

## FNMA Fee Limitations

Per FNMA Selling Guide B2-1.4-02 (as of 04/03/2019), FNMA fee limitations are the 3% required under Regulation Z (12 CFR § 1026.43(e)(3)(i)). In any event that the loan is exempt from Ability To Repay (ATR), the total points and fees may not exceed 5% of the total loan amount.

**Points and Fees Limitations.** For purposes of these requirements, “total points and fees” and “total loan amount” must be calculated in accordance with Regulation Z (12 CFR § 1026.32).

- ATR Covered Loans: Total points and fees may not exceed 3% of the total loan amount or such different amount in accordance with the qualified mortgage provisions of Regulation Z (12 CFR § 1026.43(e)(3)(i)). If a lender makes a cure payment in the amount and by the time required by 12 CFR § 1026.43(e)(3)(iii), such loan satisfies this requirement.
- ATR Exempt Loans: Total points and fees may not exceed 5% of the total loan amount. This determination may take into account either of the following adjustments:
  - permitted reduction of total points and fees pursuant to 12 CFR § 1026.31(h); or
  - in the case of loans not subject to TILA, restitution to the borrower of at least that portion of total points and fees that exceeded 5% at the time of loan closing.