provide that the subcommittee make recommendations to the Senate regarding legislation to remedy unfair predatory lending practices in South Carolina.</p>
Tennessee	<p>S.B. 1067 <i>Signed by governor 6/11/03, Public Law Chapter 316</i> http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0316.pdf Extends the reporting deadline of a special joint committee created to perform comprehensive analysis of predatory lending from February 28, 2003, to February 28, 2004.</p>
	<p>S.B. 3143 <i>Signed by governor 7/17/02, Public Law Chapter 871</i> http://www.legislature.state.tn.us/bills/currentga/Chapter/PC0871.pdf</p>

	<p>Creates a special joint committee to perform a comprehensive analysis of predatory lending in Tennessee, including studying the current legislative and regulatory provisions and protections which are applicable to home loans and to those who offer home loans.</p>
Texas	<p>S.B. 317 <i>Signed by governor 6/15/01</i> http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=77&SESS=R&CHAMBER=S&BILLTYPE=B&BILLSUFFIX=00317&VERSION=5&TYPE=B Requires the Finance Commission of Texas and consumer credit commissioner to conduct a study of mortgage lending practices with emphasis on identifying possible predatory and discriminatory lending patterns or practices. In conducting the study, the agencies shall also study and consider parameters that could be used to consistently classify credit risk among mortgage loans for the purpose of assessing possible predatory or discriminatory lending practices. The agencies shall prepare a report detailing the findings and recommendations resulting from the study and deliver the report to the lieutenant governor, the speaker of the House of Representatives, and legislative committees dealing with lending entities before December 1, 2002.</p>
	<p>S.B. 322 <i>Signed by governor 6/16/01</i> http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=77&SESS=R&CHAMBER=S&BILLTYPE=B&BILLSUFFIX=00322&VERSION=5&TYPE=B Relating to the continuation and functions of the Texas Department of Housing and Community Affairs and to other matters relating to housing or community development, including the creation of the Manufactured Housing Board; providing a penalty.</p>
	<p>S.B. 1067 <i>Signed by governor 6/20/03</i> http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=78&SESS=R&CHAMBER=S&BILLTYPE=B&BILLSUFFIX=01067&VERSION=5&TYPE=B Authorizes the Finance Commission (SFC) to issue interpretations relating to the home equity lending law. Authorizes the Credit Union Commission (CUC) to issue interpretations applicable to lenders regulated by the CUC. Requires SFC and CUC to attempt to adopt interpretations that are as consistent as feasible or state justification for any inconsistency.</p>
	<p>S.B. 1581 <i>Signed by governor 6/11/01</i> http://www.capitol.state.tx.us/cgi-bin/tlo/textframe.cmd?LEG=77&SESS=R&CHAMBER=S&BILLTYPE=B&BILLSUFFIX=01581&VERSION=5&TYPE=B Relates to certain practices in connection with a home loan.</p>
	<p>S.J.R. 42 <i>Passed both houses 6/1/03</i> http://www.capitol.state.tx.us/cgi-</p>

	<p>bin/tlo/textframe.cmd?LEG=78&SESS=R&CHAMBER=S&BILLTYPE=JR&BILLSUFFIX=00042&VERSION=5&TYPE=B</p> <p>Proposes a constitutional amendment authorizing a home equity line of credit, provides for administrative interpretation of home equity lending law, and otherwise relating to the making, refinancing, repayment and enforcement of home equity loans.</p>
Utah	<p>H.J.R. 16 <i>Enrolled 3/9/01</i> http://www.leg.state.ut.us/~2001/bills/hbillenr/HJR016.htm</p> <p>Creates an interim study committee to study ways to control high cost loans and study moving mortgage registration from the Division of Real Estate to the Department of Financial Institutions.</p>
Virginia	<p>H.B. 2708 <i>Signed by governor 3/22/01, Chapter 510</i> http://leg1.state.va.us/cgi-bin/legp504.exe?011+ful+CHAP0510</p> <p>Prohibits mortgage lenders and brokers from flipping mortgage loans. "Flipping" a mortgage loan means refinancing a mortgage loan within 12 months after the refinanced loan was originated, when the new loan does not result in any benefit to the borrower considering all of the circumstances. The Attorney General's office is authorized to enforce the prohibition.</p>
	<p>H.B. 2787 <i>Signed by governor 3/22/01, Chapter 511</i> http://leg1.state.va.us/cgi-bin/legp504.exe?011+ful+CHAP0511</p> <p>Increases the maximum penalty for a violation of the mortgage lender and broker act from \$1,000 to \$2,500, and increases the amount of the bond that mortgage lenders and brokers are required to post from \$5,000 to \$25,000. Prohibits a mortgage lender from recommending or encouraging a person to default on an existing loan or other debt, if such default adversely affects such person's credit worthiness, in connection with the solicitation or making of a refinancing mortgage loan.</p>
	<p>S.B. 1103 <i>Signed by governor 3/16/03, Chapter 386</i> http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+CHAP0386</p> <p>Contains recommendations of the Virginia Housing Study Commission to strengthen consumer protection measures in the Mortgage Lender and Broker Act. Allows the State Corporation Commission (SCC) to suspend individuals convicted of fraud or other crimes from working in the mortgage lending industry, and requires registered lenders and brokers to file with the SCC a notice of the filing of bankruptcy, denial or revocation of opportunity to engage in business in another state, or felony indictments.</p>
West Virginia	<p>H.B. 4379 <i>Signed by governor 3/18/02, Chapter 39</i> http://www.legis.state.wv.us/scripts/as_web.exe?enr_02+D+1548061</p> <p>Relates to the regulation of mortgage brokers, lenders, servicers and loan originators; defines terms; requires licensure of loan originators; increases the bond amount required for mortgage brokers; creates licensing structure for loan originators; clarifies that only lender and broker licensees pay the per loan fee;</p>

	<p>provides for the refusal, revocation and suspension of loan originator licenses; provides for renewal of loan originator's license every five years or upon a change in the sponsoring mortgage broker; amends the continuing legal education requirements for brokers and loan originators; requires a net tangible benefit to the borrower for all refinancings of mortgage loans within 24 months, and clarifies language relating to allowable charges by licensees.</p>
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