

Disclosure Checklist

This is a general checklist guide of potential disclosures and notices for simple, fixed-rate, personal property loans held in portfolio that are not government insured and do not have mortgage insurance.

Depending on transactions, business setup and other individual factors some listed below may or may not apply. Additionally, other possible notices and disclosures may be necessary for you operations. Please consult your attorney for your specific list of forms and disclosures needed.

Note: Yellow highlight indicates a state law or regulation of Texas requirement

- I. Application
 - a. Privacy Policy Notice – 12 CFR 1016 Appendix A – Model Privacy Form
 - b. Affiliate Sharing Opt Out Notice – FCRA, Reg V
- II. Initial Disclosure
 - a. Truth in Lending Statement – TILA, Reg Z
 - b. Credit Score Disclosure/Notice to Home Loan Applicant – FCRA, Reg V
 - c. Appraisal Disclosure – ECOA, Reg B
 - d. Itemization of Amount Financed – Reg Z
 - e. Risk-Based Pricing Notice – FCRA, Reg V –model form (can combine with Credit Score Disclosure)
 - f. Junior Lien Insurance Notice – TX Fin. Code 342.404
- III. Suspended Loans
 - a. Notice of Incompleteness – ECOA, Reg B – Sample form
- IV. Counter- Offer
 - a. Counteroffer Notice – ECOA, Reg B – Sample form
- V. Redisclosure (when terms and conditions change during loan process)
 - a. Privacy Policy Notice – Reg P – model form
 - b. Truth in Lending – TILA, Reg Z – model form (use when APR changes by ¼%)
- VI. Approval
 - a. Flood Hazard Notice – National Flood Insurance Act – Sample form
- VII. Closing (at or prior, typically at least 3 days prior, to closing)
 - a. Notice of Cosigner (if loan is to be cosigned) – FTC Unfair or Deceptive Acts or Practices
 - b. Right of Rescission – TILA, Reg Z – Model form
 - c. Identity Verification Document – Bank Secrecy Act and Financial Crimes Enforcement Network
 - d. Truth in Lending – TILA, Reg Z – closed-end model form
 - e. High-Cost Mortgage Disclosure (if making high-cost loans; given at least 3 days prior to close) – TILA, Reg Z
 - f. Escrow/Impound Waiver (Small Creditor exemption) - TILA
 - g. Escrow/Impound Account Disclosure (small creditor exemption) – TILA
 - h. Itemization of Amount Financed – TILA, Reg Z – Model form
 - i. Notice of Penalties for Making False or Misleading Written Statement – TX Fin. Code 343.105
 - j. Complaints & Inquires Notice/Written Contract Disclosure (must be on the contract) – TX Fin. Code 14.104, 7 TX Admin Code 90.150(b)

VIII. Servicing

- a. Notice of Furnishing Negative Credit Information (options use) – FCRA, Reg V
- b. Complaints & Inquires Notice/Written Contract Disclosure (must be on the contract) –
TX Fin. Code 14.104, 7 TX Admin Code 90.150(b)