

Mortgage Broker Fee Agreement and Anti-Steering/Safe Harbor Disclosure

This Mortgage Broker Fee Agreement and Disclosure ("Agreement") is by and between _____, a mortgage broker ("we," "us," "our"), and the Borrower(s) who sign(s) below ("you," "your"). This Agreement discloses and governs the overall fees that will be paid to your mortgage broker for the origination of your loan.

1. OUR SERVICES: A mortgage broker charges fees to arrange a loan from a mortgage lender who will fund the loan. As your mortgage broker, we will assist you in obtaining a loan, but we do not offer the products of all mortgage lenders, and so we cannot guarantee you the lowest price or best loan terms available. Be sure that you understand and are satisfied with the mortgage loan product and terms we arrange for you. By signing below, you request us to arrange a mortgage loan from a mortgage lender and you agree to the fees listed below for our services.

2. BROKER FEES: Our broker fees will either be paid by you directly, or by the Mortgage Lender. Federal law prohibits us from receiving Broker Fees from you and the Mortgage Lender on the same transaction. If our Broker Fees are paid by the Mortgage Lender, your interest rate will be higher than if you pay our Broker Fees directly. However, the amount of Broker Fees we receive from the Mortgage Lender will not vary based upon the interest rate you receive. In addition to our Broker Fees, estimates of other fees you will pay in connection with your loan are shown on your Loan Estimate or Good Faith Estimate of Closing Costs.

NOTE: You may not be charged any fee, other than a reasonable credit report fee (if applicable), prior to (i) receiving your Loan Estimate or Good Faith Estimate from us, (ii) expressing your intent to proceed with the loan transaction and (iii) receiving the initial disclosures from the mortgage lender.

Check the applicable box below:

☐ **You will pay all Broker Fees directly**

Total direct Broker Fees will not exceed _____% of your loan amount plus any additional fees of \$ _____. Excludes all fees paid to third parties, such as credit report and appraisal fees.

Amount

(Must be completed)

☐ **The Mortgage Lender will pay the Broker Fees**

The amount of the Broker Fee will be _____% of your loan amount.

You will not pay us any Broker Fees in connection with this loan.

(Must be completed)

3. YOUR MORTGAGE LOAN: You are currently applying for a mortgage loan in the amount of \$ _____. If your actual loan amount is different, then the dollar amount of any fee that is based on a percentage of the loan amount may increase if the loan amount increases, or decrease if the loan amount decreases. The fees in this Agreement are for broker services only and do not include other closing costs or credits from us or other parties for non-broker related services.

By signing below, you certify and acknowledge that:

INTENT TO PROCEED

You have received an initial Loan Estimate, Your Home Loan Toolkit, and a list of Housing Counselors Near You within 3 business days of the mortgage loan application date and you intend to proceed with the loan transaction. This Agreement has been explained to you and that you understand it. You have not been charged any fees, other than a reasonable credit fee (if applicable), prior to entering this Agreement. You voluntarily enter into this Agreement and agree to the fees above. The fees are based on current market rates and your current loan request. Any change in loan amount, appraised value, purchase price, loan terms/program and rate lock/extension may cause an increase in origination and/or settlement charges. Any information that changes or is found to be inaccurate after the Loan Estimate has been provided may also cause an increase in origination and/or settlement charges. By providing your email below, you are giving the lender consent for electronic delivery of initial disclosures and all subsequent disclosures, if any.

ANTI-STEERING/SAFE HARBOR

You were provided with a disclosure of loan options that are available for you to choose from. These loan options are from creditors that we regularly do business with and are for each type of transaction in which you have expressed an interest. The options include the loan with the: lowest rate for which you qualify for, lowest points and origination fees, and lowest rate with no risky features such as prepayment penalty, negative amortization, or balloon payment in the first 7 years. These loan options were explained to your satisfaction.

☐ **If this box is checked, the form has been amended. Borrower must initial all amendments, or a new agreement must be completed.**

Borrower: _____ Co-Borrower: _____

Email: _____ Email: _____

Signature: _____ Signature: _____

Date: _____ Date: _____

Property Address: _____

Broker Name: _____ **Signature:** _____
(Printed Name)

Date: _____