

# Index

## ACTIVE DUTY ALERT

Fair Credit Reporting Act (this index)

## ADDRESS

Fair Credit Reporting Act (this index)

## ADJUDICATIVE PROCESS

Federal Trade Commission Act (this index)

Rules of practice for, **App 3D**

## ADVERTISING

Credit, **10:97**

Disclaimer statements, Interstate Land Sales Full Disclosure Act provisions, **3:84**

Federal Trade Commission Act regulation of, **5:6, 5:77**

Sale or rental of house, Fair Housing Act coverage for discriminatory activities related to  
generally, **12:25**  
display, **12:26**  
personal conduct, **12:28**  
textual, **12:27**

## AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT

Generally, **7:1 et seq., App 7, App 7A**

Disclosures

analysis, **7:19**

due dates, **7:17**

filing of, **7:16**

foreign persons named in regular disclosure, **7:13**

format, **7:16**

information required, **7:9-7:10**

land, below

persons who must provide, **7:8**

public, **7:19**

required

generally, **7:11-7:12**

land ceases to be agricultural, **7:14**

transactions that trigger, **7:7**

Land

holder of land ceases to be a foreign person, **7:15**

nonagricultural use, **7:14**

Legislative history

generally, **7:1**

law sources, **7:2**

Regulatory background, **7:1**

Sanctions for violations, **7:20**

## AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT—Cont'd

Transactions covered

generally, **7:3**

agricultural land, **7:5**

foreign person, **7:4**

interests, **7:6**

transactions triggering disclosure, **7:7**

## ALABAMA

State-related legislation, **13:3**

## ALASKA

State-related legislation, **13:4**

## ARIZONA

State-related legislation, **13:5**

## ARKANSAS

State-related legislation, **13:6**

## BANKRUPTCY CODE

Generally, **6:1 et seq., App 6**

Leases or sales contracts assumed or rejected

generally, **6:5**

burdensome to allow rejection, **6:11**

effect of assumption of, **6:20**

jointly owned real estate, sales by trustee of, **6:29**

lease or contract in default, **6:16**

mechanism for assumption or rejection

generally, **6:15**

lease or contract is in default, **6:16**

nondelegable, **6:12**

postpetition transfers of real estate

generally, **6:24**

debtor or third party transfer after filing of petition, **6:24**

initial transferee is good faith purchaser, **6:26**

involuntary cases, **6:25**

transferees

lien for improvements, **6:28, 6:37**

rights of, **6:27, 6:36**

preferences

generally, **6:33**

exemptions under, **6:34**

exempt real property transferred as, **6:35**

prepetition sale of real estate, trustee's power to avoid

generally, **6:30**

fraudulent transfers, **6:31-6:32**

## **BANKRUPTCY CODE—Cont'd**

- Leases or sales contracts assumed or rejected—Cont'd
  - rejection of lease or contract
    - generally, **6:18**
    - interim use by trustee, **6:19**
  - right to assign, **6:21**
  - sales contract executory, **6:10**
  - sales contract to make a loan, **6:13**
  - section 365 provisions relating to, **6:22**
  - seller is the debtor
    - buyer's rights when, **6:22**
    - tenant's rights when, **6:23**
  - shopping center leases, **6:17**
  - tenant's rights when seller is the debtor, **6:23**
  - terminated before bankruptcy
    - generally, **6:6**
    - curing a default under section 365(b) to avoid termination, **6:7**
    - ipso facto clauses prohibited under section 365(e), **6:8**
    - trustee's avoiding powers under sections 547 and 548 to overcome, **6:9**
  - time period allowed for assumption or rejection, **6:14**
  - trustee
    - avoiding powers under sections 547 and 548 to overcome termination before bankruptcy, **6:9**
    - interim use, after rejection, **6:19**
    - unexpired lease, **6:10**
- Legislative history
  - generally, **6:1**
  - Law sources, **6:2**
- Overview of, **6:4**
- Regulatory background, **6:1**
- Scope of, **6:3**

## **BROKER SERVICES, UNDER FEDERAL TRADE COMMISSION ACT**

- Generally, **5:66**
- Unfair and deceptive practices, **5:65**
- Unfair methods of competition
  - generally, **5:66**
  - Federal Trade Commission activity, **5:67**
  - group boycotts, **5:70**
  - jurisdiction, **5:68**
  - miscellaneous violations, **5:72**
  - price fixing, **5:69**
  - typing arrangements, **5:71**

## **BUSINESS CREDIT**

- Furnishing of credit information, **8:96**
- Record retention, **8:91**
- Rules, **8:60**

## **CALIFORNIA**

- State-related legislation, **13:7**

## **CLASS ACTIONS**

- Fair Credit Reporting Act, civil liability, **9:97**

## **COERCION**

- Prohibition against coercion of appraiser, regulating servicers' fees, and servicer responsiveness, **10:70**

## **COLORADO**

- State-related legislation, **13:8**

## **COMMERCIAL DEVELOPMENT**

- Interstate Land Sales Full Disclosure Act exemption, **3:18**

## **COMMUNITY REINVESTMENT ACT**

- Legislative history, **11:29**

## **CONDOMINIUM AND COOPERATIVE**

### **ABUSE RELIEF ACT**

- Generally, **4:1 et seq., App 4**
- Conversion of rental property to condominiums or cooperatives, **4:23**
- Developer reimbursement clauses
  - leases declared unconscionable, **4:14**
  - self-dealing contract termination, **4:8**
- Exemptions, **4:4**
- Federal legislative activity, **4:2**
- Historical perspective of, **4:1**
- Interaction with state and federal laws, **4:20**
- Judicial actions, jurisdiction for, **4:18**
- Leases declared unconscionable
  - generally, **4:10**
  - developer reimbursement clauses, **4:14**
  - leases covered, **4:11**
  - unconscionability presumption
    - generally, **4:12**
    - rebuttal evidence, **4:13**
- Regulatory background, **4:1**
- Remedies
  - generally, **4:15**
  - limitations, **4:16**
  - permitted, **4:17**
- Self-dealing contract termination
  - generally, **4:5**
  - contracts covered, **4:6**
  - developer reimbursement clauses, **4:8**
  - methods, **4:7**
  - state preemption, **4:9**
- State preemption, **4:21**
- Statute of limitations, **4:19**
- Transactions covered, **4:3**
- Waivers of compliance prohibited, **4:22**

## **CONNECTICUT**

- State-related legislation, **13:9**

## CONSENT

- Equal Credit Opportunity Act, electronic disclosures, **8:76**
- Federal Trade Commission Act, adjudicative process, **5:19**
- Truth-in-Lending Act, disclosures, **10:45**

## CONSUMER CREDIT PROTECTION ACT

- Lender under, **2:7**

## CONSUMER REPORT

- Accessing of
  - correction of information, **9:32**
  - limitations, **9:21**
  - permissible reasons
    - generally, **9:23**
    - business need, **9:28**
    - credit account valuation or assessment, **9:27**
    - extension of credit, **9:24**
    - government agencies, **9:29**
    - insurance underwriting, **9:25**
    - prescreening, **9:26**
  - reasonable procedures defense to improper disclosures, **9:31**
- Adverse action based on
  - definition, **9:65**
  - disclosure of, **9:66**
  - reasonable procedures defense, **9:67**
- Correction of information in, **9:32**
- Definition, **9:7**
- Dispute resolution
  - generally, **9:35**
  - expedited, **9:40**
  - notice of disputed information, **9:54**
  - obligations, **9:36**
  - reinvestigation procedure and notice to consumer, **9:38**
  - reinvestigation procedure and time limits, **9:37**
- Inaccurate information
  - consumer access for correcting, **9:32**
  - dispute resolution, below
  - treatment of, **9:39**
- Information required
  - account closure, **9:13**
  - bankruptcy, **9:12**
  - child support delinquency, **9:11**
  - dispute by consumer, **9:14**
- Information that constitutes, **9:22**
- Investigative
  - generally, **9:10**
  - consumer notified, **9:61**
  - definitions, **9:60**
  - disclosure of nature and scope of, **9:62**
  - reasonable procedures defense, **9:64**
  - user certification to consumer reporting agency, **9:63**

## CONSUMER REPORT—Cont'd

- Medical information, **9:30**
- Obsolete information in, rules regarding
  - generally, **9:18**
  - exceptions, **9:19**
  - first amendment issues, **9:20**
- Rules regarding, **9:10**

## CONSUMER REPORTING AGENCY

- Definition, **9:6**
- Disclosure requirements, **9:33**
- Disputed information from, furnishers of information duties, **9:53**
- False pretenses, information gained using, **9:91**
- Furnishers of information
  - duties and responsibilities
    - generally, **9:48**
    - accurate information, **9:48**
    - closed accounts, **9:51**
    - delinquency of accounts, **9:52**
    - disputed information is identified, **9:50**
    - notice of disputed information, **9:54**
    - liability and enforcement limitations, **9:58**
    - notice to, **9:45**
- Notice to users and furnishers, **9:45**
- Obligations, **9:9**
- Third-party information
  - adverse action based on
    - generally, **9:68**
    - affiliate, **9:71**
    - disclosure of information, **9:70**
    - nonaffiliates, **9:68**
    - reasonable procedures defense, **9:72**
    - reasons for adverse party, right to receive, **9:69**
- Investigative Consumer Report (this index)
  - prescreened list, duties when using
    - generally, **9:74**
    - criteria kept on file, **9:75**
    - reasonable procedures defense, **9:76**
  - resellers' obligations, **9:87**

## CONTRACTS

- Assumption or rejection of, under Bankruptcy Code
  - jointly owned real estate, sales by trustee of, **6:29**
  - lease or contract in default, **6:16**
  - mechanism for assumption or rejection
    - generally, **6:15**
    - lease or contract is in default, **6:16**
  - nondelegable, **6:12**
  - postpetition transfers of real estate
    - generally, **6:24**
    - debtor or third party transfer after filing of petition, **6:24**

## **CONTRACTS—Cont'd**

- Assumption or rejection of, under Bankruptcy Code—Cont'd
  - postpetition transfers of real estate—Cont'd
    - initial transferee is good faith purchaser, **6:26**
    - involuntary cases, **6:25**
    - transferees
      - lien for improvements, **6:28, 6:37**
      - rights of, **6:27, 6:36**
  - preferences
    - generally, **6:33**
    - exemptions under, **6:34**
    - exempt real property transferred as, **6:35**
  - prepetition sale of real estate, trustee's power to avoid
    - generally, **6:30**
    - fraudulent transfers, **6:31-6:32**
  - rejection of lease or contract
    - generally, **6:18**
    - interim use by trustee, **6:19**
  - right to assign, **6:21**
  - sales contract executory, **6:10**
  - sales contract to make a loan, **6:13**
  - section 365 provisions relating to, **6:22**
  - seller is the debtor
    - buyer's rights when, **6:22**
    - tenant's rights when, **6:23**
  - shopping center leases, **6:17**
  - tenant's rights when seller is the debtor, **6:23**
  - terminated before bankruptcy
    - generally, **6:6**
    - curing a default under section 365(b) to avoid termination, **6:7**
    - ipso facto clauses prohibited under section 365(e), **6:8**
    - trustee's avoiding powers under sections 547 and 548 to overcome, **6:9**
  - time period allowed for assumption or rejection, **6:14**
  - trustee
    - avoiding powers under sections 547 and 548 to overcome termination before bankruptcy, **6:9**
    - interim use, after rejection, **6:19**
    - unexpired lease, **6:10**
- Self-Dealing Contracts (this index)

## **CREDIT**

- Application for
  - completed, **8:54**
  - obligation to assist in completing, **8:55**
  - questions not allowed
    - generally, **8:18**
    - alimony, **8:21**
    - birth control questions, **8:23**

## **CREDIT—Cont'd**

- Application for—Cont'd
  - questions not allowed—Cont'd
    - child rearing, **8:23**
    - child support, **8:21**
    - gender, **8:22**
    - marital status, **8:19**
    - nonapplicant spouse, **8:20**
    - race, color, religion or national origin, **8:24**
    - separate maintenance, **8:21**
    - retention of, **8:89**
- Consumer Report (this index)
- Consumer Reporting Agency (this index)
- Equal Credit Opportunity Act (this index)
- Furnishing of information
  - generally, **8:93**
  - business credit, **8:96**
  - inadvertent errors, **8:95**
  - nature of information, **8:94**
- Notification of decisions regarding
  - generally, **8:61-8:67**
  - counteroffers, **8:63**
  - ECOA notice, **8:65**
  - format and contents, **8:64**
  - statement of specific reasons, **8:66**
  - time limits, **8:61**
- Rules for
  - business credit, **8:60**
  - inadvertent errors, **8:59**
  - multiple applicants, **8:58**
  - multiple creditors, **8:57**
- Score. Credit Score (this index)
- Special purpose programs
  - generally, **8:25-8:28**
  - evaluation under, **8:52**
  - information for monitoring, **8:26, 8:27**
  - required information, **8:28**
  - signatures required, **8:74**

## **CREDIT REPAIR ORGANIZATIONS ACT**

- Generally, **App 5C**

## **CREDIT SCORE**

- Equal Credit Opportunity Act, evaluation systems, **8:42**
- Fair Credit Reporting Act, **9:15, 9:90**

## **DELAWARE**

- State-related legislation, **13:10**

## **DEVELOPER REIMBURSEMENT CLAUSES**

- Leases declared unconscionable, **4:14**
- Self-dealing contract termination, **4:8**

## **DISCRIMINATION, FAIR HOUSING ACT COVERAGE FOR**

- Generally, **12:18**
- Brokerage services, **12:43**

**DISCRIMINATION, FAIR HOUSING ACT  
COVERAGE FOR—Cont’d**

- Coercion, **12:44**
- Criminal conduct, **12:45**
- Handicapped
  - generally, **12:31**
  - accessibility requirements, **12:39**
  - definitional rule, **12:34**
  - definitions, **12:32, 12:33**
  - facilities modification requirements, **12:35**
  - injunctions, **12:41**
  - reasonable accommodations requirement
    - generally, **12:36**
    - governmental entities, **12:38**
    - private parties, **12:37**
  - statutory defenses, **12:40**
- Interference, **12:44**
- Intimidation, **12:44**
- Residential real estate-related financing transactions, **12:42**
- Sale or rental of house
  - generally, **12:19**
  - advertising for
    - generally, **12:25**
    - display, **12:26**
    - personal conduct, **12:28**
    - textual, **12:27**
  - blockbusting, **12:30**
  - false representation of unavailability, **12:29**
  - section 804(a) protections
    - generally, **12:20**
    - exclusionary zoning, **12:22**
    - race-conscious remedies, **12:21**
    - redlining, **12:23**
    - steering remedies, **12:21**
  - terms and conditions, **12:24**

**DISPUTE RESOLUTION**

- Consumer report
  - generally, **9:35**
  - expedited, **9:40**
  - notice of disputed information, **9:54**
  - obligations, **9:36**
  - reinvestigation procedure and notice to consumer, **9:38**
  - reinvestigation procedure and time limits, **9:37**
- Real Estate Settlement Procedures Act, **2:91 et seq., 2:104-2:106**

**DISTRICT OF COLUMBIA**

- State-related legislation, **13:11**

**ELECTRONIC DISCLOSURES**

- Equal Credit Opportunity Act
  - generally, **8:75**
  - “clear and conspicuous” requirement, **8:77**
  - consent requirement, **8:76**

**ELECTRONIC DISCLOSURES—Cont’d**

- Truth-in-Lending Act
  - generally, **10:44**
  - address or location for disclosures, **10:48**
  - “clear and conspicuous” requirement, **10:46**
  - consent requirement, **10:45**
  - retainability of disclosure, **10:47**
  - timing of disclosures, **10:47**

**ELECTRONIC SIGNATURES IN GLOBAL  
AND NATURAL COMMERCE ACT**

- Generally, **App 10C**

**EQUAL CREDIT OPPORTUNITY ACT**

- Generally, **8:1 et seq., App 8, App 8A**
- Application
  - completed, **8:54**
  - obligation to assist in completing, **8:55**
  - questions not allowed
    - generally, **8:18**
    - alimony, **8:21**
    - birth control questions, **8:23**
    - child rearing, **8:23**
    - child support, **8:21**
    - gender, **8:22**
    - marital status, **8:19**
    - nonapplicant spouse, **8:20**
    - race, color, religion or national origin, **8:24**
    - separate maintenance, **8:21**
  - retention of, **8:89**
- Business credit
  - furnishing of credit information, **8:96**
  - record retention, **8:91**
  - rules, **8:60**
- Civil liability
  - attorney fees, **8:84**
  - costs, **8:84**
  - defenses, **8:85**
  - discovery rule, **8:82**
  - jurisdiction, **8:81**
  - parties entitled to sue, **8:80**
  - remedies, **8:83**
  - statute of limitations, **8:81**
- Collection rules, **8:78**
- Credit information furnished
  - generally, **8:93**
  - business credit, **8:96**
  - inadvertent errors, **8:95**
  - nature of information, **8:94**
- Credit rules
  - business credit, **8:60**
  - inadvertent errors, **8:59**
  - multiple applicants, **8:58**
  - multiple creditors, **8:57**
- Definitions, **8:5-8:8, 8:54, 8:56**

## **EQUAL CREDIT OPPORTUNITY ACT**

### **—Cont'd**

- Electronic disclosures
  - generally, **8:75-8:77**
  - “clear and conspicuous” requirement, **8:77**
  - consent requirement, **8:76**
- Enforcement and remedies
  - generally, **8:79-8:87**
  - civil liability, above
- Evaluation systems
  - generally, **8:32-8:52**
  - credit evaluation information, **8:43**
  - effects test
    - generally, **8:36-8:42**
    - alternative evaluation system proof, **8:41**
    - appropriate comparison population, **8:38**
    - business justification proof, **8:40**
    - disparate impact proof, **8:39**
    - right to set cutoff scores, **8:42**
  - empirically derived credit scoring system, **8:34**
  - information used
    - generally, **8:44-8:51**
    - age, **8:45**
    - childbearing or childrearing, **8:47**
    - credit history, **8:50**
    - immigration status, **8:51**
    - income sources, **8:49**
    - marital status, **8:46**
    - residency status, **8:51**
    - telephone listing, **8:48**
  - intentional discrimination, **8:35**
  - judgmental system, **8:33**
  - special purpose credit programs, **8:52**
- Exemption for state regulated transactions, **8:99**
- Exemptions
  - generally, **8:10-8:12**
  - business credit, **8:11**
  - special purpose credit programs, **8:12**
- Individual account, right to
  - generally, **8:68**
  - account name, **8:69**
  - guarantors and cosigners, **8:70**
- Legislative history
  - generally, **8:1**
  - law sources, **8:2**
- Model application forms
  - generally, **8:29-8:31**
  - agency forms, **8:31**
  - permitted modifications, **8:30**
- Multiple applicants, **8:58**
- Multiple creditors, **8:9, 8:57**
- Notification of credit decisions
  - generally, **8:61**
  - counteroffers, **8:63**
  - ECOA notice, **8:65**

## **EQUAL CREDIT OPPORTUNITY ACT**

### **—Cont'd**

- Notification of credit decisions—Cont'd
  - format and contents, **8:64**
  - statement of specific reasons, **8:66**
  - time limits, **8:61**
- Preapplication stage rules, **8:16**
- Preemption of state law and, **8:97-8:99**
- Prohibited bases, **8:13**
- Prohibited conduct, **8:15**
- Prohibited information, retention of, **8:88**
- Protected classes, **8:14**
- Record retention
  - generally, **8:88-8:92**
  - business credit, **8:91**
  - credit applications and transactions, **8:89**
  - inadvertent errors, **8:90**
  - self-testing information, **8:92**
- Regulatory background, **8:1**
- Scope of, **8:3**
- Self-testing privilege
  - generally, **8:86, 8:87**
  - limitations, **8:87**
  - record retention, **8:92**
- Signatures required
  - community property states, **8:72**
  - secured credit, **8:73**
  - special purpose credit programs, **8:74**
  - unsecured credit, **8:71**
- Special purpose credit programs
  - generally, **8:25-8:28**
  - evaluation under, **8:52**
  - information for monitoring, **8:26, 8:27**
  - principle dwelling, **8:26**
  - required information, **8:28**
  - signatures required, **8:74**
  - small business loans, **8:27**
- State law and, **8:97-8:99**
- State regulated transactions, exemption for, **8:99**
- Transactions covered, **8:4-8:12**
- Unaffected laws, **8:98**

## **ESCROW ACCOUNTS, UNDER REAL ESTATE SETTLEMENT PROCEDURES ACT**

- Administration of, **2:111**
- Amount collected at settlement or creation of, **2:73 et seq.**
- Analysis methods
  - generally, **2:67**
  - adjusted trial balance, **2:69**
  - cushion added, **2:70**
  - initial trial balance, **2:68**
  - periods longer than one year, **2:72**
  - pre-accrual, **2:71**



**ESCROW ACCOUNTS, UNDER REAL ESTATE SETTLEMENT PROCEDURES ACT—Cont’d**

- Annual statement of
  - generally, **2:83**
  - contents, **2:85**
  - delivery, **2:84**
  - format, **2:86**
- Background, **2:63**
- Deficiency and shortages in, **2:76**
- Initial statement of
  - generally, **2:79**
  - contents, **2:81**
  - delivery, **2:80**
  - format, **2:82**
- Meaning of, **2:65**
- Notifications
  - generally, **2:78**
  - annual statement, above
  - initial statement, above
  - no fee for, **2:89**
  - penalties for violating provisions, **2:88**
- Payment limitations
  - generally, **2:64, 2:66**
  - penalties for violating, **2:77**
- Reanalysis of, **2:75**
- Record keeping, **2:87**
- State provisions, **2:90**
- Surplus payments, **2:76**

**FAIR CREDIT REPORTING ACT**

- Generally, **9:1 et seq., App 9, App 9A**
- Active duty alert
  - fraud or active duty alert, below
- Active duty military consumers, free electronic credit monitoring for, **9:42.50**
- Address discrepancies
  - obligation of reporting agency, **9:16**
  - third-party information, **9:78**
- Administrative enforcement, **9:93**
- Adverse action
  - consumer report as basis for
    - definition, **9:65**
    - disclosure of, **9:66**
    - reasonable procedures defense, **9:67**
  - third-party information as basis for
    - generally, **9:68**
    - affiliate, **9:71**
    - disclosure of information, **9:70**
    - nonaffiliates, **9:68**
    - reasonable procedures defense, **9:72**
    - reasons for adverse party, right to receive, **9:69**
- Business credit, **9:8**
- Business transaction records, obligation to provide, **9:84**

**FAIR CREDIT REPORTING ACT—Cont’d**

- Civil liability
  - generally, **9:94**
  - attorney fees, **9:100**
  - class actions, **9:97**
  - costs, **9:100**
  - defamation or invasion of privacy, **9:98**
  - defenses, **9:99**
  - jurisdiction, **9:101**
  - negligent noncompliance, **9:96**
  - statute of limitations, **9:101**
  - willful noncompliance, **9:95**
- Class actions, civil liability, **9:97**
- Consumer report
  - accessing of
    - correction of information, **9:32**
    - limitations, **9:21**
    - permissible reasons
      - generally, **9:23**
      - business need, **9:28**
      - credit account valuation or assessment, **9:27**
      - extension of credit, **9:24**
      - government agencies, **9:29**
      - insurance underwriting, **9:25**
      - prescreening, **9:26**
      - reasonable procedures defense to improper disclosures, **9:31**
  - address discrepancies, obligation of agency, **9:16**
  - adverse action based on
    - definition, **9:65**
    - disclosure of, **9:66**
    - reasonable procedures defense, **9:67**
  - correction of information in, **9:32**
  - definition, **9:7**
  - dispute resolution
    - generally, **9:35**
    - expedited, **9:40**
    - notice of disputed information, **9:54**
    - obligations, **9:36**
    - reinvestigation procedure and notice to consumer, **9:38**
    - reinvestigation procedure and time limits, **9:37**
  - inaccurate information
    - consumer access for correcting, **9:32**
    - dispute resolution, above in this group
    - treatment of, **9:39**
  - information required
    - account closure, **9:13**
    - address discrepancies, **9:16**
    - bankruptcy, **9:12**
    - child support delinquency, **9:11**
    - credit score information, key factor, **9:15**

**FAIR CREDIT REPORTING ACT—Cont'd**

Consumer report—Cont'd  
     information required—Cont'd  
         dispute by consumer, **9:14**  
     information that constitutes, **9:22**  
     investigative  
         generally, **9:10**  
         consumer notified, **9:61**  
         definitions, **9:60**  
         disclosure of nature and scope of, **9:62**  
         reasonable procedures defense, **9:64**  
         user certification to consumer reporting agency, **9:63**  
     medical information, **9:30**  
     obsolete information in, rules regarding  
         generally, **9:18**  
         exceptions, **9:19**  
         first amendment issues, **9:20**  
     rules regarding, **9:10**  
   Consumer reporting agency  
     generally, **9:4 et seq.**  
     active duty military consumers, free electronic credit monitoring for, **9:42.50**  
     definition, **9:6**  
     disclosure requirements, **9:33**  
     disputed information from  
         furnishers of information duties, **9:53**  
     electronic credit monitoring, free for active duty military consumers, **9:42.50**  
     false pretenses, information gained using, **9:91**  
     fraud and active duty alert, **9:42, 9:44**  
     furnishers of information  
         duties and responsibilities  
             generally, **9:48**  
             accurate information, **9:48, 9:54**  
             closed accounts, **9:51**  
             delinquency of accounts, **9:52**  
             disputed information is identified, **9:50, 9:54**  
             updating and correcting information, **9:49**  
         liability and enforcement limitations, **9:58**  
         notice to, **9:45**  
     identity theft, **9:41, 9:57**  
     medical information furnisher, **9:56**  
     negative information, **9:55**  
     notice to users and furnishers, **9:45**  
     obligations, **9:9**  
     review of complaints, **9:46**  
     third-party information, below  
     truncating social security number, **9:17**  
   Coverage, **9:4-9:8**  
   Criminal liability, **9:102**  
   Definitions and terminology  
     consumer, **9:5**  
     consumer report, **9:7**

**FAIR CREDIT REPORTING ACT—Cont'd**

Definitions and terminology—Cont'd  
     consumer reporting agency, **9:6**  
   Electronic credit monitoring, free for active duty military consumers, **9:42.50**  
   Enforcement  
     generally, **9:93**  
     administrative enforcement, **9:93**  
     civil liability, above  
   Fraud or active duty alert  
     generally, **9:42**  
     limitations on use of information regarding alert, **9:44**  
     third-party information, **9:80**  
   Identity theft  
     generally, **9:41**  
     notice of information, **9:57**  
     third-party information, below  
   Legislative history  
     generally, **9:1**  
     law sources, **9:2**  
   Liability  
     civil liability. See Civil liability, above  
     criminal  
   Medical information  
     generally, **9:30**  
     status as medical information furnisher, **9:56**  
     third-party information, **9:79, 9:86**  
   Regulatory background, **9:1**  
   Scope, **9:3**  
   State laws and, **9:103**  
   Third-party information  
     address discrepancies, **9:78**  
     adverse action based on  
         generally, **9:68**  
         affiliate, **9:71**  
         disclosure of information, **9:70**  
         nonaffiliates, **9:68**  
         reasonable procedures defense, **9:72**  
         reasons for adverse party, right to receive, **9:69**  
     affiliate information, **9:77**  
     business transaction records, obligation to provide, **9:84**  
     flagging identity theft, **9:83**  
     fraud or active duty alert, **9:80**  
     investigative consumer report. Consumer report above  
     medical information, **9:79, 9:86**  
     prescreened list, duties when using  
         generally, **9:74**  
         criteria kept on file, **9:75**  
         reasonable procedures defense, **9:76**  
     resellers' obligations, **9:87**



**FAIR CREDIT REPORTING ACT—Cont'd**

- Third-party information—Cont'd
  - sale, transfer or collection of debt caused by identity theft, **9:85**
  - truncation of credit and debit card information, **9:82**
- Truncating social security number, obligation of consumer reporting agency, **9:17**
- Truncation of credit and debit card information, **9:82**

**FAIR HOUSING ACT**

- Generally, **12:1 et seq., App 12, App 12A**
- Coverage
  - generally, **12:5**
  - classifications protected
    - generally, **12:7**
    - familial status, **12:8**
  - exemptions
    - generally, **12:9**
    - housing for older persons, **12:14-12:16**
    - occupancy limitations, **12:13**
    - private clubs, **12:12**
    - religious organizations, **12:12**
    - rental of apartments in small complexes, **12:11**
    - single-family home, **12:10**
    - housing transaction, **12:6**
    - sections 1981 and 1982, **12:17**
  - Criminal conduct, discriminatory activities, **12:45**
  - Disclosure requirements, **12:46**
  - Discriminatory activities prohibited under
    - generally, **12:18**
    - brokerage services, **12:43**
    - coercion, **12:44**
    - criminal conduct, **12:45**
    - handicapped
      - generally, **12:31**
      - accessibility requirements, **12:39**
      - definitional rule, **12:34**
      - definitions, **12:32, 12:33**
      - facilities modification requirements, **12:35**
      - injunctions, **12:41**
      - reasonable accommodations requirement
        - generally, **12:36**
        - governmental entities, **12:38**
        - private parties, **12:37**
        - statutory defenses, **12:40**
      - interference, **12:44**
      - intimidation, **12:44**
      - residential real estate-related financing transactions, **12:42**
      - sale or rental of house
        - generally, **12:19**
        - advertising for
          - generally, **12:25**

**FAIR HOUSING ACT—Cont'd**

- Discriminatory activities prohibited under
  - Cont'd
  - sale or rental of house—Cont'd
    - advertising for—Cont'd
      - display, **12:26**
      - personal conduct, **12:28**
      - textual, **12:27**
    - blockbusting, **12:30**
    - false representation of unavailability, **12:29**
    - section 804(a) protections
      - generally, **12:20**
      - exclusionary zoning, **12:22**
      - race-conscious remedies, **12:21**
      - redlining, **12:23**
      - steering remedies, **12:21**
      - terms and conditions, **12:24**
  - Enforcement
    - administrative
      - generally, **12:48**
      - complaint and investigative process, **12:49**
      - conciliation procedures, **12:50**
      - issuance of charge, **12:51**
    - attorney fees and costs
      - generally, **12:66**
      - amount, **12:69**
      - defendant is prevailing party, **12:68**
      - plaintiff is prevailing party, **12:67**
    - attorney general, **12:65**
    - persons who may sue and be sued, **12:47**
    - private actions
      - generally, **12:52**
      - burden of proof
        - generally, **12:62**
        - disparate impact, **12:64**
        - disparate treatment, **12:63**
        - intentional discrimination, **12:63**
        - unintentional discrimination, **12:64**
    - jurisdiction, **12:52**
    - relief
      - generally, **12:54**
      - actual and punitive damages, **12:55**
      - injunctive, **12:56**
    - standing to sue
      - generally, **12:57**
      - governmental entities, **12:61**
      - individuals, **12:58**
      - organizations, **12:60**
      - testers, **12:59**
    - statute of limitations, **12:53**
  - self-testing privilege
    - generally, **12:70**
    - limitations of, **12:71**
  - Legislative history
    - generally, **12:1**

## **FAIR HOUSING ACT—Cont'd**

### **Legislative history—Cont'd**

#### **Law sources**

Fair housing act and regulations, **12:2**  
section 1892 of Civil Rights Act of 1866,  
**12:3**

Regulatory background, **12:1**

Scope, **12:4**

State, local law, and court interactions with,  
**12:72**

## **FEDERAL TRADE COMMISSION ACT**

Generally, **5:1 et seq., App 5**

### **Activities regulated by**

advertising, **5:6**

consumer credit statutes, **5:7**

Magnuson-Moss Warranty Act, below

Telemarketing Act provisions, **5:16**

unfair and deceptive acts or practices, **5:5**

unfair methods of competition, **5:4**

### **Adjudicative process under**

generally, **5:18**

consent orders, **5:19**

decision and appeal, **5:23**

hearing, **5:22**

injunctive relief, below

investigatory period, **5:18**

pleadings, **5:20**

prehearing process, **5:21**

Advertising, **5:6, 5:77**

Advisory opinions, **5:28**

### **Broker services**

generally, **5:66**

unfair and deceptive practices, **5:65**

unfair methods of competition

generally, **5:66**

Federal Trade Commission activity, **5:67**

group boycotts, **5:70**

jurisdiction, **5:68**

miscellaneous violations, **5:72**

price fixing, **5:69**

typing arrangements, **5:71**

Cause of action, private, **5:36**

### **Civil penalties for violations**

cease and desist order by a person or entity not  
party to the original order, **5:34**

cease and desist order by a person or entity  
party to the original order, **5:32**

trade regulation rule, **5:33**

Consumer redress, **5:35**

### **Credit practices regulated by**

generally, **5:74**

advertising, **5:77**

consumer credit statutes, **5:7, 5:78**

negotiable instruments and waivers of  
defenses, **5:75 et seq.**

## **FEDERAL TRADE COMMISSION ACT —Cont'd**

Credit Repair Organizations Act, **App 5C**

Federal Trade Commission structure, **5:17**

Home components and building products

regulated by

generally, **5:60**

unfair and deceptive practices

generally, **5:61**

insulation sales, **5:62**

warranty requirements, **5:63**

unfair methods of competition, **5:64**

Home improvements regulated by

generally, **5:53**

unfair and deceptive practices

cooling-off periods, **5:55-5:57**

Magnuson-Moss provisions, **5:58**

misrepresentations, **5:54**

unfair method of competition, **5:59**

Industry guides, **5:28**

Injunctive relief

generally, **5:29**

as part of a separate proceeding, **5:31**

pending appeal, **5:30**

Interstate Land Sales Full Disclosure Act interac-  
tions with, **5:37**

### **Legislative history**

generally, **5:1**

law sources, **5:2**

Magnuson-Moss Warranty Act

generally, **5:9**

disclosure requirements, **5:11**

home improvements regulated under, **5:58**

implied warranty limitations, **5:12**

informal dispute resolution mechanisms, **5:13**

mobile and manufactured home sales regulated  
under, **5:50**

remedies, **5:14**

supplier, warrantor, and consumer products,  
**5:10**

Mobile and manufactured home sales

unfair and deceptive practices

generally, **5:49**

Magnuson-Moss proceedings, **5:50**

unfair methods of competition, **5:51**

New single- or multifamily homes and  
condominiums, sales of

unfair and deceptive acts or practices

generally, **5:44**

contractual provisions, **5:46**

nature of representations, **5:45**

unfair methods of competition, **5:48**

Penalties. Civil penalties for violations, above

Policy statements, **5:28**

**FEDERAL TRADE COMMISSION ACT  
—Cont'd**

- Real estate activities regulated under
  - generally, **5:79**
  - correspondence courses, **5:81**
  - listing services, **5:80**
  - rescue services, **5:82**
- Regulatory background, **5:1**
- Rulemaking process
  - generally, **5:24**
  - pre-rulemaking period, **5:25**
  - rulemaking period, **5:26**
  - rules, **5:24**
  - trade regulation rules reviewed, **5:27**
- Sale of unimproved land
  - unfair and deceptive acts or practices
    - generally, **5:38**
    - contractual provisions, **5:41**
    - remedies, **5:42**
    - sales techniques, **5:40**
    - value representations, **5:39**
  - unfair methods of competition, **5:43**
- Scope of, **5:3**
- Title insurance services regulated by, **5:73**
- Unfair and deceptive acts or practices
  - generally, **5:5**
  - broker services, **5:65**
  - home components and building products
    - generally, **5:61**
    - insulation sales, **5:62**
    - warranty requirements, **5:63**
  - home improvements
    - cooling-off periods, **5:55-5:57**
    - Magnuson-Moss provisions, **5:58**
    - misrepresentations, **5:54**
  - mobile and manufactured home sales
    - generally, **5:49**
    - Magnuson-Moss proceedings, **5:50**
  - sales of new single- or multifamily homes and condominiums
    - generally, **5:44**
    - contractual provisions, **5:46**
    - nature of representations, **5:45**
    - remedies, **5:47**
  - sales of unimproved land
    - generally, **5:38**
    - contractual provisions, **5:41**
    - remedies, **5:42**
    - sales techniques, **5:40**
    - value representations, **5:39**
- Unfair methods of competition
  - generally, **5:4**
  - broker services
    - generally, **5:66**
    - Federal Trade Commission activity, **5:67**

**FEDERAL TRADE COMMISSION ACT  
—Cont'd**

- Unfair methods of competition—Cont'd
  - broker services—Cont'd
    - group boycotts, **5:70**
    - jurisdiction, **5:68**
    - miscellaneous violations, **5:72**
    - price fixing, **5:69**
    - typing arrangements, **5:71**
  - home components and building products, **5:64**
  - home improvements, **5:59**
  - mobile and manufactured home sales, **5:51**
  - sales of new single- or multifamily homes and condominiums, **5:48**
  - sales of unimproved land, **5:43**
- Unimproved land. See Sale of unimproved land, above
- Used housing sales regulated by, **5:52**
- Violations. See Civil penalties for violations, above

**FINANCE CHARGE**

- Generally, **10:12**
- Annual percentage rate
  - generally, **10:16**
  - computation tools, **10:19**
  - demand loans, **10:20**
  - irregularities, **10:18**
  - tolerances allowed, **10:17**
  - variable rate mortgages, **10:21**
- Items excluded
  - because of nature of transaction or if creditor makes certain disclosures, **10:15**
  - expressly, **10:14**
- Items normally included, **10:13**
- Total prepaid, **10:10**

**FINANCING**

- Temporary, **2:12**

**FLORIDA**

- State-related legislation, **13:12**

**FRAUD OR ACTIVE DUTY ALERT**

- Fair Credit Reporting Act (this index)

**GEORGIA**

- State-related legislation, **13:13**

**GOOD FAITH ESTIMATE**

- Real Estate Settlement Procedures Act settlement services
  - generally, **2:25**
  - contents, **2:26**
  - delivery of
    - generally, **2:30**
    - persons eligible for, **2:31**
  - disclosures, **2:29**
  - exemptions, **2:32**

## **GOOD FAITH ESTIMATE—Cont'd**

Real Estate Settlement Procedures Act settlement services—Cont'd  
fees, **2:32**  
nature and determination of, **2:27**  
record keeping, **2:33**  
tolerances, **2:27**  
when permitted, **2:28**

## **GOVERNMENT OR GOVERNMENTAL AGENCIES**

Loans, Real Estate Settlement Procedures Act exemption for, **2:17**  
Sales to, Interstate Land Sales Full Disclosure Act exemption, **3:15**

## **HANDICAP DISCRIMINATION, FAIR HOUSING ACT COVERAGE FOR**

Generally, **12:31**  
Accessibility requirements, **12:39**  
Definitional rule, **12:34**  
Definitions, **12:32, 12:33**  
Facilities modification requirements, **12:35**  
Injunctions, **12:41**  
Reasonable accommodations requirement generally, **12:36**  
governmental entities, **12:38**  
private parties, **12:37**  
Statutory defenses, **12:40**

## **HAWAII**

State-related legislation, **13:14**

## **HOME**

House and Home (this index)

## **HOME EQUITY LOANS**

Generally, **10:49**  
High-cost or HOEPA loans generally, **10:50**  
disclosures  
form of, **10:55**  
person who must make, **10:53**  
person who must receive, **10:54**  
required, **10:51**  
timing of, **10:52**  
prohibitions  
acts and practices, **10:57**  
contract terms, **10:55**  
loans to persons unable to pay, **10:58**  
payments on home improvement contracts, **10:59**  
sale or assignment of mortgage, **10:60**  
Open-end credit plans, **10:49**

## **HOME IMPROVEMENTS**

House Improvements (this index)

## **HOME MORTGAGE DISCLOSURE ACT**

Generally, **11:1 et seq., App 11, App 11A**  
Community Reinvestment Act  
legislative history, **11:29**  
Information disclosed  
generally, **11:5**  
action taken and date, **11:13**  
applicant's race or national origin, sex, and income level, **11:15**  
loan amount, **11:12**  
loan or application number or date, **11:6**  
loan type or purpose, **11:7, 11:8**  
owner-occupancy status of property, **11:11**  
preapproval request, **11:9**  
property location, **11:14**  
property type, **11:10**  
purchaser, **11:16**  
reasons for denial, **11:20**  
Institutions covered  
generally, **11:4**  
Legislative history  
generally, **11:1**  
law sources, **11:2**  
Lenders covered, **11:3**  
Lien status, **11:19**  
Regulatory background, **11:1**  
Reporting and disclosure procedures  
format, **11:21**  
HMDA data, **11:23, 11:24**  
loss of exemption, **11:25**  
time and place of, **11:22**  
Sanctions for violations, **11:26**  
State law and  
conflicts, **11:27**  
exemptions, **11:28**

## **HOUSE AND HOME**

Components and building products, Federal Trade Commission Act regulation of  
generally, **5:60**  
unfair and deceptive practices  
generally, **5:61**  
insulation sales, **5:62**  
warranty requirements, **5:63**  
unfair methods of competition, **5:64**  
Mobile and manufactured  
unfair and deceptive practices  
generally, **5:49**  
Magnuson-Moss proceedings, **5:50**  
unfair methods of competition, **5:51**  
Multifamily, sale of  
unfair and deceptive acts or practices  
generally, **5:44**  
contractual provisions, **5:46**  
nature of representations, **5:45**  
remedies, **5:47**

## **HOUSE AND HOME—Cont'd**

- Multifamily, sale of—Cont'd
  - unfair methods of competition, **5:48**
- Rental. See Sales, below
- Sales
  - Fair Housing Act coverage for discrimination in
    - generally, **12:19**
    - advertising for
      - generally, **12:25**
      - display, **12:26**
      - personal conduct, **12:28**
      - textual, **12:27**
    - blockbusting, **12:30**
    - false representation of unavailability, **12:29**
    - notices
      - generally, **12:25**
    - section 804(a) protections
      - generally, **12:20**
      - exclusionary zoning, **12:22**
      - race-conscious remedies, **12:21**
      - redlining, **12:23**
      - steering remedies, **12:21**
    - statements
      - generally, **12:25**
    - terms and conditions, **12:24**
  - Federal Trade Commission Act regulation of
    - mobile and manufactured homes
      - unfair and deceptive practices
        - generally, **5:49**
        - Magnuson-Moss proceedings, **5:50**
      - unfair methods of competition, **5:51**
    - single- or multifamily homes
      - unfair and deceptive acts or practices
        - generally, **5:44**
        - contractual provisions, **5:46**
        - nature of representations, **5:45**
        - remedies, **5:47**
      - unfair methods of competition, **5:48**
  - Interstate Land Sales Full Disclosure Act
    - exemption, **3:24**
  - Single-family, sale of
    - unfair and deceptive acts or practices
      - generally, **5:44**
      - contractual provisions, **5:46**
      - nature of representations, **5:45**
      - remedies, **5:47**
    - unfair methods of competition, **5:48**

## **HOUSE IMPROVEMENTS**

- Generally, **1:8**
- Federal Trade Commission Act regulation of
  - generally, **5:53**
  - unfair and deceptive practices
    - cooling-off periods, **5:55-5:57**
    - Magnuson-Moss provisions, **5:58**

## **HOUSE IMPROVEMENTS—Cont'd**

- Federal Trade Commission Act regulation of
  - Cont'd
    - unfair and deceptive practices—Cont'd
      - misrepresentations, **5:54**
    - unfair method of competition, **5:59**

## **HUD**

- 1 settlement statement
  - Generally, **2:35**
  - Delivery, **2:39**
  - Exemptions, **2:39**
  - Format, **2:38**
  - Information disclosed, **2:36**
  - No fee, **2:41**
  - One-day advance inspection of, **2:34**
  - Permitted changes, **2:38**
  - Record keeping, **2:40**
  - Responsibility for providing, **2:37**
- 1A settlement statement
  - Generally, **2:35**
  - Delivery, **2:39**
  - Exemptions, **2:39**
  - Format, **2:38**
  - Information disclosed, **2:36**
  - No fee, **2:41**
  - One-day advance inspection of, **2:34**
  - Permitted changes, **2:38**
  - Record keeping, **2:40**
  - Responsibility for providing, **2:37**
- Informal opinions, **App 2B1, App 2B2**

## **IDAHO**

- State-related legislation, **13:15**

## **IDENTITY THEFT**

- Fair Credit Reporting Act (this index)

## **ILLINOIS**

- State-related legislation, **13:16**

## **INDIANA**

- State-related legislation, **13:17**

## **INDUSTRIAL DEVELOPMENTS**

- Interstate Land Sales Full Disclosure Act exemption, **3:18**

## **INSULATION**

- Federal Trade Commission Act regulation of
  - unfair and deceptive practices regarding, **5:62**

## **INTERSTATE LAND SALES FULL DISCLOSURE ACT**

- Generally, **3:1 et seq., App 3**
- Adjudication proceedings, rules of practice for, **App 3D**
- Contract provisions
  - generally, **3:71**

**INTERSTATE LAND SALES FULL  
DISCLOSURE ACT—Cont'd**

- Contract provisions—Cont'd
  - avoidance of two-year revocation right, **3:76**
  - disclosures omitted, **3:73**
  - nonexempt transactions, **3:74**
  - qualification for exemptions, **3:72**
  - representations regarding roads, utilities, or amenities, **3:75**
  - sales practices prohibited, **3:80**
- Enforcement and remedies
  - generally, **3:90**
  - civil money penalties, **3:93**
  - court jurisdiction, **3:96**
  - criminal actions, **3:94**
  - injunctive actions, **3:92**
  - private civil actions, **3:95**
  - statement of record suspended, **3:91**
  - statutes of limitations, **3:97**
- Exemptions
  - ad hoc
    - generally, **3:56-3:62**
    - additional documentation, **3:62**
    - personal inspection, **3:61**
    - revocation right, **3:59**
    - roads, utilities, and promised amenities, **3:57, 3:58**
    - warranty deed, **3:60**
  - full statutory
    - generally, **3:9-3:18**
    - industrial or commercial developments, **3:18**
    - sales by any government or governmental agency, **3:15**
    - sales of cemetery lots, **3:16**
    - sales of evidences of indebtedness, **3:13**
    - sales of lots with an existing or proposed building, **3:12**
    - sales of securities issued by a real estate investment trust, **3:14**
    - sales to builders or for resale to builders, **3:17**
    - subdivisions containing fewer than twenty-five lots, **3:11**
  - intrastate
    - generally, **3:26-3:34**
    - free and clear requirement, **3:33**
    - intrastate sales operation, **3:27**
    - personal inspection, **3:28**
    - revocation right, **3:32**
    - roads, utilities, and promised amenities, **3:29, 3:30**
    - statement, **3:34**
    - written statement of the cost of providing utilities to the lot, **3:31**
  - manufactured home, **3:25**

**INTERSTATE LAND SALES FULL  
DISCLOSURE ACT—Cont'd**

- Exemptions—Cont'd
  - metropolitan statistical area
    - generally, **3:35-3:46**
    - affirmation of compliance, **3:46**
    - agent for service of process, **3:45**
    - exemption statement, **3:44**
    - free and clear requirement, **3:43**
    - jurisdiction statement, **3:45**
    - lot and buyer's principal residence in, **3:37**
    - personal inspection, **3:38**
    - revocation right, **3:42**
    - roads, utilities, and promised amenities, **3:39, 3:40**
    - subdivisions containing fewer than 300 lots, **3:36**
    - written statement of cost of providing utilities to the lot, **3:41**
  - partial regulatory
    - generally, **3:47-3:63**
    - adjoining lots, **3:52**
    - inexpensive lots, **3:49**
    - leases for limited duration, **3:50**
    - lots sold to developers, **3:51**
    - lots sold to government, **3:53**
    - multiple site subdivisions, **3:55**
    - sales of leased lots, **3:54**
  - partial statutory
    - condominium, **3:25.50**
    - intrastate, above in this group
    - one-hundred-lot, **3:20**
    - scattered site subdivision, **3:22**
    - single-family residence, **3:24**
    - twelve-lot, **3:21**
    - twenty-acre-lot, **3:23**
  - qualification for, **3:72**
  - regulatory
    - partial regulatory, above in this group
    - termination of, **3:63**
  - roads, utilities, and promised amenities, **3:29, 3:30, 3:39, 3:40, 3:57, 3:58**
  - statutory
    - full statutory, above in this group
    - partial statutory, above
- Federal Trade Commission Act interactions with, **5:37**
- Financial reports, **3:69**
- Financial statement obligation, **3:70**
- Land Registration-Regulation J, **App 3A**
- Legislative history of, **3:1**
- Notice as to activity, **3:69**
- Parties covered
  - generally, **3:4**
  - developer and agent, **3:5**



## **INTERSTATE LAND SALES FULL DISCLOSURE ACT—Cont'd**

- Property reports
  - revocation right for failure to deliver, **3:87**
  - sales practice limitations based on, **3:78**
- Purchaser's revocation rights, sales practices and standards-Regulation K, **App 3B**
- Registration and disclosure
  - generally, **3:64-3:70**
  - Regulation J, **App 3A**
  - statement of record, below
- Regulation J, **App 3A**
- Regulation K, **App 3B**
- Regulation L, **App 3C**
- Regulatory background, **3:1**
- Revocation right
  - generally, **3:85-3:89**
  - effect of, **3:89**
  - failure to delivery property report, **3:87**
  - failure to include protective clauses in installment sales contracts, **3:88**
- Roads, utilities, or amenities
  - contract provisions, **3:75**
  - exemptions, **3:29, 3:30, 3:39, 3:40, 3:57, 3:58**
  - representations regarding, **3:75**
- Sales practices
  - advertising disclaimer statements, **3:84**
  - limitations on
    - contract-based, **3:80**
    - general sales practices, **3:81**
    - property reports and statements of records, **3:78**
  - parties exempted, **3:83**
  - prohibited, **3:77, 3:79, 3:82**
  - unlawful and misleading, **3:77-3:84**
- Scope of, **3:3**
- Special Rules of Practice-Regulation L, **App 3C**
- State law relation to
  - generally, **3:98**
  - certification of substantially similar state laws, **3:99**
  - preemption, **3:98**
- Statement of record
  - amendment to, **3:68**
  - consolidated, **3:67**
  - initial, **3:66**
  - suspension of, **3:91**
- Transactions covered
  - generally, **3:6**
  - common promotional plans, **3:7**
  - reservations, **3:8**
  - subdivisions, **3:7**
- Waiver of rights, **3:100**

## **INTRASTATE EXEMPTIONS**

- Interstate Land Sales Full Disclosure Act
  - generally, **3:26-3:34**
  - free and clear requirement, **3:33**
  - intrastate sales operation, **3:27**
  - personal inspection, **3:28**
  - revocation right, **3:32**
  - roads, utilities, and promised amenities, **3:29, 3:30**
  - statement, **3:34**
  - written statement of the cost of providing utilities to the lot, **3:31**

## **INVESTIGATIVE CONSUMER REPORT**

- Generally, **9:10**
- Consumer notified, **9:61**
- Definitions, **9:60**
- Disclosure of nature and scope of, **9:62**
- Reasonable procedures defense, **9:64**
- User certification to consumer reporting agency, **9:63**

## **IOWA**

- State-related legislation, **13:18**

## **KANSAS**

- State-related legislation, **13:19**

## **KENTUCKY**

- State-related legislation, **13:20**

## **LAND**

- Unimproved, Federal Trade Commission Act
  - provisions for sale of
    - unfair and deceptive acts or practices
      - generally, **5:38**
      - contractual provisions, **5:41**
      - remedies, **5:42**
      - sales techniques, **5:40**
      - value representations, **5:39**
    - unfair methods of competition, **5:43**

## **LEASE**

- Assumption or rejection of, for Bankruptcy Code
  - generally, **6:5**
  - burdensome to allow rejection, **6:11**
  - effect of assumption of, **6:20**
  - jointly owned real estate, sales by trustee of, **6:29**
  - lease or contract in default, **6:16**
  - mechanism for assumption or rejection
    - generally, **6:15**
    - lease or contract is in default, **6:16**
  - nondelegable, **6:12**
  - postpetition transfers of real estate
    - generally, **6:24**
    - debtor or third party transfer after filing of petition, **6:24**

## LEASE—Cont'd

- Assumption or rejection of, for Bankruptcy Code—Cont'd
  - postpetition transfers of real estate—Cont'd
    - initial transferee is good faith purchaser, **6:26**
    - involuntary cases, **6:25**
    - transferees
      - lien for improvements, **6:28, 6:37**
      - rights of, **6:27, 6:36**
  - preferences
    - generally, **6:33**
    - exemptions under, **6:34**
    - exempt real property transferred as, **6:35**
  - prepetition sale of real estate, trustee's power to avoid
    - generally, **6:30**
    - fraudulent transfers, **6:31-6:32**
  - rejection of lease or contract
    - generally, **6:18**
    - interim use by trustee, **6:19**
  - right to assign, **6:21**
  - sales contract executory, **6:10**
  - sales contract to make a loan, **6:13**
  - section 365 provisions relating to, **6:22**
  - seller is the debtor
    - buyer's rights when, **6:22**
    - tenant's rights when, **6:23**
  - shopping center leases, **6:17**
  - tenant's rights when seller is the debtor, **6:23**
  - terminated before bankruptcy
    - generally, **6:6**
    - curing a default under section 365(b) to avoid termination, **6:7**
    - ipso facto clauses prohibited under section 365(e), **6:8**
    - trustee's avoiding powers under sections 547 and 548 to overcome, **6:9**
  - time period allowed for assumption or rejection, **6:14**
  - trustee
    - avoiding powers under sections 547 and 548 to overcome termination before bankruptcy, **6:9**
    - interim use, after rejection, **6:19**
  - unexpired lease, **6:10**
- Unconscionable
  - generally, **4:10**
  - developer reimbursement clauses, **4:14**
  - leases covered, **4:11**
  - unconscionability presumption
    - generally, **4:12**
    - rebuttal evidence, **4:13**

## LEASING

- Generally, **1:7**

## LOAN CONVERSION

- Real Estate Settlement Procedures Act exemption, **2:15**

## LOANS

- Agricultural, **2:11**
- Business, **2:11**
- Commercial, **2:11**
- Federally related, **2:8**
- Government, **2:17**
- Home equity
  - generally, **10:49**
- high-cost or HOEPA loans
  - generally, **10:50**
- disclosures
  - form of, **10:55**
  - person who must make, **10:53**
  - person who must receive, **10:54**
  - required, **10:51**
  - timing of, **10:52**
- prohibitions
  - acts and practices, **10:57**
  - contract terms, **10:55**
  - loans to persons unable to pay, **10:58**
  - payments on home improvement contracts, **10:59**
  - sale or assignment of mortgage, **10:60**
- open-end credit plans, **10:49**
- Truth-in-Lending Act (this index)

## LOTS

- Interstate Land Sales Full Disclosure Act exemptions
  - adjoining lots, **3:52**
  - leased lots, sales of, **3:54**
  - lots sold to developers, **3:51**
  - lots sold to government, **3:53**

## LOUISIANA

- State-related legislation, **13:21**

## MAGNUSON-MOSS WARRANTY ACT

- Generally, **5:9, App 5A, App 5B**
- Disclosure requirements, **5:11**
- Home improvements regulated under, **5:58**
- Implied warranty limitations, **5:12**
- Informal dispute resolution mechanisms, **5:13**
- Mobile and manufactured home sales regulated under, **5:50**
- Remedies, **5:14**
- Supplier, warrantor, and consumer products, **5:10**

## MAINE

- State-related legislation, **13:22**

## INDEX

### MANUFACTURED HOME

- Federal Trade Commission Act regulation of sales of
  - unfair and deceptive practices generally, **5:49**
  - Magnuson-Moss proceedings, **5:50**
  - unfair methods of competition, **5:51**
- Interstate Land Sales Full Disclosure Act exemption, **3:25**

### MARYLAND

- State-related legislation, **13:23**

### MASSACHUSETTS

- State-related legislation, **13:24**

### MEDICAL INFORMATION

- Fair Credit Reporting Act (this index)

### METROPOLITAN STATISTICAL AREA

- Interstate Land Sales Full Disclosure Act exemptions
  - generally, **3:35-3:46**
  - affirmation of compliance, **3:46**
  - agent for service of process, **3:45**
  - exemption statement, **3:44**
  - free and clear requirement, **3:43**
  - jurisdiction statement, **3:45**
  - lot and buyer's principal residence in, **3:37**
  - personal inspection, **3:38**
  - revocation right, **3:42**
  - roads, utilities, and promised amenities, **3:39, 3:40**
  - subdivisions containing fewer than 300 lots, **3:36**
  - written statement of cost of providing utilities to the lot, **3:41**

### MICHIGAN

- State-related legislation, **13:25**

### MINNESOTA

- State-related legislation, **13:26**

### MISSISSIPPI

- State-related legislation, **13:27**

### MISSOURI

- State-related legislation, **13:28**

### MOBILE HOME

- Federal Trade Commission Act regulation of sales of
  - unfair and deceptive practices generally, **5:49**
  - Magnuson-Moss proceedings, **5:50**
  - unfair methods of competition, **5:51**

### MONTANA

- State-related legislation, **13:29**

### MULTIFAMILY HOMES

- Federal Trade Commission Act regulation of sales of
  - unfair and deceptive acts or practices generally, **5:44**
  - contractual provisions, **5:46**
  - nature of representations, **5:45**
  - remedies, **5:47**
  - unfair methods of competition, **5:48**

### MULTIPLE SITE SUBDIVISIONS

- Interstate Land Sales Full Disclosure Act exemption, **3:55**

### NEBRASKA

- State-related legislation, **13:30**

### NEVADA

- State-related legislation, **13:31**

### NEW HAMPSHIRE

- State-related legislation, **13:32**

### NEW JERSEY

- State-related legislation, **13:33**

### NEW MEXICO

- State-related legislation, **13:34**

### NEW YORK

- State-related legislation, **13:35**

### NORTH CAROLINA

- State-related legislation, **13:36**

### NORTH DAKOTA

- State-related legislation, **13:37**

### OHIO

- State-related legislation, **13:38**

### OKLAHOMA

- State-related legislation, **13:39**

### ONE-HUNDRED-LOT EXEMPTION

- Interstate Land Sales Full Disclosure Act, **3:20**

### OREGON

- State-related legislation, **13:40**

### PENALTIES

- Real Estate Settlement Procedures Act, **2:43**
- Referral and unearned fees, **2:58**
- Truth-in-Lending Act, **10:65, 10:74**

### PENNSYLVANIA

- State-related legislation, **13:41**

### PRICE FIXING

- Broker services, Federal Trade Commission Act prohibitions against, **5:69**

### PUERTO RICO

- State-related legislation, **13:42**

## REAL ESTATE

- Correspondence courses, **5:81**
- Federal Trade Commission Act regulation of, **5:80-5:82**
- Leasing of, **1:7**
- Listing services, **5:80**
- Postpetition transfers, under Bankruptcy Code
  - generally, **6:24**
  - debtor or third party transfer after filing of petition, **6:24**
  - initial transferee is good faith purchaser, **6:26**
  - involuntary cases, **6:25**
  - transferees
    - lien for improvements, **6:28, 6:37**
    - rights of, **6:27, 6:36**
- Sale of
  - contracting period, **1:3**
  - marketing period, **1:2**
  - negotiating period, **1:3**
  - postclosing period, **1:6**

## REAL ESTATE INVESTMENT TRUST

- Interstate Land Sales Full Disclosure Act exemptions, **3:14**

## REAL ESTATE SETTLEMENT PROCEDURES ACT

- Generally, **2:1 et seq., App 2**
- Court jurisdiction, **2:115**
- Defenses, **2:116**
- Disclosure requirements, **2:19, 2:24**
- Disclosures
  - loan assignment, sale, or transfer
    - generally, **2:91 et seq.**
    - borrower's request for information, **2:107**
    - contents of, **2:101**
    - continuity of contact, **2:109**
    - early intervention with delinquent borrowers, **2:109**
    - format, **2:102**
    - general servicing policies, procedures, and requirements, **2:108**
    - loss mitigation procedures, **2:110**
    - penalties, **2:113**
    - persons who must make, **2:99**
    - timing of, **2:100**
  - loan disclosures, below
- Dispute resolution mechanism, **2:104-2:106**
- Errors, dispute resolution mechanism, **2:106**
- Escrow accounts
  - administration of, **2:111**
  - amount collected at settlement or creation of, **2:73 et seq.**
  - analysis methods
    - generally, **2:67**
    - adjusted trial balance, **2:69**

## REAL ESTATE SETTLEMENT

### PROCEDURES ACT—Cont'd

- Escrow accounts—Cont'd
  - analysis methods—Cont'd
    - cushion added, **2:70**
    - initial trial balance, **2:68**
    - periods longer than one year, **2:72**
    - pre-accrual, **2:71**
  - annual statement of
    - generally, **2:83**
    - contents, **2:85**
    - delivery, **2:84**
    - format, **2:86**
  - background, **2:63**
  - deficiency and shortages in, **2:76**
  - initial statement of
    - generally, **2:79**
    - contents, **2:81**
    - delivery, **2:80**
    - format, **2:82**
  - meaning of, **2:65**
  - notifications
    - generally, **2:78**
    - annual statement, above in this group
    - initial statement, above in this group
    - no fee for, **2:89**
    - penalties for violating provisions, **2:88**
  - payment limitations
    - generally, **2:64, 2:66**
    - penalties for violating, **2:77**
  - reanalysis of, **2:75**
  - record keeping, **2:87**
  - state provisions, **2:90**
  - surplus payments, **2:76**
- Good faith estimate of settlement services
  - generally, **2:25**
  - contents, **2:26**
  - delivery of
    - generally, **2:30**
    - persons eligible for, **2:31**
  - disclosures, **2:29**
  - exemptions, **2:32**
  - fees, **2:32**
  - integrated disclosures, loans not covered by, **2:25-2:42**
  - nature and determination of, **2:27**
  - record keeping, **2:33**
  - tolerances, **2:27**
  - when permitted, **2:28**
- Historical text of HUD informal opinions, **App 2B2**
- Homeownership counselors, list of, **2:24**
- HUD-1A settlement statement
  - generally, **2:35**
  - delivery, **2:39**

## REAL ESTATE SETTLEMENT

### PROCEDURES ACT—Cont'd

HUD-1A settlement statement—Cont'd  
 enforcement and cure, **2:42**  
 exemptions, **2:39**  
 format, **2:38**  
 information disclosed, **2:36**  
 no fee, **2:41**  
 one-day advance inspection of, **2:34**  
 permitted changes, **2:38**  
 record keeping, **2:40**  
 responsibility for providing, **2:37**

### HUD-1 settlement statement

generally, **2:35**  
 delivery, **2:39**  
 enforcement and cure, **2:42**  
 exemptions, **2:39**  
 format, **2:38**  
 information disclosed, **2:36**  
 no fee, **2:41**  
 one-day advance inspection of, **2:34**  
 permitted changes, **2:38**  
 record keeping, **2:40**  
 responsibility for providing, **2:37**

### HUD informal opinions, **App 2B1, App 2B2**

### Insurance, forced place, **2:112**

### Integrated disclosures, effects of, **2:25-2:43**

### Jurisdiction of courts, **2:115**

### Legislative history

generally, **2:1**  
 law sources, **2:2**

### Lenders

federally related, **2:6**

### Lien validity, **2:117**

### Loan disclosures

application for loan  
 generally, **2:92**  
 contents, **2:96**  
 format, **2:97**  
 persons who must make, **2:93**  
 persons who must receive, **2:95**  
 timing of, **2:94**  
 assignment, sale, or transfer  
 generally, **2:98**  
 contents of, **2:101**  
 format, **2:102**  
 persons who must make, **2:99**  
 timing of, **2:100**

### Loan payments during transfer period, **2:103**

### Miscellaneous provisions, **2:118**

### Penalties, **2:43, 2:113**

### Referral and unearned fee prohibitions

generally, **2:45 et seq.**  
 affiliated-business arrangements  
 generally, **2:53**

## REAL ESTATE SETTLEMENT

### PROCEDURES ACT—Cont'd

Referral and unearned fee prohibitions—Cont'd  
 affiliated-business arrangements—Cont'd  
 disclosure, **2:54**  
 no requirements to use settlement service  
 provider, **2:55**  
 return on ownership interest, **2:56**  
 agreement or understanding to refer business,  
**2:49**  
 expressly excluded transactions, **2:52**  
 payment or thing of value, **2:48**  
 penalties, **2:58**  
 prohibition, **2:51**  
 record keeping, **2:57**  
 state-imposed, **2:59**

### Regulation X, **App 2A**

### Regulatory background, **2:1**

### Settlement services

good faith estimate of settlement services,  
 above

### Special Information Booklet

generally, **2:20**  
 contents of, **2:21**  
 delivery of, **2:22**  
 form of, **2:23**  
 homeownership counselors, list of, **2:24**

### Specific title company prohibitions

generally, **2:60**  
 acts prohibited, **2:60**  
 penalties, **2:61**  
 state title insurance provisions, **2:62**

### State disclosures, **2:44**

### State laws and, **2:114**

### Transactions covered

generally, **2:3**  
 federally related lender, **2:6**  
 federally related loans, **2:8**  
 lender is a creditor under Consumer Credit  
 Protection Act, **2:7**  
 one- to four-family structure, **2:5**  
 secured by a lien, **2:4**

### Transactions exempted

generally, **2:9**  
 agricultural loans, **2:11**  
 assumptions without lender approval, **2:14**  
 business loans, **2:11**  
 commercial loans, **2:11**  
 loan conversions, **2:15**  
 loan on property of twenty-five acres or more,  
**2:10**  
 loans to housing assistance loan programs,  
**2:18**  
 loan to government or governmental agencies,  
**2:17**  
 secondary market transactions, **2:16**

**REAL ESTATE SETTLEMENT**

**PROCEDURES ACT—Cont'd**

Transactions exempted—Cont'd  
temporary financing, **2:12**  
vacant land, **2:13**

Your Home Loan Toolkit, **App 2B**

**REGULATION J**

Generally, **App 3A**

**REGULATION K**

Generally, **App 3B**

**REGULATION L**

Generally, **App 3C**

**REGULATION V**

Fair Credit Reporting Act (this index)

**REGULATION Z**

Truth-in-Lending Act (this index)

**RENTAL PROPERTY**

Conversion to condominiums or cooperatives,  
Condominium and Cooperative Abuse  
Relief Act limitations on, **4:23**

**RESCISSION RIGHT, UNDER  
TRUTH-IN-LENDING ACT**

Generally, **10:81-10:96**

Creditor's obligation to delay performance, **10:91**

Disclosure, **10:90**

Effects, **10:95**

Exemptions

generally, **10:82-10:88**

mixed-purpose transactions, **10:88**

multiple advance transactions, **10:86**

refinancing or consolidation transactions,  
**10:84**

renewal of optional insurance, **10:87**

residential mortgage transactions, **10:83**

transactions in which a state agency is a credi-  
tor, **10:85**

Exercising of

persons eligible, **10:92**

procedure, **10:94**

time limits, **10:93**

Waiver, **10:89**

**RHODE ISLAND**

State-related legislation, **13:43**

**ROADS, UTILITIES, OR AMENITIES**

Interstate Land Sales Full Disclosure Act

contract provisions, **3:75**

exemptions, **3:29, 3:30, 3:39, 3:40, 3:57, 3:58**

representations regarding, **3:75**

**SALE**

Contracting period, **1:3**

House and Home (this index)

**SALE—Cont'd**

Marketing period, **1:2**

Negotiating period, **1:3**

Postclosing period, **1:6**

**SALES PRACTICES**

Interstate Land Sales Full Disclosure Act provi-  
sions

advertising disclaimer statements, **3:84**

limitations on

contract-based, **3:80**

general sales practices, **3:81**

property reports and statements of records,  
**3:78**

parties exempted, **3:83**

prohibited, **3:77, 3:79, 3:82**

unlawful and misleading, **3:77-3:84**

**SCORE**

Credit Score (this index)

**SELF-DEALING CONTRACTS**

Condominium and Cooperative Abuse Relief Act  
termination

generally, **4:5**

contracts covered, **4:6**

developer reimbursement clauses, **4:8**

methods, **4:7**

state preemption, **4:9**

**SELF-TESTING PRIVILEGE**

Equal Credit Opportunity Act

generally, **8:86**

limitations, **8:87**

record retention, **8:92**

Fair Housing Act

generally, **12:70**

limitations of privilege, **12:71**

**SHOPPING CENTER LEASES**

Bankruptcy Code assumption or rejection of,  
**6:17**

**SINGLE-FAMILY HOMES**

Fair Housing Act exemption, **12:10**

Federal Trade Commission Act regulation of  
sales of

unfair and deceptive acts or practices

generally, **5:44**

contractual provisions, **5:46**

nature of representations, **5:45**

remedies, **5:47**

unfair methods of competition, **5:48**

Interstate Land Sales Full Disclosure Act exemp-  
tion, **3:24**



**SOCIAL SECURITY NUMBER**

Fair Credit Reporting Act, obligation of  
consumer reporting agency to truncate social  
security number, **9:17**

**SOUTH CAROLINA**

State-related legislation, **13:44**

**SOUTH DAKOTA**

State-related legislation, **13:45**

**SPECIAL REVERSE-MORTGAGE  
DISCLOSURES**

Generally, **10:38**  
Form of, **10:43**  
Persons who must make, **10:41**  
Persons who must receive, **10:42**  
Required disclosures, **10:39**  
Timing of, **10:40**

**TELEMARKETING ACT**

Federal Trade Commission Act prohibitions  
derived from, **5:16**

**TENNESSEE**

State-related legislation, **13:46**

**TEXAS**

State-related legislation, **13:47**

**TRUTH-IN-LENDING ACT**

Generally, **10:1 et seq., App 10, App 10A**  
Anti-deficiency laws, **10:77**  
Appraisals, **10:68, 10:70**  
Arbitration, **10:75**  
Civil liability  
    generally, **10:101**  
    attorney fees, **10:102**  
    costs, **10:102**  
    defenses, **10:104**  
    statute of limitations, **10:103**  
Consumer leasing-Regulation M, **App 10B**  
Counseling requirements, negative amortizing  
    loans, **10:76**  
Credit advertising, **10:97**  
Debt cancellation agreements, **10:73**  
Disclosures  
    generally, **10:7**  
    aggregate settlement costs, **10:28**  
    amount financed  
        generally, **10:9**  
        itemization of, **10:11**  
    assumption policy, **10:26**  
    closing disclosure, **10:30**  
    creditor's identity, **10:8**  
    deposit balance, **10:10**  
    electronic  
        generally, **10:44**  
        address or location for, **10:48**

**TRUTH-IN-LENDING ACT—Cont'd**

Disclosures—Cont'd  
    electronic—Cont'd  
        clear and conspicuous requirement, **10:46**  
        consent required, **10:45**  
        retainability of, **10:47**  
        timing of, **10:47**  
    fees paid to brokers, **10:28**  
    finance charge  
        generally, **10:12**  
        annual percentage rate  
            generally, **10:16**  
            computation tools, **10:19**  
        demand loans, **10:20**  
        irregularities, **10:18**  
        tolerances allowed, **10:17**  
        variable rate mortgages, **10:21**  
    items excluded because of nature of transac-  
        tion or if creditor makes certain  
        disclosures, **10:15**  
    items expressly excluded, **10:14**  
    items normally included, **10:13**  
    total prepaid, **10:10**  
    form of, **10:37**  
    integrated disclosures, loans covered by,  
        **10:29-10:32, 10:32.50**  
    loan estimate, **10:29**  
    negative amortizing loans, **10:76**  
    payments  
        amounts of, **10:22**  
        due dates, **10:22**  
        late, **10:24**  
        nonpayment provisions, **10:24**  
        number of, **10:22**  
        prepayment provisions, **10:24**  
        total number of, **10:23**  
    persons required to make, **10:35**  
    persons who must receive, **10:36**  
    right of rescission, **10:90**  
    secured by the consumer's principal dwelling,  
        **10:27**  
    security interests, **10:25**  
    special reverse-mortgage  
        generally, **10:38**  
        form of, **10:43**  
        persons who must make, **10:41**  
        persons who must receive, **10:42**  
        required disclosures, **10:39**  
        timing of, **10:40**  
    timing of  
        generally, **10:31**  
        assumptions, **10:33**  
        construction loans, **10:33**  
        integrated disclosures, loans covered, **10:31,**  
            **10:32, 10:32.50**

## TRUTH-IN-LENDING ACT—Cont'd

- Disclosures—Cont'd
  - timing of—Cont'd
    - refinancing, **10:33**
    - residential mortgages, **10:32**
    - variable rate mortgages, **10:34**
  - total interest as percentage of principal balance, **10:28**
- Electronic Signatures in Global and National Commerce Act, **App 10C**
- Enforcement
  - generally, **10:98-10:105**
  - assignees, **10:99**
  - civil liability, above
  - creditors, **10:98**
  - criminal liability, **10:100**
- Escrow requirements, higher priced mortgage loans, **10:68**
- Fiduciary duty of servicer, **10:70**
- Higher priced mortgage loans
  - generally, **10:66-10:68**
  - appraisal requirements, **10:68**
  - definition, **10:67**
  - escrow requirements, **10:68**
- Higher-risk mortgages
  - appraisal requirements, **10:69**
- Home equity loans
  - generally, **10:49**
  - high-cost or HOEPA loans
    - generally, **10:50**
  - disclosures
    - form of, **10:55**
    - person who must make, **10:53**
    - person who must receive, **10:54**
    - required, **10:51**
    - timing of, **10:52**
  - penalties, **10:65**
  - prohibitions
    - acts and practices, **10:57**
    - contract terms, **10:55**
    - default, recommending, **10:64**
    - housing counseling requirement, **10:63**
    - loans to persons unable to pay, **10:58**
    - open-end loans, **10:62**
    - payments on home improvement contracts, **10:59**
    - refinancing within one year, **10:61**
    - sale or assignment of mortgage, **10:60**
  - open-end credit plans, **10:49**
  - open-end loan, **10:62**
  - refinancing within one year, **10:61**
- Housing counseling, **10:63**
- Legislative history
  - generally, **10:1**
  - law sources, **10:2**

## TRUTH-IN-LENDING ACT—Cont'd

- Loan originators, **10:71**
- Loan servicing duties
  - disclosures, **10:79**
  - partial payments, **10:79**
  - periodic statements for residential mortgage loans, **10:78**
  - prompt crediting of payments, **10:79**
  - seven-day requirement for payoff statements, **10:80**
- Mandatory arbitration, **10:75**
- Negative amortizing loans, **10:76**
- Open-end home equity loan, **10:62**
- Pooled residential mortgages, **10:70**
- Prepayments, **10:74**
- Principal dwelling, credit transactions secured by, appraisal requirements, **10:70**
- Qualified mortgage standards, **10:72**
- Refinancing within one year, home equity loans, **10:61**
- Regulatory background, **10:1**
- Repay, ability to, **10:72**
- Residential mortgage loans, generally, **10:71**
- Right of rescission
  - generally, **10:81-10:96**
  - creditor's obligation to delay performance, **10:91**
  - disclosure, **10:90**
  - effects, **10:95**
  - exemptions
    - generally, **10:82-10:88**
    - mixed-purpose transactions, **10:88**
    - multiple advance transactions, **10:86**
    - refinancing or consolidation transactions, **10:84**
    - renewal of optional insurance, **10:87**
    - residential mortgage transactions, **10:83**
    - transactions in which a state agency is a creditor, **10:85**
  - exercising of
    - persons eligible, **10:92**
    - procedure, **10:94**
    - time limits, **10:93**
  - transactions covered, **10:81**
  - waiver, **10:89**
- Scope, **10:3**
- Servicer responsiveness, **10:70**
- Servicers' fees, **10:70**
- Single premium credit insurance, financing, **10:73**
- State laws and
  - conflicts, **10:106**
  - exemptions, **10:107**
- Transactions covered
  - generally, **10:4**
  - business or commercial purposes, **10:5**

**TRUTH-IN-LENDING ACT—Cont'd**

Transactions covered—Cont'd  
mortgage assumptions, **10:6**

**TWELVE-LOT EXEMPTION**

Interstate Land Sales Full Disclosure Act, **3:21**

**UNFAIR AND DECEPTIVE ACTS OR  
PRACTICES, UNDER FEDERAL TRADE  
COMMISSION ACT**

Generally, **5:5**

Broker services, **5:65**

Home components and building products

generally, **5:61**

insulation sales, **5:62**

warranty requirements, **5:63**

Home improvements

cooling-off periods, **5:55-5:57**

Magnuson-Moss provisions, **5:58**

misrepresentations, **5:54**

Mobile and manufactured home sales

generally, **5:49**

Magnuson-Moss proceedings, **5:50**

Sales of new single- or multifamily homes and  
condominiums

generally, **5:44**

contractual provisions, **5:46**

nature of representations, **5:45**

remedies, **5:47**

Sales of unimproved land

generally, **5:38**

contractual provisions, **5:41**

remedies, **5:42**

sales techniques, **5:40**

value representations, **5:39**

**UNFAIR METHODS OF COMPETITION,  
UNDER FEDERAL TRADE  
COMMISSION ACT**

Generally, **5:4**

Broker services

generally, **5:66**

Federal Trade Commission activity, **5:67**

group boycotts, **5:70**

jurisdiction, **5:68**

**UNFAIR METHODS OF COMPETITION,  
UNDER FEDERAL TRADE  
COMMISSION ACT—Cont'd**

Broker services—Cont'd

miscellaneous violations, **5:72**

price fixing, **5:69**

typing arrangements, **5:71**

Home components and building products, **5:64**

Home improvements, **5:59**

Mobile and manufactured home sales, **5:51**

Sales of new single- or multifamily homes and  
condominiums, **5:48**

Sales of unimproved land, **5:43**

**UTAH**

State-related legislation, **13:48**

**VACANT LAND**

Real Estate Settlement Procedures Act exemp-  
tion, **2:13**

**VARIABLE RATE MORTGAGES**

Finance charge as annual percentage rate, **10:21**

Timing of disclosures, **10:34**

**VERMONT**

State-related legislation, **13:49**

**VIRGINIA**

State-related legislation, **13:50**

**WASHINGTON**

State-related legislation, **13:51**

**WEST VIRGINIA**

State-related legislation, **13:52**

**WISCONSIN**

State-related legislation, **13:53**

**WYOMING**

State-related legislation, **13:54**

**YOUR HOME LOAN TOOLKIT**

Real Estate Settlement Procedures Act, **App 2B**