

## State Specific Consumer Mortgage Disclosures - California

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Disclosures	Notes	Applicability		Delivery Timing			PPDocs		Purchase				Refinance				Misc.		State Law Citation
		Financial Institutions	State Licensed Lender or Broker	Initial Disclosures	Prior to Closing	At Closing	Provided by PPDocs, Inc.	Doc. ID Number	1st Lien Purchase 1 - 4 Primary Residence	1st Lien Purchase 1 - 4 Second Home / Vacation	Subordinate Lien Purchase 1 - 4 Primary Residence	Subordinate Lien Purchase 1 - 4 Second Home /Vacation	1st Lien Refinance 1 - 4 Primary Residence	1st Lien Refinance 1 - 4 Second Home / Vacation	Subordinate Lien Refinance 1 - 4 Primary Residence	Subordinate Lien Refinance 1 - 4 Second Home /Vacation	HELOCs	Lot Loans/Bare Ground	
Separate Credit Notice	1	Y	Y	Y	Y	Y	Y	4857	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Civil Code Section 1812.30(j)
Finance Lender Disclosure	2	N	Y	Y	N	N	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Section 22337(f); CA Code Regs. tit. 10 Section 1454(a)
Borrower Statement of Broker Participation	3	N	Y	Y	Y	Y	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Section 22337
Government Monitoring Information	4	Y	Y	N	N	N	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Admin. Code 21 CCR Section 7114.1
Comparison of Sample Mortgage Features Disclosure (Subprime, ARM, Nontraditional)	5	N	Y	Y	N	N	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Section 1436(d); CA Code Regs.

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																			Tit. 10 Section 1950.314.8(d)
Earthquake Insurance Disclosure	6	Y	Y	Y	N	N	Y	6492	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Civ. Code Section 2955.1
Negative Amortization Disclosure	7	Y	Y	Y	Y	Y	Y	3082	✓	✓			✓	✓					Ca. Fin. Code Section 4973(c)
Document Copies Notice	8	N	Y	Y	N	N	Y	3552	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Code Regs. Tit. 10 Section 1950.204
Automated Valuation Model Disclosure	9	N	Y	Y	Y	Y	Y	5141	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Section 22317.2
Broker-Controlled Funds Disclosure	10	N	Y	Y	Y	N	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Section 50703; CA Bus. & Prof. Code

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																			Section 10241.2
Prepayment Penalty Disclosure	11	Y	Y	Y	Y	N	Y	5126	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Sec. 4973(a)
CA Consumer Caution and Homeownership Counseling Notice	12	Y	Y	Y	Y	N	Y	4939	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Financial Code Section 4973(k)(1) amended by <a href="#">2014 AB2742</a>
Hazard Insurance Disclosure	13	Y	Y	Y	Y	Y	Y	6474	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Civil Code Section 2955.5 (a) and (b)
Mortgage Loan Disclosure Statement	14	N	Y	Y	Y	N	Y	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Bus & Prof Code Sections 10240
Mortgage Loan Disclosure Statement – Non-Traditional Loan	15	N	Y	Y	Y	N	N	N/A	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Fin. Code Sec. 50703

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CA Impound Account Election	16	Y	Y	Y	Y	N	Y	6600	✓	✓			✓	✓					CA Civil Code Section 2954
Per Diem Interest Charge Disclosure	17	Y	Y	N	N	Y	Y	3638	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Civil Code Section 2948.5(2)
California Fair Lending Notice	18	N	Y	Y	Y	N	Y	4950	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Health & Safety Code Section 35830; CA Title 21 CCR Section 7114
California Owner's Title Insurance Notice	19	Y	Y	N	N	Y	Y	2046	✓	✓	✓	✓						✓	CA Civil Code Section 1057.6
CA Notice to Co-Signer	20	N	Y	N	N	Y	Y	6495	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Civil Code Section 1799.91(a)
CA Impound Account Disclosure	21	Y	Y	Y	Y	N	Y	5123	✓	✓			✓	✓					CA Civil Code Section 2954

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Commitment Agreement	22	N	Y	Y	N	N	Y	4863	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Financial Code Section 50203(a)(4)
Domestic Partnership Addendum to Application	23	Y	Y	Y	N	N	Y	2062	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	CA Family Code Section 297.5

**Notes:**

1. Lender to disclose to married credit applicant that they may apply for separate credit.
2. Licensee to provide borrower statement with name, address, and license number of finance lender before licensee accepts any fee or any signed document instrument from borrower.
3. Lender to obtain signed statement from borrower as to whether any person has performed an act as a broker. If so, finance lender to obtain full statement of all sums paid or payable to broker or other person.
4. To be provided upon the submission of a written application.
5. To be issued within 3 business days after completed application received for nontraditional or ARM loan subject to Subprime Statement and Guidance.

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6. For condominiums only – disclosure to be made in writing by lender as soon as reasonably practicable.
7. High Cost/Covered Loan - Person originating loan to disclose negative amortization provision to borrower if first lien covered loan contains provision for negative amortization that will allow principal balance to increase even with regular monthly payments.
8. Applicant or borrower shall be provided a copy of the loan documents. Forms furnished for application by mail should be accompanied by a clear and conspicuous statement, or separate statement or notice, declaring that it is the responsibility of the applicant or borrower to obtain machine copies before mailing the signed documents back to the licensee.
9. If Automated valuation model (AVM) used, licensee must provide notice to borrower of the borrower’s right to receive a copy of the AVM result, provided a fee has been paid for the AVM. Notice must be provided no later than 15 days after receipt of a written application, must be at least 10-point boldface type, and must be a separate document in a form that the borrower may retain.
10. If loan secured by 1<sup>st</sup> deed of trust in principal amount of less than \$30,000 or junior lien on dwellings I principal amount less than \$20,000, and broker using its own funds, disclosure must be provided no later than the next business day after making the election, but must be before the close of escrow.
11. High-cost/covered loans – to be provided at least 3 business days prior to consummation if prepayment penalty included.
12. High-cost/covered loans – Covered loan may not be made unless notice has been provided to borrower no later than 3 business days prior to signing.
13. Must be provided as soon as practicable but prior to execution of any note or security instrument.
14. Loans made under the Residential Mortgage Lending Act – this only applies to loans that are 1<sup>st</sup> lien under \$30,000 or 2<sup>nd</sup> liens under \$20,000. In lieu of providing this disclosure, compliance is also achieved if, in conjunction with simultaneous delivery of the federal Loan Estimate, other required disclosures are provided (contained in the sample disclosure “Loan Estimate Disclosure Additions”). The borrower must also execute the Loan Estimate.
15. For Non-Traditional Loans made under the Residential Mortgage Lending Act – this only applies to loans that are 1<sup>st</sup> lien under \$30,000 or 2<sup>nd</sup> liens under \$20,000. Lenders licensed under the Residential Mortgage Lending Act are not allowed to deliver the condensed version and must deliver the entire “Mortgage Loan Disclosure Statement/Loan Estimate-Nontraditional Mortgage Products – RE Form 885.” Includes HELOC simultaneous second.
16. Parties may mutually agree to establish an escrow, so long as the lender provides a statement to the borrower prior to execution of the loan documents, that the escrow is not a condition of funding, and indicating whether interest will be paid on the escrow account. Election must be obtained prior to loan closing.
17. To be provided prior to placing funds in escrow if disbursement occurs on Monday or day following bank holiday and interest begins to accrue on the business day immediately preceding the day of disbursement.
18. Per CA Holden Act, lender to provide applicants notice at time written loan application submitted. Notice to contain name and address of state agency regulating the particular type of lender involved.
19. In escrow transaction for purchase or simultaneous exchange of real property, if title insurance policy won’t be issued to exchange parties or buyer, notice must be provided in separate document to buyer or exchange parties for execution.
20. To be signed at closing when co-signer is not spouse.
21. To be provided when escrows are required.
22. Provide prior to collecting any fees from applicant.
23. Provide when applicant indicates a domestic partnership is present.