

Index

ABBREVIATIONS

Equal Credit Opportunity Act, **3:4**
Real Estate Settlement Procedures Act, **1:4**
Truth in Lending Act, **2:4**

ACCOUNTING

Real Estate Settlement Procedures Act (this index)

ADMINISTRATIVE REMEDIES

Equal Credit Opportunity Act, **3:35**

ADVANCE CONSTRUCTION LOANS

Truth in Lending Act, multiple loans, **2:102**

ADVANCE DEPOSITS IN ESCROW ACCOUNTS

Real Estate Settlement Procedures Act, **1:44, 1:53**

ADVERSE ACTION

Equal Credit Opportunity Act, **3:54**

ADVERTISING

Truth in Lending Act, **2:32, 2:125**

AFFILIATED BUSINESS

ARRANGEMENTS (AfBA)

Real Estate Settlement Procedures Act
disclosure, **1:13, 1:62**
disclosure statement format, **1:62**
limitations, **1:37**

AGE

Equal Credit Opportunity Act, **3:46**

AGENCIES

Equal Credit Opportunity Act, enforcement agencies, **3:24, 3:61**
Federal enforcement agencies
Equal Credit Opportunity Act, **3:24**

AGENCIES—Cont'd

Real Estate Settlement Procedures Act, enforcement agency actions, **1:73**
Truth in Lending Act (TILA), enforcement actions, **2:159**

AGGREGATE ACCOUNTING

Real Estate Settlement Procedures Act, **1:12**

AMOUNT FINANCED

Truth in Lending Act
general discussion, **2:11, 2:124**
disclosure, **2:12**

ANNUAL ESCROW STATEMENT

Real Estate Settlement Procedures Act, **1:23**

ANNUAL PERCENTAGE RATE

Truth in Lending Act
computations for closed-end credit transactions, **2:105**
disclosure, **2:14**
oral disclosures, **2:35**

APPLICATIONS AND APPLICANTS

Equal Credit Opportunity Act
case law, **3:40, 3:53**
evaluation of applications, **3:12**
form of application, **3:9**
information gathering, **3:11**
model application forms, **3:25**

APPRAISALS

Equal Credit Opportunity Act, **3:13, 3:39**
Truth in Lending Act, special rules, valuation independence, **2:97**

ARBITRATION

Equal Credit Opportunity Act, **3:57**
Truth in Lending Act, **2:137, 2:154**

RESPA, TILA, HOEPA, AND ECOA

ARITHMETIC STEPS

Real Estate Settlement Procedures Act, escrow accounts, **1:63**

ARMED FORCES

Equal Credit Opportunity Act, **3:50**

ASSIGNMENTS

Truth in Lending Act, assignee liability, **2:134, 2:142**

ASSUMPTION OF LOAN

Truth in Lending Act
general discussion, **2:107**
disclosure policy, **2:26**

ATTORNEYS' FEES

Truth in Lending Act, **2:115**

BAD FAITH

Good Faith (this index)

BANKRUPTCY

Truth in Lending Act, **2:130**

BONA FIDE ERROR DEFENSE

Truth in Lending Act, **2:118**

BROKERS

Truth in Lending Act, mortgage brokers, **2:150**

BUREAU

Real Estate Settlement Procedures Act, **1:58**

BUSINESS CREDIT

Equal Credit Opportunity Act, **3:21**
Equal Credit Opportunity Act (this index)

CANCELLATION OF DEBT

Truth in Lending Act
fees, **2:136**
insurance and, **2:23**

CASE LAW

Equal Credit Opportunity Act, **3:28-3:59**
Real Estate Settlement Procedures Act
general discussion, **1:45 et seq.**
advance deposits in escrow accounts, limitation on

CASE LAW—Cont'd

Real Estate Settlement Procedures Act—Cont'd
requirement of, **1:44, 1:53**
Bureau, authority of, **1:58**
congressional findings and purpose, **1:45**
contracts and liens; validity, **1:56**
definitions, **1:46**
exempted transactions, **1:50**
Federal and State provisions, inconsistency, **1:57**
jurisdiction of courts; limitations, **1:55**
kickbacks and unearned fees, prohibition against, **1:51**
liability of seller, **1:52**
limitations, jurisdiction of courts, **1:55**
servicing of mortgage loans and administration of escrow accounts, **1:49**
special information booklets and good faith estimate, **1:48**
State laws, **1:57**
title companies, **1:52**
truth-in-lending, uniform settlement, and escrow account statements, **1:54**
unearned fees, prohibition against, **1:51**
uniform settlement statement, **1:47**
validity of contracts and liens, **1:56**
Truth in Lending Act
general discussion, **2:111 et seq.**
HELOCS, **2:151 et seq.**
Home Ownership and Equity Protection Act, **2:139 et seq.**

CHARGES

Rates and Charges (this index)

CIVIL LIABILITY

Truth in Lending Act, **2:85**

CIVIL RIGHTS AND DISCRIMINATION

Equal Credit Opportunity Act (this index)

INDEX

CLOSED-END CREDIT

- Truth in Lending Act
 - general discussion, **2:8 et seq.**
 - annual percentage rate computations for closed-end credit transactions, **2:105**
 - forms and clauses, **2:104**
 - integrated mortgage disclosures, **2:43**

CLOSING DISCLOSURE

- Integrated mortgage disclosures under TILA, **2:61-2:67, 2:74**

CODIFICATION

- Equal Credit Opportunity Act, **3:1**
- Real Estate Settlement Procedures Act, **1:1**
- Truth in Lending Act, **2:1**

CONSTRUCTION AND INTERPRETATION

- Equal Credit Opportunity Act, issuance of staff interpretations, **3:27**
- Real Estate Settlement Procedures Act, regulatory interpretations, **1:72**
- Truth in Lending Act, issuance of staff interpretations, **2:101**

CONSTRUCTION LOANS

- Truth in Lending Act, multiple advance construction loans, **2:102**

CONSUMMATION

- Truth in Lending Act, **2:113**

CONTRACTS AND AGREEMENTS

- Real Estate Settlement Procedures Act, validity, **1:56**
- Truth in Lending Act, contract reference disclosure, **2:25**

COUNTERCLAIMS

- Equal Credit Opportunity Act, **3:37**
- Truth in Lending Act, **2:131**

COUNTEROFFERS

- Equal Credit Opportunity Act, **3:55**

CREDITORS

- Debtor and Creditor** (this index)

CRIMINAL LAW

- Equal Credit Opportunity Act, criminal record, **3:52**
- Truth in Lending Act, penalties, **2:84**

DAMAGES

- Equal Credit Opportunity Act, **3:58**
- Truth in Lending Act, **2:119**

DEBT CANCELLATION

- Truth in Lending Act
 - fees, **2:136**
 - insurance and, **2:23**

DEBTOR AND CREDITOR

- Equal Credit Opportunity Act** (this index)
- Truth in Lending Act** (this index)

DEFENSES

- Equal Credit Opportunity Act, **3:37**
- Truth in Lending Act
 - bona fide error defense, **2:118**
 - good faith immunity defense, **2:117**

DEFICIENCIES

- Real Estate Settlement Procedures Act, escrow accounts, **1:21**

DEFINITIONS

- Equal Credit Opportunity Act, **3:4, 3:5**
- Real Estate Settlement Procedures Act, **1:4, 1:5, 1:46**
- Truth in Lending Act, **2:4, 2:5**

DEMAND OR REQUEST

- Real Estate Settlement Procedures Act
 - response to other requests, **1:17**
 - response to regulatory information requests, **1:19**
- Truth in Lending Act, disclosure of demand feature, **2:18**

DEPOSIT

- Truth in Lending Act, disclosure, **2:27**

DISCLOSURE

- Real Estate Settlement Procedures Act
 - affiliated business arrangements, **1:13, 1:62**
 - servicing disclosure statement, **1:14**
 - statement format, affiliated business arrangements disclosure, **1:62**
- Truth in Lending Act** (this index)

DISCRETION

- Real Estate Settlement Procedures Act, discretionary payments and escrow accounts, **1:27**

**DISCRETIONARY PAYMENTS
AND ESCROW ACCOUNTS**

- Real Estate Settlement Procedures Act, **1:27**

DISCRIMINATION

- Equal Credit Opportunity Act** (this index)

EARLY DISCLOSURES

- Integrated mortgage disclosures, **2:44-2:50**
- Truth in Lending Act**, **2:29**

ECOA

- Equal Credit Opportunity Act** (this index)

EMPLOYMENT

- Equal Credit Opportunity Act**, **3:51**

ENFORCEMENT AGENCIES

- Agencies** (this index)

**EQUAL CREDIT OPPORTUNITY
ACT (ECOA)**

- General discussion, **3:1 et seq.**
- Abbreviations, **3:4**
- Administrative remedies, **3:35**
- Adverse action, **3:54**
- Age, **3:46**
- Agencies, enforcement, **3:24, 3:61**
- Applications and applicants
 - case law, **3:40, 3:53**
 - evaluation of applications, **3:12**
 - form of application, **3:9**

**EQUAL CREDIT OPPORTUNITY
ACT (ECOA)—Cont'd**

- Applications and applicants—Cont'd
 - information gathering, **3:11**
 - model application forms, **3:25**
- Appraisals, **3:13, 3:39**
- Arbitration, **3:57**
- Armed forces, **3:50**
- Business credit, **3:21**
- Case law, **3:28-3:59**
- Civil rights and discrimination, generally, **3:6, 3:62**
- Claim for relief, stating, **3:33**
- Codification, **3:1**
- Counterclaim, **3:37**
- Counteroffers, **3:55**
- Creditors, generally, **3:41**
- Criminal record, **3:52**
- Damages, **3:58**
- Defense, **3:37**
- Definitions, **3:4, 3:5**
- Discrimination, generally, **3:6, 3:62**
- Employment, **3:51**
- Enforcement, generally, **3:23**
- Enforcement agencies, **3:24, 3:61**
- Evidence of discrimination, **3:38**
- Evolution of, **3:3**
- Exceptions, limited, **3:8**
- Extension of credit, **3:14**
- Federal enforcement agencies, **3:24**
- Form of application, **3:9, 3:25**
- Forms
 - model application forms, **3:25**
 - sample notification forms, **3:26**
- Furnishing of credit information, **3:17**
- Gender discrimination, **3:45**
- Guarantors, **3:43**
- Guidance documents, **3:63**
- Homosexuals, **3:45**
- Husband and wife, **3:44**
- Incentives for self-testing and self-correction, **3:22**
- Interpretations, staff, issuance of, **3:27**
- Jurisdiction, **3:29**
- Limitation of actions, **3:36**

INDEX

EQUAL CREDIT OPPORTUNITY

ACT (ECOA)—Cont'd

Limitations and restrictions

exceptions, **3:8**

information gathering, **3:11**

Marital status, **3:44**

Medicaid recipients, **3:49**

Military status, **3:50**

Model application forms, **3:25**

Monitoring, **3:15**

National origin, **3:48**

Notification of action taken

general discussion, **3:16**

forms, above

sample notification forms, **3:26**

Parties, standing, **3:30**

Penalties and liabilities, **3:23**

Policy statement on discrimination in
lending, **3:62**

Prima facie case, **3:32**

Prohibitions and limitations, gener-
ally, **3:6**

Proof of discrimination, **3:38**

Public assistance, **3:49**

Purpose, **3:28**

Racial discrimination, **3:47**

Records and recording

criminal record, **3:52**

retention of records, **3:19, 3:56**

Recovery theories, **3:31**

Regulation B

generally, **App. III**

Authority, scope and purpose,
1002.1

Definitions, **1002.2**

Enforcement, penalties and
liabilities, **1002.16**

forms and appendices to, **3:24-
3:27**

Furnishing of credit information,
1002.10

General rules, **1002.4**

Incentives for self-testing and self-
correction, **1002.15**

Information for monitoring
purposes, **1002.13**

Limited exceptions for certain
classes of transactions, **1002.3**

EQUAL CREDIT OPPORTUNITY

ACT (ECOA)—Cont'd

Regulation B—Cont'd

Notifications, **1002.9**

Record retention, **1002.12**

Relation to state law, **1002.11**

Rules concerning evaluation of
applications, **1002.6**

Rules concerning extensions of
credit, **1002.7**

Rules concerning requests for
information, **1002.5**

Rules on providing appraisals and
other valuations, **1002.14**

Special purpose credit programs,
1002.8

Request. Demand or request, above

Restrictions. Limitations and restric-
tions, above

Retention of records, **3:19, 3:56**

Retired military personnel, **3:50**

Sample notification forms, **3:26**

Self-correction, incentives for, **3:22**

Self-testing and self-correction,
incentives for, **3:22**

Sex discrimination, **3:45**

Sovereign immunity, **3:34**

Special purpose credit programs,
3:20, 3:59

Spouses, **3:44**

Staff interpretations, issuance of,
3:27

Standing, **3:30**

State law, relation to, **3:18**

Stating claim for relief, **3:33**

Statute of limitations, **3:36**

Supplementary material, **3:30-3:62**

Theories of recovery, **3:31**

Waiver, **3:60**

Wife, **3:44**

EQUITY

Home Ownership and Equity Protec- tion Act

general discussion, **2:139 et seq.**

assignee liability, **2:142**

case law, **2:139 et seq.**

evidence of claim, **2:148**

finance charges, **2:144**

RESPA, TILA, HOEPA, AND ECOA

EQUITY—Cont'd

- Home Ownership and Equity Protection Act—Cont'd
 - jurisdiction, **2:139**
 - limitation of actions, **2:140**
 - pre-closing disclosures, **2:143**
 - prepayment penalties, **2:145**
 - proof of claim, **2:148**
 - rates and charges
 - finance charges, **2:144**
 - remedies, **2:149**
 - repayment ability, **2:147**
 - secured transactions, **2:146**
 - statute of limitations, **2:140**

ESCROW ACCOUNTS

- Cancellation notice, integrated mortgage disclosures, **2:76**
- Real Estate Settlement Procedures Act
 - analysis, **1:20**
 - annual escrow statement, **1:23**
 - arithmetic steps, **1:63**
 - discretionary payments, **1:27**
 - fees for preparation of escrow account statements, prohibition of, **1:54**
 - initial escrow statement, **1:22**
 - limitations, generally, **1:38, 1:44, 1:53**
 - prompt refund of escrow accounts upon payoff, **1:28**
 - recordkeeping, **1:29**
 - servicing of mortgage loans and administration of escrow accounts
 - general discussion, **1:41, 1:49**
 - short-year escrow statement, **1:24**
 - surpluses, shortages, and deficiencies, **1:21**
 - timely payments, **1:25**
 - transfer of servicing, escrow requirements, **1:26**

EVIDENCE

- Equal Credit Opportunity Act, **3:38**
- Truth in Lending Act, **2:148**

EXAMINATION PROCEDURES

- Mortgage origination examination procedures, **App. IV**

EXCEPTIONS

- Exemptions and Exceptions** (this index)

EXEMPTIONS AND EXCEPTIONS

- Equal Credit Opportunity Act, limited exceptions, **3:8**
- Real Estate Settlement Procedures Act, **1:7, 1:50**
- Truth in Lending Act
 - general discussion, **2:7, 2:112**
 - State exemptions, **2:100**

FEDERAL ENFORCEMENT AGENCIES

- Equal Credit Opportunity Act, **3:24**

FEDERAL TRUTH IN LENDING ACT (TILA)

- General discussion, **2:1 et seq.**
- Abbreviations, **2:4**
- Advance construction loans, multiple, **2:102**
- Advertising, **2:32, 2:125**
- Amount financed
 - general discussion, **2:11, 2:124**
 - disclosure, **2:12**
- Annual percentage rate
 - computations for closed-end credit transactions, **2:105**
 - disclosure, **2:14, 2:35**
 - oral disclosures, **2:35**
- Appraisals, valuation independence, special rules, **2:97**
- Arbitration, **2:137, 2:154**
- Assignee liability, **2:134, 2:142**
- Assumption of loan
 - general discussion, **2:107**
 - disclosure policy, **2:26**
- Attorneys' fees, **2:115**
- Bankruptcy, **2:130**
- Bona fide error defense, **2:118**
- Brokers, mortgage, **2:150**
- Cancellation of debt
 - fees, **2:136**
 - insurance and, **2:23**

INDEX

FEDERAL TRUTH IN LENDING ACT (TILA)—Cont'd

- Case law
 - general discussion, **2:111 et seq.**
- HELOCS, **2:151 et seq.**
- Home Ownership and Equity Protection Act, **2:139 et seq.**
- Changes to terms, **2:151**
- Civil liability provisions, **2:85**
- Closed-end credit
 - general discussion, **2:8 et seq.**
 - annual percentage rate computations for closed-end credit transactions, **2:105**
 - forms and clauses, **2:104**
- Codification, **2:1**
- Construction loans, multiple advance, **2:102**
- Consummation, **2:113**
- Contract reference disclosure, **2:25**
- Counterclaims, **2:131**
- Covered transactions, **2:6**
- Credit balances, **2:33**
- Creditors, generally, **2:10, 2:122, 2:141**
- Criminal penalty provisions, **2:84**
- Damages, **2:119**
- Debt cancellation
 - fees, **2:136**
 - insurance and, **2:23**
- Defenses
 - bona fide error, **2:118**
 - good faith immunity defense, **2:117**
- Definitions, **2:4, 2:5**
- Demand feature, disclosure, **2:18**
- Deposit, disclosure, **2:27**
- Disclosures and disclosure rules, generally, **2:8 et seq., 2:123**
- Duty of servicers of residential mortgages, **2:37**
- Early disclosures, **2:29**
- Enforcement, generally, **2:84-2:87**
- Equity. Home Ownership and Equity Protection Act, below
- Error, bona fide error defense, **2:118**
- Evidence of claim, **2:148**
- Evolution, **2:3**

FEDERAL TRUTH IN LENDING ACT (TILA)—Cont'd

- Exemptions
 - general discussion, **2:7, 2:112**
 - State exemptions, **2:100**
- Fees
 - attorneys' fees, **2:115**
 - debt cancellation fees, **2:136**
 - deposit, disclosure, **2:27**
- Finance charges
 - case law, **2:129**
 - closed-end credit, **2:13**
 - Home Ownership and Equity Protection Act, **2:144**
- Good faith immunity defense, **2:117**
- Higher-priced mortgage loans, special rules, **2:90, 2:92**
- HOEPA. Home Ownership and Equity Protection Act, below
- Home Ownership and Equity Protection Act
 - general discussion, **2:139 et seq.**
 - assignee liability, **2:142**
 - case law, **2:139 et seq.**
 - evidence of claim, **2:148**
 - finance charges, **2:144**
 - jurisdiction, **2:139**
 - limitation of actions, **2:140**
 - pre-closing disclosures, **2:143**
 - prepayment penalties, **2:145**
 - proof of claim, **2:148**
 - rates and charges, finance charges, **2:144**
 - remedies, **2:149**
 - repayment ability, **2:147**
 - secured transactions, **2:146**
 - statute of limitations, **2:140**
- Immunity, good faith immunity defense, **2:117**
- Insurance, debt cancellation or suspension, **2:23**
- Integrated mortgage disclosures, **2:40-2:83**
- Interest rate
 - general discussion. Rates and charges, below
 - disclosure, **2:16**

**FEDERAL TRUTH IN LENDING
ACT (TILA)—Cont'd**

- Interpretations, staff, issuance of, **2:101**
- Itemization of amount financed, **2:12**
- Judicial deference to board's authority, **2:133**
- Jurisdiction, **2:36, 2:139**
- Late payments, **2:21**
- Limitation of actions, **2:86, 2:114, 2:140**
- Mortgage brokers, **2:150**
- Multi-party transactions, **2:9**
- Multiple advance construction loans, **2:102**
- "No-guarantee-to-refinance" statement, **2:28**
- Oral disclosures, APR, **2:35**
- Payments
 - ability for repayment, **2:147**
 - disclosure, **2:16, 2:17**
 - late payments, **2:21**
 - prepayment, below
- Penalties
 - criminal penalty provisions, **2:84**
 - Home Ownership and Equity Protection Act, prepayment penalties, **2:145**
- Pleadings, **2:135**
- Pre-closing disclosures, **2:143**
- Preemption, **2:128**
- Prepayment
 - disclosure, **2:20**
 - penalties, Home Ownership and Equity Protection Act, **2:145**
- Price, disclosure of total sale price, **2:19**
- Prohibitions and requirement for dwelling-secured credit, special rules, **2:93**
- Proof of claim, **2:148**
- Purpose, **2:2**
- Rates and charges
 - annual percentage rate, above
 - closed-end credit transactions, annual percentage rate computations for, **2:105**
 - disclosure, **2:14, 2:15, 2:17, 2:35, 2:127**

**FEDERAL TRUTH IN LENDING
ACT (TILA)—Cont'd**

- Rates and charges—Cont'd
 - finance charges, above
 - Home Ownership and Equity Protection Act, above
 - interest rate disclosure, **2:16**
 - oral disclosures, **2:35**
 - payments, disclosure, **2:16, 2:17**
 - security interest charges disclosure, **2:24**
 - total payments, disclosure, **2:17**
 - variable rate disclosure, **2:15, 2:127**
- Records
 - itemization of amount financed, **2:12**
 - retention, **2:34**
- Reference, contract, **2:25**
- Refinancing, "no-guarantee-to-refinance" statement, **2:28**
- Regulation Z
 - generally, **App. II**
 - forms and appendices to, **2:99 et seq.**
 - Internet Posting of Credit Card Agreements, **1026.58**
 - Limitations on Fees, **1026.52**
 - official interpretations
 - Supplement I, **1026**
- Reinstatement, **2:153**
- Relationship to other laws, **2:36**
- Repayment ability, **2:147**
- Rescission, right of, **2:31, 2:116**
- Residential mortgages, duty of servicers of, **2:37**
- Res judicata, **2:121**
- Restitution, **2:120**
- Retention of records, **2:34**
- Reverse mortgages, **2:91, 2:106**
- Safe harbor, **2:152**
- Scope, **2:6, 2:7**
- Secured transactions
 - general discussion, **2:22**
 - case law, **2:126**
 - disclosure of security interest charges, **2:24**

INDEX

FEDERAL TRUTH IN LENDING

ACT (TILA)—Cont'd

Secured transactions—Cont'd

Home Ownership and Equity Protection Act, **2:146**

mortgages, above

Servicers of residential mortgages, duty of, **2:37**

Special rules for certain home mortgage transactions

generally, **2:88 et seq.**

higher-priced mortgage loans, **2:90, 2:92**

mortgage transfer disclosures, **2:94**

Prohibitions and requirement for dwelling-secured credit, **2:93**

rates and charges, reverse mort- gages, **2:106**

reverse mortgages, **2:91, 2:106**

valuation independence, **2:97**

Staff interpretations, issuance of, **2:101**

State laws

effect on, **2:99**

exemptions, **2:100**

Statute of limitations, **2:86, 2:114,** **2:140**

Subsequent disclosures, **2:30**

Suspension of debt, insurance and, **2:23**

Terms, changes to terms, **2:151**

Time

early disclosures, **2:29**

late payments, **2:21**

prepayment, above

statute of limitations, **2:86, 2:114,** **2:140**

subsequent disclosures, **2:30**

Tolerance, **2:132**

Total of payments, disclosure, **2:17**

Total sale price, disclosure, **2:19**

Transfers, special rules, mortgage transfer disclosures, **2:94**

Uniform guidelines for enforcement, **2:87**

Valuation independence, special rules, **2:97**

Variable rate disclosure, **2:15, 2:127**

FEES

Federal Truth in Lending Act

attorneys' fees, **2:115**

debt cancellation fees, **2:136**

deposit, disclosure, **2:27**

Real Estate Settlement Procedures Act

general discussion, **1:34**

prohibition of fees for preparation of truth-in-lending, uniform settlement, and escrow account statements, **1:54**

unearned fees, **1:36, 1:42, 1:51**

FILES AND FILING

Records and Recording (this index)

FINANCE CHARGES

Truth in Lending Act

case law, **2:129**

closed-end credit, **2:13**

Home Ownership and Equity Protection Act, **2:144**

GENDER DISCRIMINATION

Equal Credit Opportunity Act, **3:45**

GOOD FAITH ESTIMATE (GFE)

Real Estate Settlement Procedures Act

general discussion, **1:10, 1:48**

form, instructions, **1:61**

GOOD FAITH ESTIMATE (GFE) FORM

Real Estate Settlement Procedures Act, **1:61**

GOOD FAITH IMMUNITY DEFENSE

Truth in Lending Act, **2:117**

GUARANTY

Equal Credit Opportunity Act, **3:43**

GUIDANCE DOCUMENTS

Equal Credit Opportunity Act (ECOA), **3:63**

Real Estate Settlement Procedures Act, **1:69**

TILA (Truth in Lending Act), **2:156**

HIGHER-PRICED MORTGAGE LOANS

Truth in Lending Act, special rules, **2:90, 2:92**

HOEPA (HOME OWNERSHIP AND EQUITY PROTECTION ACT)

General discussion, **2:139 et seq.**

Assignee liability, **2:142**

Case law, **2:139 et seq.**

Evidence of claim, **2:148**

Finance charges, **2:144**

Jurisdiction, **2:139**

Limitation of actions, **2:140**

Pre-closing disclosures, **2:143**

Prepayment penalties, **2:145**

Proof of claim, **2:148**

Rates and charges, finance charges, **2:144**

Remedies, **2:149**

Repayment ability, **2:147**

Secured transactions, **2:146**

Statute of limitations, **2:140**

HOME OWNERSHIP AND EQUITY PROTECTION ACT

General discussion, **2:139 et seq.**

Assignee liability, **2:142**

Case law, **2:139 et seq.**

Evidence of claim, **2:148**

Finance charges, **2:144**

Jurisdiction, **2:139**

Limitation of actions, **2:140**

Pre-closing disclosures, **2:143**

Prepayment penalties, **2:145**

Proof of claim, **2:148**

Rates and charges, finance charges, **2:144**

Remedies, **2:149**

Repayment ability, **2:147**

Secured transactions, **2:146**

Statute of limitations, **2:140**

HOMOSEXUALS

Equal Credit Opportunity Act, **3:45**

HUD-1 AND HUD-1a SETTLEMENT STATEMENTS

Real Estate Settlement Procedures Act, **1:11, 1:59**

RESPA, TILA, HOEPA, AND ECOA

HUSBAND AND WIFE

Equal Credit Opportunity Act, **3:44**

IMMUNITY

Equal Credit Opportunity Act, sovereign immunity, **3:34**

Truth in Lending Act, good faith immunity defense, **2:117**

INCENTIVES

Equal Credit Opportunity Act, incentives for self-testing and self-correction, **3:22**

INITIAL ESCROW STATEMENT

Real Estate Settlement Procedures Act, **1:22**

INSURANCE

Real Estate Settlement Procedures Act

force-placed insurance, **1:30**

title companies and insurance, **1:35, 1:52**

Truth in Lending Act, debt cancellation or suspension, **2:23**

INTERPRETATION

Equal Credit Opportunity Act, issuance of staff interpretations, **3:27**

Real Estate Settlement Procedures Act, regulatory interpretations, **1:72**

Staff interpretations

Equal Credit Opportunity Act, **3:27**

Truth in Lending Act, **2:101**

Truth in Lending Act, issuance of staff interpretations, **2:101**

ITEMIZATION

Truth in Lending Act, itemization of amount financed, **2:12**

JUDICIAL DEFERENCE

Truth in Lending Act, judicial deference to board's authority, **2:133**

JURISDICTION

Equal Credit Opportunity Act, **3:29**

Real Estate Settlement Procedures Act

limitations, **1:55**

INDEX

JURISDICTION—Cont'd

- Real Estate Settlement Procedures Act—Cont'd
 - relationship to other laws and jurisdictions, **1:39**
- Truth in Lending Act, **2:36, 2:139**

KICKBACKS

- Real Estate Settlement Procedures Act, **1:36, 1:42, 1:51**

LATE PAYMENTS

- Truth in Lending Act, **2:21**

LIENS

- Real Estate Settlement Procedures Act, validity, **1:56**

LIMITATION OF ACTIONS

- Statute of Limitations** (this index)

LIMITATIONS AND RESTRICTIONS

- Equal Credit Opportunity Act** (this index)
- Real Estate Settlement Procedures Act** (this index)

LOANS

- Truth in Lending Act
 - general discussion, **2:1 et seq.**
 - abbreviations, **2:4**
 - advance construction loans,
 - multiple, **2:102**
 - advertising, **2:32, 2:125**
 - amount financed
 - general discussion, **2:11, 2:124**
 - disclosure, **2:12**
 - annual percentage rate
 - computations for closed-end credit transactions, **2:105**
 - disclosure, **2:14, 2:35**
 - oral disclosures, **2:35**
 - appraisals, valuation independence, special rules, **2:97**
 - arbitration, **2:137, 2:154**
 - assignee liability, **2:134, 2:142**
 - assumption of loan
 - general discussion, **2:107**
 - disclosure policy, **2:26**
 - attorneys' fees, **2:115**

LOANS—Cont'd

- Truth in Lending Act—Cont'd
 - bankruptcy, **2:130**
 - bona fide error defense, **2:118**
 - brokers, mortgage, **2:150**
 - cancellation of debt
 - fees, **2:136**
 - insurance and, **2:23**
 - case law
 - general discussion, **2:111 et seq.**
 - HELOCS, **2:151 et seq.**
 - Home Ownership and Equity Protection Act, **2:139 et seq.**
 - changes to terms, **2:151**
 - civil liability provisions, **2:85**
 - closed-end credit
 - general discussion, **2:8 et seq.**
 - annual percentage rate computations for closed-end credit transactions, **2:105**
 - forms and clauses, **2:104**
 - codification, **2:1**
 - construction loans, multiple advance, **2:102**
 - consummation, **2:113**
 - contract reference disclosure, **2:25**
 - counterclaims, **2:131**
 - covered transactions, **2:6**
 - credit balances, **2:33**
 - creditors, generally, **2:10, 2:122, 2:141**
 - criminal penalty provisions, **2:84**
 - damages, **2:119**
 - debt cancellation
 - fees, **2:136**
 - insurance and, **2:23**
 - defenses
 - bona fide error, **2:118**
 - good faith immunity defense, **2:117**
 - definitions, **2:4, 2:5**
 - demand feature, disclosure, **2:18**
 - deposit, disclosure, **2:27**
 - disclosures and disclosure rules, generally, **2:8 et seq., 2:123**
 - duty of servicers of residential mortgages, **2:37**

LOANS—Cont'd

Truth in Lending Act—Cont'd
 early disclosures, **2:29**
 enforcement, generally, **2:84-2:87**
 equity. Home Ownership and
 Equity Protection Act, below
 error, bona fide error defense,
2:118
 evidence of claim, **2:148**
 evolution, **2:3**
 exemptions
 general discussion, **2:7, 2:112**
 State exemptions, **2:100**
 fees
 attorneys' fees, **2:115**
 debt cancellation fees, **2:136**
 deposit, disclosure, **2:27**
 finance charges
 case law, **2:129**
 closed-end credit, **2:13**
 Home Ownership and Equity
 Protection Act, **2:144**
 good faith immunity defense,
2:117
 higher-priced mortgage loans,
 special rules, **2:90, 2:92**
 Home Ownership and Equity
 Protection Act (HOEPA)
 general discussion, **2:139 et seq.**
 assignee liability, **2:142**
 case law, **2:139 et seq.**
 evidence of claim, **2:148**
 finance charges, **2:144**
 jurisdiction, **2:139**
 limitation of actions, **2:140**
 pre-closing disclosures, **2:143**
 prepayment penalties, **2:145**
 proof of claim, **2:148**
 rates and charges, finance
 charges, **2:144**
 remedies, **2:149**
 repayment ability, **2:147**
 secured transactions, **2:146**
 statute of limitations, **2:140**
 immunity, good faith immunity
 defense, **2:117**
 insurance, debt cancellation or
 suspension, **2:23**

LOANS—Cont'd

Truth in Lending Act—Cont'd
 integrated mortgage disclosures,
2:40-2:83
 interest rate
 general discussion. Rates and
 charges, below
 disclosure, **2:16**
 interpretations, staff, issuance of,
2:101
 itemization of amount financed,
2:12
 judicial deference to board's
 authority, **2:133**
 jurisdiction, **2:36, 2:139**
 late payments, **2:21**
 limitation of actions, **2:86, 2:114,**
2:140
 mortgage brokers, **2:150**
 multi-party transactions, **2:9**
 multiple advance construction
 loans, **2:102**
 "no-guarantee-to-refinance" state-
 ment, **2:28**
 oral disclosures, APR, **2:35**
 payments
 ability for repayment, **2:147**
 disclosure, **2:16, 2:17**
 late payments, **2:21**
 prepayment, below
 penalties
 criminal penalty provisions,
 2:84
 Home Ownership and Equity
 Protection Act, prepayment
 penalties, **2:145**
 pleadings, **2:135**
 pre-closing disclosures, **2:143**
 preemption, **2:128**
 prepayment
 disclosure, **2:20**
 penalties, Home Ownership and
 Equity Protection Act,
 2:145
 price, disclosure of total sale price,
2:19
 prohibitions and requirement for
 dwelling-secured credit, **2:93**
 proof of claim, **2:148**

INDEX

LOANS—Cont'd

Truth in Lending Act—Cont'd

- purpose, **2:2**
- rates and charges
 - annual percentage rate, above
 - closed-end credit transactions,
 - annual percentage rate
 - computations for, **2:105**
 - disclosure, **2:14, 2:15, 2:17, 2:35, 2:127**
 - finance charges, above
 - Home Ownership and Equity Protection Act, above
 - interest rate disclosure, **2:16**
 - oral disclosures, **2:35**
 - payments, disclosure, **2:16, 2:17**
 - security interest charges
 - disclosure, **2:24**
 - total payments, disclosure, **2:17**
 - variable rate disclosure, **2:15, 2:127**
- records
 - itemization of amount financed, **2:12**
 - retention, **2:34**
- reference, contract, **2:25**
- refinancing, “no-guarantee-to-refinance” statement, **2:28**
- Regulation Z
 - generally, **App. II**
 - forms and appendices to, **2:99 et seq.**
- reinstatement, **2:153**
- relationship to other laws, **2:36**
- repayment ability, **2:147**
- rescission, right of, **2:31, 2:116**
- residential mortgages, duty of servicers of, **2:37**
- res judicata, **2:121**
- restitution, **2:120**
- retention of records, **2:34**
- reverse mortgages, **2:91, 2:106**
- safe harbor, **2:152**
- scope, **2:6, 2:7**
- secured transactions
 - general discussion, **2:22**
 - case law, **2:126**

LOANS—Cont'd

Truth in Lending Act—Cont'd

- secured transactions—Cont'd
 - disclosure of security interest charges, **2:24**
 - Home Ownership and Equity Protection Act, **2:146**
 - mortgages, above
- servicers of residential mortgages, duty of, **2:37**
- special rules for certain home mortgage transactions
 - generally, **2:88 et seq.**
 - higher-priced mortgage loans, **2:90, 2:92**
 - mortgage transfer disclosures, **2:94**
 - prohibitions and requirement for dwelling-secured credit, **2:93**
 - rates and charges, reverse mortgages, **2:106**
 - reverse mortgages, **2:91, 2:106**
 - valuation independence, **2:97**
- staff interpretations, issuance of, **2:101**
- state laws
 - effect on, **2:99**
 - exemptions, **2:100**
- statute of limitations, **2:86, 2:114, 2:140**
- subsequent disclosures, **2:30**
- suspension of debt, insurance and, **2:23**
- terms, changes to terms, **2:151**
- time
 - early disclosures, **2:29**
 - late payments, **2:21**
 - prepayment, above
 - statute of limitations, **2:86, 2:114, 2:140**
 - subsequent disclosures, **2:30**
- tolerance, **2:132**
- total of payments, disclosure, **2:17**
- total sale price, disclosure, **2:19**
- transfers, special rules, mortgage transfer disclosures, **2:94**
- uniform guidelines for enforcement, **2:87**

LOANS—Cont'd

Truth in Lending Act—Cont'd
valuation independence, special
rules, **2:97**
variable rate disclosure, **2:15**,
2:127

MARITAL STATUS

Equal Credit Opportunity Act, **3:44**

MEDICAID RECIPIENTS

Equal Credit Opportunity Act, **3:49**

MILITARY STATUS

Equal Credit Opportunity Act, **3:50**

MONITORING

Equal Credit Opportunity Act, **3:15**

MORTGAGES

Origination examination procedures,
App. IV

**Real Estate Settlement Procedures
Act** (this index)

Truth in Lending Act (this index)

MULTI-PARTY TRANSACTIONS

Federal truth in lending act, **2:9**

MULTIPLE ADVANCE**CONSTRUCTION LOANS**

Truth in Lending Act, **2:102**

NATIONAL ORIGIN

Equal Credit Opportunity Act, **3:48**

**“NO-GUARANTEE-TO-REFINANCE”
STATEMENT**

Truth in Lending Act, **2:28**

NOTICE

Equal Credit Opportunity Act (this
index)

Real Estate Settlement Procedures
Act

affiliated business arrangement
disclosure statement format,
1:62

mortgage service transfers, **1:15**

Regulatory notice of error,
response to, **1:18**

transfer of servicing, **1:15**, **1:66**

RESPA, TILA, HOEPA, AND ECOA**ORAL DISCLOSURES**

Truth in Lending Act, **2:35**

PARTIES

Equal Credit Opportunity Act, stand-
ing, **3:30**

PAYMENTS

Truth in Lending Act (this index)

PAYOFF

Real Estate Settlement Procedures
Act, prompt refund of escrow
accounts upon payoff, **1:28**

PENALTIES

Equal Credit Opportunity Act, **3:23**

Truth in Lending Act

criminal penalty provisions, **2:84**

Home Ownership and Equity
Protection Act, prepayment
penalties, **2:145**

PLEADINGS

Truth in Lending Act, **2:135**

POLICY STATEMENT

Equal Credit Opportunity Act, **3:62**

PRE-CLOSING DISCLOSURES

Truth in Lending Act, **2:143**

PREEMPTION

Truth in Lending Act, **2:128**

PREPAYMENT

Home Ownership and Equity Protec-
tion Act, prepayment penalties,
2:145

Truth in Lending Act
disclosure, **2:20**

penalties, Home Ownership and
Equity Protection Act, **2:145**

PRICE

Truth in Lending Act, disclosure of
total sale price, **2:19**

PRIMA FACIE CASE

Equal Credit Opportunity Act, **3:32**

PROOF

Evidence (this index)

INDEX

PUBLIC ASSISTANCE

Equal Credit Opportunity Act, **3:49**

RACIAL DISCRIMINATION

Equal Credit Opportunity Act, **3:47**

RATES AND CHARGES

Truth in Lending Act (this index)

REAL ESTATE SETTLEMENT

PROCEDURES ACT (RESPA)

General discussion, **1:1 et seq., App.**

I

Abbreviations, **1:4**

Accounts and accounting

aggregate accounting, **1:12**

escrow accounts, below

Advance deposits in escrow accounts,

limitation on requirement of,
1:44, 1:53

Affiliated business arrangements
(AfBA)

disclosure, **1:13, 1:62**

disclosure statement format, **1:62**

limitations, **1:37**

Agencies, enforcement agency
actions, **1:73**

Aggregate accounting, **1:12**

Annual escrow statement, **1:23**

Annual percentage rate, **1:15**

Arithmetic steps, escrow accounts,
1:63

Bureau, authority of, **1:58**

Case law

general discussion, **1:45 et seq.**

advance deposits in escrow

accounts, limitation on
requirement of, **1:44, 1:53**

Bureau, authority of, **1:58**

congressional findings and
purpose, **1:45**

contracts and liens; validity, **1:56**

definitions, **1:46**

exempted transactions, **1:50**

Federal and State provisions,
inconsistency, **1:57**

jurisdiction of courts; limitations,
1:55

kickbacks and unearned fees, pro-
hibition against, **1:51**

REAL ESTATE SETTLEMENT

PROCEDURES ACT (RESPA)

—Cont'd

Case law—Cont'd

liability of seller, **1:52**

limitations, jurisdiction of courts,
1:55

servicing of mortgage loans and
administration of escrow
accounts, **1:49**

special information booklets and
good faith estimate, **1:48**

State laws, **1:57**

title companies, **1:52**

truth-in-lending, uniform settle-
ment, and escrow account
statements, **1:54**

unearned fees, prohibition against,
1:51

uniform settlement statement, **1:47**

validity of contracts and liens, **1:56**

Codification, **1:1**

Congressional findings and purpose,
1:45

Construction and interpretation,
regulatory interpretations, **1:72**

Contracts and liens; validity, **1:56**

Creditor information, response to
statutory request for, **1:17**

Deficiencies in escrow accounts,
response to, **1:21**

Definitions, **1:4, 1:5, 1:46**

Delinquent borrowers, continuity of
contact with, **1:33**

Demand or request. Requests, below

Disclosure

affiliated business arrangements,
1:13, 1:62

servicing disclosure statement,
1:14

statement format, affiliated busi-
ness arrangements disclosure,
1:62

Discretionary payments and escrow
accounts, **1:27**

Enforcement, generally, **1:39 et seq.**

Enforcement agency actions, **1:73**

Escrow accounts

analysis, **1:20**

**REAL ESTATE SETTLEMENT
PROCEDURES ACT (RESPA)**

—Cont'd

Escrow accounts—Cont'd
 annual escrow statement, **1:23**
 arithmetic steps, **1:63**
 discretionary payments, **1:27**
 fees for preparation of escrow
 account statements, prohibi-
 tion of, **1:54**
 initial escrow statement, **1:22**
 limitations, generally, **1:38, 1:44,**
 1:53
 prompt refund of escrow accounts
 upon payoff, **1:28**
 recordkeeping, **1:29**
 servicing of mortgage loans and
 administration of escrow
 accounts
 general discussion, **1:41, 1:49**
 short-year escrow statement, **1:24**
 surpluses, shortages, and deficien-
 cies, **1:21**
 timely payments, **1:25**
 transfer of servicing, escrow
 requirements, **1:26**
 Evolution, **1:3**
 Exemptions and exempted transac-
 tions, **1:7, 1:50**
 Federal and State provisions, incon-
 sistency, **1:57**
 Fees
 general discussion, **1:34**
 prohibition of fees for preparation
 of truth-in-lending, uniform
 settlement, and escrow
 account statements, **1:54**
 unearned fees, **1:36, 1:42, 1:51**
 Files and filing. Escrow accounts,
 above
 GFE Form. Good faith estimate
 (GFE), below
 Good faith estimate (GFE)
 general discussion, **1:10, 1:48**
 form, instructions, **1:61**
 Guidance documents, **1:69**
 HUD-1 or HUD-1a settlement state-
 ments, **1:11, 1:59**

**REAL ESTATE SETTLEMENT
PROCEDURES ACT (RESPA)**

—Cont'd

Illustrations of requirements of
 RESPA, **1:60**
 Initial escrow statement, **1:22**
 Insurance
 force-placed insurance, **1:30**
 title companies and insurance,
 1:35, 1:52
 Interpretations, regulatory, **1:72**
 Jurisdiction
 limitations, **1:55**
 relationship to other laws and
 jurisdictions, **1:39**
 Kickbacks, **1:36, 1:42, 1:51**
 Liability of seller, **1:52**
 Limitations and prohibitions, gener-
 ally, **1:34 et seq.**
 Notice
 affiliated business arrangement
 disclosure statement format,
 1:62
 mortgage service transfers, **1:15**
 transfer of servicing, **1:15, 1:66**
 Notice of error, regulatory, **1:18**
 Payoff, prompt refund of escrow
 accounts upon payoff, **1:28**
 Prohibitions and limitations, gener-
 ally, **1:34 et seq.**
 Purpose, **1:2**
 Qualified written request (QWR),
 response to, **1:16**
 Records and recording. Escrow
 accounts, above
 Refund, prompt refund of escrow
 accounts upon payoff, **1:28**
 Regulation X
 general discussion, **1:6 et seq.**
 appendices and forms, **1:59 et seq.**
 list of homeownership counseling
 organizations, **1:8**
 requirements of RESPA and, **1:9 et**
 seq.
 Relationship to other laws and
 jurisdictions, **1:39**
 Reports, **1:71**

INDEX

REAL ESTATE SETTLEMENT PROCEDURES ACT (RESPA)

—Cont'd

- Requests
 - qualified written request, response to, **1:16**
 - response to other requests, **1:17**
 - response to regulatory information requests, **1:19**
- Response to other requests, **1:17**
- Response to regulatory information requests, **1:19**
- Servicing of mortgage loans
 - general discussion, **1:41, 1:49**
 - disclosure statement, **1:65**
 - escrow accounts, above
 - transfer of servicing, below
- Shortages and deficiencies in escrow accounts, response to, **1:21**
- Short-year escrow statement, **1:24**
- Special information booklets, **1:9, 1:48**
- State laws, **1:57**
- Supplementary materials
 - enforcement agency actions, **1:73**
 - guidance documents, **1:69**
 - HUD Policy Statements, **1:70**
 - interpretations, regulatory, **1:72**
 - reports issued, **1:71**
- Surpluses, shortages, and deficiencies in escrow accounts, response to, **1:21**
- Timely payments from escrow accounts, **1:25**
- Title companies and insurance, **1:35, 1:52**
- Transfer of servicing
 - escrow requirements, **1:26**
 - notice, **1:15, 1:66**
- Truth-in-lending statements, prohibition of fees for preparation of, **1:54**
- Unearned fees, **1:36, 1:42, 1:51**
- Uniform settlement statements
 - general discussion, **1:47**
 - prohibition of fees for preparation of, **1:54**

RECORDS AND RECORDING

- Equal Credit Opportunity Act
 - criminal record, **3:52**
 - retention of records, **3:19, 3:56**
- Real Estate Settlement Procedures Act** (this index)
- Retention of records
 - Equal Credit Opportunity Act, **3:19, 3:56**
 - Truth in Lending Act, **2:34**
- Truth in Lending Act
 - itemization of amount financed, **2:12**
 - retention, **2:34**

RECOVERY

- Equal Credit Opportunity Act, recovery theories, **3:31**

REFERENCES

- Truth in Lending Act, contract reference disclosure, **2:25**

REFINANCING

- Truth in Lending Act, “no-guarantee-to-refinance” statement, **2:28**

REFUNDS

- Real Estate Settlement Procedures Act, prompt refund of escrow accounts upon payoff, **1:28**
- Truth in Lending Act (TILA), refund of unearned interest, **2:38**

REGULATION B

- Equal Credit Opportunity Act** (this index)

REGULATION X

- Real Estate Settlement Procedures Act** (this index)

REGULATION Z

- Truth in Lending Act** (this index)

REINSTATEMENT

- Truth in Lending Act, **2:153**

RELATIONSHIP TO OTHER LAWS AND JURISDICTIONS

- Equal Credit Opportunity Act, **3:18**
- Real Estate Settlement Procedures Act, **1:39**

**RELATIONSHIP TO OTHER LAWS
AND JURISDICTIONS**

—Cont'd

Truth in Lending Act, **2:36**

REPAYMENT ABILITY

Truth in Lending Act, **2:147**

REPORTS

Real Estate Settlement Procedures
Act, **1:71**

REQUEST OR DEMAND

Equal Credit Opportunity Act (this
index)

Real Estate Settlement Procedures
Act

qualified written request (QWR),
response to, **1:16**

response to other requests, **1:17**

response to regulatory information
requests, **1:19**

Truth in Lending Act, disclosure of
demand feature, **2:18**

RESCISSION, RIGHT OF

Truth in Lending Act, **2:31, 2:116**

RES JUDICATA

Truth in Lending Act, **2:121**

**RESPA (REAL ESTATE
SETTLEMENT PROCEDURES
ACT)**

General discussion, **1:1 et seq.**

Abbreviations, **1:4**

Accounts and accounting

aggregate accounting, **1:12**

escrow accounts, below

Advance deposits in escrow accounts,
limitation on requirement of,
1:44, 1:53

Affiliated business arrangements
(AfBA)

disclosure, **1:13, 1:62**

disclosure statement format, **1:62**

limitations, **1:37**

Agencies, enforcement agency
actions, **1:73**

Aggregate accounting, **1:12**

Annual escrow statement, **1:23**

Annual percentage rate, **1:15**

**RESPA (REAL ESTATE
SETTLEMENT PROCEDURES
ACT)—Cont'd**

Arithmetic steps, escrow accounts,
1:63

Bureau, authority of, **1:58**

Case law

general discussion, **1:45 et seq.**

advance deposits in escrow

accounts, limitation on

requirement of, **1:44, 1:53**

Bureau, authority of, **1:58**

congressional findings and

purpose, **1:45**

contracts and liens; validity, **1:56**

definitions, **1:46**

exempted transactions, **1:50**

Federal and State provisions,

inconsistency, **1:57**

jurisdiction of courts; limitations,
1:55

kickbacks and unearned fees, pro-
hibition against, **1:51**

liability of seller, **1:52**

limitations, jurisdiction of courts,
1:55

servicing of mortgage loans and
administration of escrow

accounts, **1:49**

special information booklets and
good faith estimate, **1:48**

State laws, **1:57**

title companies, **1:52**

truth-in-lending, uniform settle-
ment, and escrow account

statements, **1:54**

unearned fees, prohibition against,
1:51

uniform settlement statement, **1:47**

validity of contracts and liens, **1:56**

Codification, **1:1**

Congressional findings and purpose,
1:45

Construction and interpretation,
regulatory interpretations, **1:72**

Contracts and liens; validity, **1:56**

Creditor information, response to
regulatory request for, **1:17**

INDEX

RESPA (REAL ESTATE SETTLEMENT PROCEDURES ACT)—Cont'd

Deficiencies in escrow accounts,
response to, **1:21**

Definitions, **1:4, 1:5, 1:46**

Delinquent borrowers, continuity of
contact with, **1:33**

Demand or request. Requests, below

Disclosure

- affiliated business arrangements,
1:13, 1:62
- servicing disclosure statement,
1:14
- statement format, affiliated busi-
ness arrangements disclosure,
1:62

Discretionary payments and escrow
accounts, **1:27**

Enforcement, generally, **1:39 et seq.**

Enforcement agency actions, **1:73**

Escrow accounts

- analysis, **1:20**
- annual escrow statement, **1:23**
- arithmetic steps, **1:63**
- discretionary payments, **1:27**
- fees for preparation of escrow
account statements, prohibi-
tion of, **1:54**
- initial escrow statement, **1:22**
- limitations, generally, **1:38, 1:44,**
1:53
- prompt refund of escrow accounts
upon payoff, **1:28**
- recordkeeping, **1:29**
- servicing of mortgage loans and
administration of escrow
accounts

 - general discussion, **1:41, 1:49**

- short-year escrow statement, **1:24**
- surpluses, shortages, and deficien-
cies, **1:21**
- timely payments, **1:25**
- transfer of servicing, escrow
requirements, **1:26**

Evolution, **1:3**

Exemptions and exempted transac-
tions, **1:7, 1:50**

RESPA (REAL ESTATE SETTLEMENT PROCEDURES ACT)—Cont'd

Federal and State provisions, incon-
sistency, **1:57**

Fees

- general discussion, **1:34**
- prohibition of fees for preparation
of truth-in-lending, uniform
settlement, and escrow
account statements, **1:54**
- unearned fees, **1:36, 1:42, 1:51**

Files and filing. Escrow accounts,
above

GFE Form. Good faith estimate
(GFE), below

Good faith estimate (GFE)

- general discussion, **1:10, 1:48**
- form, instructions, **1:61**

Guidance documents, **1:69**

HUD-1 or HUD-1a settlement state-
ments, **1:11, 1:59**

Illustrations of requirements of
RESPA, **1:60**

Initial escrow statement, **1:22**

Insurance

- force-placed insurance, **1:30**
- title companies and insurance,
1:35, 1:52

Interpretations, regulatory, **1:72**

Jurisdiction

- limitations, **1:55**
- relationship to other laws and
jurisdictions, **1:39**

Kickbacks, **1:36, 1:42, 1:51**

Liability of seller, **1:52**

Limitations and prohibitions, gener-
ally, **1:34 et seq.**

Notice

- affiliated business arrangement
disclosure statement format,
1:62
- mortgage service transfers, **1:15**
- regulatory notice of error, response
to, **1:18**
- transfer of servicing, **1:15, 1:66**

Payoff, prompt refund of escrow
accounts upon payoff, **1:28**

**RESPA (REAL ESTATE
SETTLEMENT PROCEDURES
ACT)—Cont'd**

Prohibitions and limitations, generally, **1:34 et seq.**
Purpose, **1:2**
Qualified written request (QWR), response to, **1:16**
Records and recording. Escrow accounts, above
Refund, prompt refund of escrow accounts upon payoff, **1:28**
Regulation X
 general discussion, **1:6 et seq.**
 appendices and forms, **1:59 et seq.**
Relationship to other laws and jurisdictions, **1:39**
Reports, **1:71**
Requests
 response to other requests, **1:17**
 response to regulatory information requests, **1:19**
Response to other requests, **1:17**
Response to regulatory information requests, **1:19**
Servicing of mortgage loans
 general discussion, **1:41, 1:49**
 disclosure statement, **1:65**
 escrow accounts, above
 transfer of servicing, below
Shortages and deficiencies in escrow accounts, response to, **1:21**
Short-year escrow statement, **1:24**
Special information booklets, **1:9, 1:48**
State laws, **1:57**
Supplementary materials
 enforcement agency actions, **1:73**
 guidance documents, **1:69**
 HUD Policy Statements, **1:70**
 interpretations, regulatory, **1:72**
 reports issued, **1:71**
Surpluses, shortages, and deficiencies in escrow accounts, response to, **1:21**
Timely payments from escrow accounts, **1:25**
Title companies and insurance, **1:35, 1:52**

**RESPA (REAL ESTATE
SETTLEMENT PROCEDURES
ACT)—Cont'd**

Transfer of servicing
 escrow requirements, **1:26**
 notice, **1:15, 1:66**
Truth-in-lending statements, prohibition of fees for preparation of, **1:54**
Unearned fees, **1:36, 1:42, 1:51**
Uniform settlement statements
 general discussion, **1:47**
 prohibition of fees for preparation of, **1:54**

RESTITUTION

Truth in Lending Act, **2:120**

RESTRICTIONS

Limitations and Restrictions (this index)

RETENTION OF RECORDS

Equal Credit Opportunity Act, **3:19, 3:56**
Truth in Lending Act, **2:34**

RETIRED PERSONS

Equal Credit Opportunity Act, retired military personnel, **3:50**

REVERSE MORTGAGES

Truth in Lending Act, **2:91, 2:106**

SAFE HARBOR

Truth in Lending Act, **2:152**

SECURED TRANSACTIONS

Truth in Lending Act (this index)

SELF-CORRECTION

Equal Credit Opportunity Act, incentives for self-testing and self-correction, **3:22**

SELF-TESTING

Equal Credit Opportunity Act, incentives for self-testing and self-correction, **3:22**

**SERVICING OF MORTGAGE
LOANS**

Real Estate Settlement Procedures Act (this index)

INDEX

SERVICING OF MORTGAGE LOANS—Cont’d

Truth in Lending Act, duty of
servicers of residential mort-
gages, **2:37**

SETTLEMENT

**Real Estate Settlement Procedures
Act** (this index)

SEX DISCRIMINATION

Equal Credit Opportunity Act, **3:45**

SHORTAGES

Real Estate Settlement Procedures
Act, escrow accounts, **1:21**

SHORT-YEAR ESCROW STATEMENT

Real Estate Settlement Procedures
Act, **1:24**

SOVEREIGN IMMUNITY

Equal Credit Opportunity Act, **3:34**

SPECIAL INFORMATION BOOKLETS

Real Estate Settlement Procedures
Act, **1:9, 1:48**

SPECIAL PURPOSE CREDIT PROGRAMS

Equal Credit Opportunity Act, **3:20,**
3:59

SPECIAL RULES FOR CERTAIN HOME MORTGAGE TRANSACTIONS

Rates and charges for reverse mort-
gages, **2:106**

Reverse mortgages, **2:91, 2:106**

Truth in Lending Act, certain home
mortgage transactions

generally, **2:88 et seq.**

higher-priced mortgage loans,
2:90, 2:92

mortgage transfer disclosures, **2:94**

prohibitions and requirement for
dwelling-secured credit, **2:93**

rates and charges, reverse mort-
gages, **2:106**

reverse mortgages, **2:91, 2:106**

valuation independence, **2:97**

SPOUSES

Equal Credit Opportunity Act, **3:44**

STAFF INTERPRETATIONS

Equal Credit Opportunity Act, **3:27**

Truth in Lending Act, **2:101**

STANDING

Equal Credit Opportunity Act, **3:30**

STATE LAWS

Equal Credit Opportunity Act, **3:18**

Truth in Lending Act

effect on, **2:99**

exemptions, **2:100**

STATUTE OF LIMITATIONS

Equal Credit Opportunity Act, **3:36**

Truth in Lending Act, **2:86, 2:114,**
2:140

SUBSEQUENT DISCLOSURES

Truth in Lending Act, **2:30**

SUPPLEMENTARY MATERIALS

Equal Credit Opportunity Act
(ECOA), **3:30-3:62**

Real Estate Settlement Procedures
Act

enforcement agency actions, **1:73**

guidance documents, **1:69**

HUD Policy Statements, **1:70**

interpretations, regulatory, **1:72**

reports issued, **1:71**

reports issued under “RESPA,”
1:71

Truth in Lending Act (TILA), **2:156-**
2:159

SURPLUS

Real Estate Settlement Procedures
Act, escrow accounts, **1:21**

SUSPENSION OF DEBT

Truth in Lending Act, insurance and,
2:23

TERMS

Truth in Lending Act, changes to
terms, **2:151**

TILA (TRUTH IN LENDING ACT)

General discussion, **2:1 et seq.**

TILA (TRUTH IN LENDING ACT)

—Cont'd

Abbreviations, **2:4**
 Advance construction loans, multiple, **2:102**
 Advertising, **2:32, 2:125**
 Amount financed
 general discussion, **2:11, 2:124**
 disclosure, **2:12**
 Annual percentage rate
 computations for closed-end credit transactions, **2:105**
 disclosure, **2:14, 2:35**
 oral disclosures, **2:35**
 Appraisals, valuation independence, special rules, **2:97**
 Arbitration, **2:137, 2:154**
 Assignee liability, **2:134, 2:142**
 Assumption of loan
 general discussion, **2:107**
 disclosure policy, **2:26**
 Attorneys' fees, **2:115**
 Bankruptcy, **2:130**
 Bona fide error defense, **2:118**
 Brokers, mortgage, **2:150**
 Cancellation of debt
 fees, **2:136**
 insurance and, **2:23**
 Case law
 general discussion, **2:111 et seq.**
 HELOCS, **2:151 et seq.**
 Home Ownership and Equity Protection Act, **2:139 et seq.**
 Changes to terms, **2:151**
 Civil liability provisions, **2:85**
 Closed-end credit
 general discussion, **2:8 et seq.**
 annual percentage rate computations for closed-end credit transactions, **2:105**
 forms and clauses, **2:104**
 Codification, **2:1**
 Construction loans, multiple advance, **2:102**
 Consummation, **2:113**
 Contract reference disclosure, **2:25**
 Counterclaims, **2:131**
 Covered transactions, **2:6**

TILA (TRUTH IN LENDING ACT)

—Cont'd

Credit balances, **2:33**
 Creditors, generally, **2:10, 2:122, 2:141**
 Criminal penalty provisions, **2:84**
 Damages, **2:119**
 Debt cancellation
 fees, **2:136**
 insurance and, **2:23**
 Defenses
 bona fide error, **2:118**
 good faith immunity defense, **2:117**
 Definitions, **2:4, 2:5**
 Demand feature, disclosure, **2:18**
 Deposit, disclosure, **2:27**
 Disclosures and disclosure rules, generally, **2:8 et seq., 2:123**
 Duty of servicers of residential mortgages, **2:37**
 Early disclosures, **2:29**
 Enforcement, generally, **2:84-2:87**
 Equity. Home Ownership and Equity Protection Act, below
 Error, bona fide error defense, **2:118**
 Evidence of claim, **2:148**
 Evolution, **2:3**
 Exemptions
 general discussion, **2:7, 2:112**
 State exemptions, **2:100**
 Fees
 attorneys' fees, **2:115**
 debt cancellation fees, **2:136**
 deposit, disclosure, **2:27**
 Finance charges
 case law, **2:129**
 closed-end credit, **2:13**
 Home Ownership and Equity Protection Act, **2:144**
 Good faith immunity defense, **2:117**
 Higher-priced mortgage loans, special rules, **2:90, 2:92**
 HOEPA. Home Ownership and Equity Protection Act, below
 Home Ownership and Equity Protection Act
 general discussion, **2:139 et seq.**

INDEX

TILA (TRUTH IN LENDING ACT)

—Cont'd

Home Ownership and Equity Protection Act—Cont'd
assignee liability, **2:142**
case law, **2:139 et seq.**
evidence of claim, **2:148**
finance charges, **2:144**
jurisdiction, **2:139**
limitation of actions, **2:140**
pre-closing disclosures, **2:143**
prepayment penalties, **2:145**
proof of claim, **2:148**
rates and charges, finance charges, **2:144**
remedies, **2:149**
repayment ability, **2:147**
secured transactions, **2:146**
statute of limitations, **2:140**
Immunity, good faith immunity defense, **2:117**
Insurance, debt cancellation or suspension, **2:23**
Integrated mortgage disclosures, **2:40-2:83**
Interest rate
general discussion. Rates and charges, below
disclosure, **2:16**
Interpretations, staff, issuance of, **2:101**
Itemization of amount financed, **2:12**
Judicial deference to board's authority, **2:133**
Jurisdiction, **2:36, 2:139**
Late payments, **2:21**
Limitation of actions, **2:86, 2:114, 2:140**
Mortgage brokers, **2:150**
Multi-party transactions, **2:9**
Multiple advance construction loans, **2:102**
"No-guarantee-to-refinance" statement, **2:28**
Oral disclosures, APR, **2:35**
Payments
ability for repayment, **2:147**
disclosure, **2:16, 2:17**

TILA (TRUTH IN LENDING ACT)

—Cont'd

Payments—Cont'd
late payments, **2:21**
prepayment, below
Penalties
criminal penalty provisions, **2:84**
Home Ownership and Equity Protection Act, prepayment penalties, **2:145**
Pleadings, **2:135**
Pre-closing disclosures, **2:143**
Preemption, **2:128**
Prepayment
disclosure, **2:20**
penalties, Home Ownership and Equity Protection Act, **2:145**
statement of prepayment amount, **2:39**
Price, disclosure of total sale price, **2:19**
Prohibitions and requirement for dwelling-secured credit, **2:93**
Proof of claim, **2:148**
Purpose, **2:2**
Rates and charges
annual percentage rate, above closed-end credit transactions, annual percentage rate computations for, **2:105**
disclosure, **2:14, 2:15, 2:17, 2:35, 2:127**
finance charges, above
Home Ownership and Equity Protection Act, above
interest rate disclosure, **2:16**
oral disclosures, **2:35**
payments, disclosure, **2:16, 2:17**
refund of unearned interest, **2:38**
security interest charges disclosure, **2:24**
total payments, disclosure, **2:17**
variable rate disclosure, **2:15, 2:127**
Records
itemization of amount financed, **2:12**
retention, **2:34**
Reference, contract, **2:25**

TILA (TRUTH IN LENDING ACT)

—**Cont'd**

Refinancing, “no-guarantee-to-refinance” statement, **2:28**
 Regulation Z
 generally, **App. II**
 forms and appendices to, **2:99 et seq.**
 Reinstatement, **2:153**
 Relationship to other laws, **2:36**
 Repayment ability, **2:147**
 Rescission, right of, **2:31, 2:116**
 Residential mortgages, duty of servicers of, **2:37**
 Res judicata, **2:121**
 Restitution, **2:120**
 Retention of records, **2:34**
 Reverse mortgages, **2:91, 2:106**
 Safe harbor, **2:152**
 Scope, **2:6, 2:7**
 Secured transactions
 general discussion, **2:22**
 case law, **2:126**
 disclosure of security interest charges, **2:24**
 Home Ownership and Equity Protection Act, **2:146**
 mortgages, above
 Servicers of residential mortgages, duty of, **2:37**
 Special rules for certain home mortgage transactions
 generally, **2:88 et seq.**
 higher-priced mortgage loans, **2:90, 2:92**
 mortgage transfer disclosures, **2:94**
 prohibitions and requirement for dwelling-secured credit, **2:93**
 rates and charges, reverse mortgages, **2:106**
 reverse mortgages, **2:91, 2:106**
 valuation independence, **2:97**
 Staff interpretations, issuance of, **2:101**
 State laws
 effect on, **2:99**
 exemptions, **2:100**
 Statute of limitations, **2:86, 2:114, 2:140**

TILA (TRUTH IN LENDING ACT)

—**Cont'd**

Subsequent disclosures, **2:30**
 Supplementary materials, **2:156-2:159**
 Suspension of debt, insurance and, **2:23**
 Terms, changes to terms, **2:151**
 Time
 early disclosures, **2:29**
 late payments, **2:21**
 prepayment, above
 statute of limitations, **2:86, 2:114, 2:140**
 subsequent disclosures, **2:30**
 Tolerance, **2:132**
 Total of payments, disclosure, **2:17**
 Total sale price, disclosure, **2:19**
 Transfers, special rules, mortgage transfer disclosures, **2:94**
 Uniform guidelines for enforcement, **2:87**
 Valuation independence, special rules, **2:97**
 Variable rate disclosure, **2:15, 2:127**

TIME

Real Estate Settlement Procedures Act, **1:25**
Statute of Limitations (this index)
 Truth in Lending Act
 early disclosures, **2:29**
 late payments, **2:21**
 prepayment, **2:20, 2:145**
 statute of limitations, **2:86, 2:114, 2:140**
 subsequent disclosures, **2:30**

TITLE COMPANIES

Real Estate Settlement Procedures Act, **1:35, 1:52**

TOLERANCE

Truth in Lending Act, **2:132**

TOTAL OF PAYMENTS

Truth in Lending Act, disclosure, **2:17**

INDEX

TOTAL SALE PRICE

Truth in Lending Act, disclosure,
2:19

TRANSFER OF SERVICING

Real Estate Settlement Procedures
Act

escrow requirements, **1:26**
notice, **1:15, 1:66**

Truth in Lending Act, special rules,
mortgage transfer disclosures,
2:94

TRUTH IN LENDING ACT (TILA)

General discussion, **2:1 et seq.**

Abbreviations, **2:4**

Advance construction loans, multiple,
2:102

Advertising, **2:32, 2:125**

Amount financed

general discussion, **2:11, 2:124**
disclosure, **2:12**

Annual percentage rate

computations for closed-end credit
transactions, **2:105**

disclosure, **2:14, 2:35**

oral disclosures, **2:35**

Appraisals, valuation independence,
special rules, **2:97**

Arbitration, **2:137, 2:154**

Assignee liability, **2:134, 2:142**

Assumption of loan

general discussion, **2:107**
disclosure policy, **2:26**

Attorneys' fees, **2:115**

Bankruptcy, **2:130**

Bona fide error defense, **2:118**

Brokers, mortgage, **2:150**

Cancellation of debt

fees, **2:136**
insurance and, **2:23**

Case law

general discussion, **2:111 et seq.**
HELOCS, **2:151 et seq.**

Home Ownership and Equity
Protection Act, **2:139 et seq.**

Changes to terms, **2:151**

Civil liability provisions, **2:85**

TRUTH IN LENDING ACT (TILA)

—Cont'd

Closed-end credit

general discussion, **2:8 et seq.**
annual percentage rate computa-
tions for closed-end credit
transactions, **2:105**

forms and clauses, **2:104**

Codification, **2:1**

Construction loans, multiple advance,
2:102

Consummation, **2:113**

Contract reference disclosure, **2:25**

Counterclaims, **2:131**

Covered transactions, **2:6**

Credit balances, **2:33**

Crediting of payments, prompt, **2:138**

Creditors, generally, **2:10, 2:122,**
2:141

Criminal penalty provisions, **2:84**

Damages, **2:119**

Debt cancellation

fees, **2:136**
insurance and, **2:23**

Defenses

bona fide error, **2:118**
good faith immunity defense,
2:117

Definitions, **2:4, 2:5**

Demand feature, disclosure, **2:18**

Deposit, disclosure, **2:27**

Disclosures and disclosure rules, gen-
erally, **2:8 et seq., 2:123**

Duty of servicers of residential mort-
gages, **2:37**

Early disclosures, **2:29**

Enforcement, generally, **2:84-2:87**

Enforcement agency actions, **2:159**

Equity. Home Ownership and Equity
Protection Act, below

Error, bona fide error defense, **2:118**

Evidence of claim, **2:148**

Evolution, **2:3**

Exemptions

general discussion, **2:7, 2:112**
State exemptions, **2:100**

Fees

attorneys' fees, **2:115**

TRUTH IN LENDING ACT (TILA)

—Cont'd

Fees—Cont'd
 debt cancellation fees, **2:136**
 deposit, disclosure, **2:27**
 Finance charges
 case law, **2:129**
 closed-end credit, **2:13**
 Home Ownership and Equity
 Protection Act, **2:144**
 Good faith immunity defense, **2:117**
 Guidance documents, **2:156**
 Higher-priced mortgage loans,
 special rules, **2:90, 2:92**
 HOEPA. Home Ownership and
 Equity Protection Act, below
 Home Ownership and Equity Protec-
 tion Act
 general discussion, **2:139 et seq.**
 assignee liability, **2:142**
 case law, **2:139 et seq.**
 evidence of claim, **2:148**
 finance charges, **2:144**
 jurisdiction, **2:139**
 limitation of actions, **2:140**
 pre-closing disclosures, **2:143**
 prepayment penalties, **2:145**
 proof of claim, **2:148**
 rates and charges, finance charges,
2:144
 remedies, **2:149**
 repayment ability, **2:147**
 secured transactions, **2:146**
 statute of limitations, **2:140**
 Immunity, good faith immunity
 defense, **2:117**
 Insurance, debt cancellation or
 suspension, **2:23**
 Integrated mortgage disclosures
 generally, **2:40-2:83**
 background, **2:40**
 changes permissible in settlement
 costs and redisclosures, **2:58**
 clerical errors, corrected final
 disclosures, **2:70**
 closed end forms and clauses, **2:43**
 closing costs, limits on increases,
2:60

TRUTH IN LENDING ACT (TILA)

—Cont'd

Integrated mortgage disclosures
 —Cont'd
 closing disclosure, **2:61-2:67,**
2:61-2:74, 2:74
 construction loans, multiple
 transfer, **2:83**
 consumer's waiver
 pre-consummation seven-busi-
 ness-day waiting period,
2:51
 waiting period before consum-
 mation, **2:67**
 corrected final disclosures, **2:68-**
2:71
 early disclosures, **2:44-2:50**
 early estimates, disclaimer on,
2:54
 escrow account cancellation
 notice, **2:76**
 exemptions, states, **2:81**
 fees, closing disclosure, **2:74**
 fees, limitation on, **2:53**
 final disclosures, **2:61-2:71**
 good faith determination for
 estimates of closing costs,
2:56
 introduction, **2:42**
 limitation on fees, **2:53**
 loan estimate, **2:44-2:50**
 multiple transfer construction
 loans, **2:83**
 percentage rate, accuracy, **2:77**
 pre-consummation seven-business-
 day waiting period, waiver,
2:51
 records retention, **2:79**
 repayment in advertisements, **2:78**
 revised disclosures, provision and
 receipt, **2:59**
 revised estimates, **2:57**
 scope, **2:41**
 settlement service providers, **2:52**
 special information booklet, **2:75**
 state exemptions, **2:81**
 state laws, effect on, **2:80**
 tolerance cures, corrected final
 disclosures, **2:71**

INDEX

TRUTH IN LENDING ACT (TILA)

—Cont'd

Integrated mortgage disclosures
—Cont'd
 transactions involving seller, **2:73**
 transfer disclosures, **2:82**
 verification of information, **2:55**
 waiting period before consumma-
 tion, consumer's waiver, **2:67**
Interest rate
 general discussion. Rates and
 charges, below
 disclosure, **2:16**
Interpretations, staff, issuance of,
 2:101
Itemization of amount financed, **2:12**
Judicial deference to board's author-
 ity, **2:133**
Jurisdiction, **2:36, 2:139**
Late payments, **2:21**
Limitation of actions, **2:86, 2:114,**
 2:140
Mortgage brokers, **2:150**
Multi-party transactions, **2:9**
Multiple advance construction loans,
 2:102
"No-guarantee-to-refinance" state-
 ment, **2:28**
Oral disclosures, APR, **2:35**
Payments
 ability for repayment, **2:147**
 disclosure, **2:16, 2:17**
 late payments, **2:21**
 prepayment, below
Penalties
 criminal penalty provisions, **2:84**
 Home Ownership and Equity
 Protection Act, prepayment
 penalties, **2:145**
Pleadings, **2:135**
Pre-closing disclosures, **2:143**
Preemption, **2:128**
Prepayment
 disclosure, **2:20**
 penalties, Home Ownership and
 Equity Protection Act, **2:145**
 statement of prepayment amount,
 2:39

TRUTH IN LENDING ACT (TILA)

—Cont'd

Price, disclosure of total sale price,
 2:19
Prohibitions and requirement for
 dwelling-secured credit, **2:93**
Prompt crediting of payments, **2:138**
Proof of claim, **2:148**
Purpose, **2:2**
Rates and charges
 annual percentage rate, above
 closed-end credit transactions,
 annual percentage rate
 computations for, **2:105**
 disclosure, **2:14, 2:15, 2:17, 2:35,**
 2:127
 finance charges, above
Home Ownership and Equity
 Protection Act, above
 interest rate disclosure, **2:16**
 oral disclosures, **2:35**
 payments, disclosure, **2:16, 2:17**
 refund of unearned interest, **2:38**
 security interest charges disclosure,
 2:24
 total payments, disclosure, **2:17**
 variable rate disclosure, **2:15,**
 2:127
Records
 itemization of amount financed,
 2:12
 retention, **2:34**
Reference, contract, **2:25**
Refinancing, "no-guarantee-to-
 refinance" statement, **2:28**
Regulation Z
 generally, **App. II**
 forms and appendices to, **2:99 et**
 seq.
Regulatory interpretations, **2:157**
Reinstatement, **2:153**
Relationship to other laws, **2:36**
Repayment ability, **2:147**
Reports issued, **2:158**
Rescission, right of, **2:31, 2:116**
Residential mortgages, duty of
 servicers of, **2:37**
Res judicata, **2:121**
Restitution, **2:120**

TRUTH IN LENDING ACT (TILA)

—Cont'd

Retention of records, **2:34**
 Reverse mortgages, **2:91, 2:106**
 Safe harbor, **2:152**
 Scope, **2:6, 2:7**
 Secured transactions
 general discussion, **2:22**
 case law, **2:126**
 disclosure of security interest charges, **2:24**
 Home Ownership and Equity Protection Act, **2:146**
 mortgages, above
 Servicers of residential mortgages, duty of, **2:37**
 Special rules for certain home mortgage transactions
 generally, **2:88 et seq.**
 higher-priced mortgage loans, **2:90, 2:92**
 mortgage transfer disclosures, **2:94**
 prohibitions and requirement for dwelling-secured credit, **2:93**
 rates and charges, reverse mortgages, **2:106**
 reverse mortgages, **2:91, 2:106**
 valuation independence, **2:97**
 Staff interpretations, issuance of, **2:101**
 State laws
 effect on, **2:99**
 exemptions, **2:100**
 Statute of limitations, **2:86, 2:114, 2:140**
 Subsequent disclosures, **2:30**
 Supplementary materials, **2:156-2:159**
 Suspension of debt, insurance and, **2:23**
 Terms, changes to terms, **2:151**
 Time
 early disclosures, **2:29**
 late payments, **2:21**
 prepayment, above
 statute of limitations, **2:86, 2:114, 2:140**

TRUTH IN LENDING ACT (TILA)

—Cont'd

Time—Cont'd
 subsequent disclosures, **2:30**
 Tolerance, **2:132**
 Total of payments, disclosure, **2:17**
 Total sale price, disclosure, **2:19**
 Transfers, special rules, mortgage transfer disclosures, **2:94**
 Uniform guidelines for enforcement, **2:87**
 Valuation independence, special rules, **2:97**
 Variable rate disclosure, **2:15, 2:127**

TRUTH IN LENDING STATEMENTS

Real Estate Settlement Procedures Act, prohibition of fees for preparation of truth-in-lending statements, **1:54**

UNEARNED FEES

Real Estate Settlement Procedures Act, **1:36, 1:42, 1:51**

UNIFORM GUIDELINES

Truth in Lending Act, enforcement, **2:87**

UNIFORM SETTLEMENT STATEMENTS

Real Estate Settlement Procedures Act
 general discussion, **1:47**
 prohibition of fees for preparation of, **1:54**

VALUATION

Truth in Lending Act, special rules, valuation independence, **2:97**

VARIABLE RATE

Truth in Lending Act, disclosure, **2:15, 2:127**

WIFE

Equal Credit Opportunity Act, **3:44**

WRITING

Real Estate Settlement Procedures Act, qualified written request, **1:16**