

## Index of PPDocs Newsletter Articles and FAQs (Through April 2026)

**Archive or Newsletters:** An archive of PPDocs newsletters can be found by clicking [here](#). If you need to see a newsletter that is older than those in the archive, let us know at [legal@ppdocs.com](mailto:legal@ppdocs.com).

**Newsletter articles:** The articles from our newsletters below are divided by topic, listed by title, and in order of the date they appeared in our newsletter. The title of each article below is followed by the month and year of the newsletter in which it appeared.

**Frequently Asked Questions:** The questions from the FAQs that were in our newsletters can be found by clicking [here](#). Each entry begins with the month and year of the newsletter in which that FAQ appears, followed by a brief topic description.

### Important Information Regarding This Archive

The articles and Answers to Frequently Asked Questions in our newsletters are provided for informational purposes only, are not updated, and do not constitute legal advice.

Because the passage of time can render information incomplete or incorrect, PPDocs, Inc., provides no representation or warranty for the accuracy of these archived articles and answers. We strongly recommend that users conduct their own research and consult with an attorney or compliance officer before acting. If you are a PPDocs client, please feel free to reach out to one of our attorneys or compliance staff.

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## Frequently Asked Questions Archive

- 1. 05.2026 Question: TRID:** A Closing Disclosure (CD) was issued that included a lender credit which should not have been provided. Once a lender credit is disclosed on the CD, is the lender required to honor it? If not, what steps should be taken to correct this error?
- 2. 04.2026 Question: TRID:** We are processing a refinance of an owner-financed purchase in which the seller has not yet conveyed legal title to the borrowers. They structured the transaction as a rent-to-own (contract for deed). Because the borrowers already reside at the property, are we required to provide the right of rescission under Regulation Z?
- 3. 03.2026 Question: TRID:** We are preparing a loan modification to add a variable interest rate feature to a loan that matured on February 25, 2026. The related disclosures are dated March 3, 2026. Does this approach comply with applicable regulations?
- 4. 02.2026 Question: Skip a Payment:** May I allow a borrower to skip a payment or two? If so, will I need the borrower to sign a modification agreement and record it in the county records? Lastly, are there any required disclosures?
- 5. 01.2026 Question: TX Contract for Deed:** We have a customer who owns property, but they executed a contract for deed with a third-party buyer. I know how a contract for deed works, but can you explain it to me to make sure? Also, can we make a loan secured by property with an outstanding contract for deed on it?
- 6. 12.2025 Question: TILA:** Can an interim construction loan be closed on an 18-month term, or will we get a stop audit in your system?
- 7. 11.2025 Question: TX Home Equity:** We have a secondary market Texas home equity cash-out refinance with a Revocable Transfer on Death Deed shown on the title commitment. Will this affect the loan? Is it treated as a life estate? Any recommendations?
- 8. 10.2025 Question: TILA:** The par rate on this loan exceeds the Average Prime Offer Rate (APOR); the borrower wants to pay points to buy down the rate. May I exclude the discount points from the points and fees calculation for QM compliance?
- 9. 09.2025 Question: TX Spouses Separated:** Borrower is buying a new primary residence in Texas, but she and her spouse are separated and in the middle of a divorce. Two questions: Must her spouse vest in title? Does her spouse need to sign any documents?
- 10. 08.2025 Question TRID:** We have borrowers whose LLC owns the home they live in, and they want cash out. Do we treat this loan as a TRID loan? Because the borrowers live in the home, we think RESPA applies, but we are not sure how to disclose?
- 11. 07.2025 Question: TX Bridge Loan:** May we make a bridge loan in Texas on homestead property and payoff existing debts or provide cash out to the borrower?
- 12. 06.2025 Question: TRID:** For a cash-out loan, our borrower is bringing \$2,000.00 to closing for the loan payoff instead of deducting it from their proceeds. Can this be shown on the Closing Disclosure (CD)?
- 13. 05.2025 Question: TX Owelty of Partition:** An applicant owns his primary residence with his siblings and wants a loan to purchase his siblings' interest in the property; what documentation is required?

- 14. 04.2025 Question: TRID:** Florida charges an Intangible Tax, Recording Tax, and Transfer Tax. This is three items in Section E in addition to Recording Fees. Is there a way to add lines on the LE for the Intangible and Recording Tax?
- 15. 03.2025 Question: TX Home Equity:** We are refinancing two loans: one secured only by a manufactured home (not affixed to the real property) and the other secured by the real property where the manufactured home is located. We want to refinance them into one loan. The lender holding the lien on the manufactured home will not sign the form to surrender title until they are paid off. May we make an A6 cash-out home equity loan secured by both the manufactured home and the real property, but require the borrower to surrender title to the manufactured home after closing?
- 16. 02.2025 Question: TRID:** We issued an alternative format Loan Estimate (LE) for a purchase. We now realize it is improper to issue an LE on a purchase using the alternative format. We have not yet issued the Closing Disclosure (CD); when we do, may we switch to the standard format?
- 17. 01.2025 Question: TX Home Equity:** We have a borrower who wants a cash out loan on homestead in Texas but would need to pay off debts owed to us to qualify for the loan. If the borrower pays off the debts to qualify for the loan, will we comply with Texas home equity laws?
- 18. 12/2024 Question: HPML Escrow:** On an HPML, may a borrower cancel an escrow account before the deadline set in the rule?
- 19. 11/2024 Question: TX Property Tax Liens:** How would we know if one of our customers obtains a loan from a Texas property tax lien lender?
- 20. 10.2024 Question: TRID Changed Circumstance:** We have a changed circumstance that occurred after we issued the initial Closing Disclosure, may we adjust fee tolerances?
- 21. 09.2024 Question: Notary:** We have a borrower in Denmark, and they can't get to the US Embassy to have a power of attorney notarized. May we proceed with a power of attorney that has a foreign notary with apostille attached?
- 22. 08.2024 Question: Realtor Fees:** With changes from the National Association of Realtors lawsuit settlement going into effect August 17th, if I have copy of the purchase contract or separate written agreement that indicates that the buyer is going to have to pay a Real Estate Broker Commission, what are my responsibilities when issuing a Loan Estimate?
- 23. 07.2024 Question: 45-Day Lookback:** Can you help me understand the 45-day lookback period for primary residences? Our customer wants a daily adjustable rate, but when I enter it, I get a 45-day lookback error. Can you help me understand what exactly is being reviewed as of 45 days ago? May the loan have a daily adjustable rate as long as the rate we disclose is WSJP rate 45 days ago?
- 24. 06.2024 Question: Reconsideration of Value (ROV):** We understand that each Government-Sponsored Enterprise (GSE) will require disclosure at time of application and again upon delivery of the appraisal report that outlines the reconsideration of value process. Are you aware of this requirement? If so, have the GSEs promulgated forms and will PPDocs prepare and provide the disclosure?
- 25. 05.2024 Question: Substitute Contractor:** Is there a plan or roadmap when a borrower decides to change builders or the builder chooses to quit?
- 26. 04.2024 Question: ROR Construction Loan:** We have a Construction loan that we are refinancing to a permanent loan. What are the right of rescission rules with respect to refinancing a construction loan to a permanent loan?

27. **03.2024 Question: TXA6 Place of Closing:** Is it legal to close a Texas home equity loan at the office of the lender, an attorney's office or the office of a title company located outside of Texas?
28. **02.2024 Question: APR Discrepancy:** We use another loan servicing/origination system provider to calculate our APRs and then validate the APR from that system against the PPDocs-generated Closing Disclosure. When making the comparison, the APRs always seem to be off a fraction of a percentage. Is this a problem?
29. **01.2024 Question: TILA:** In 2023, we made a lot loan to an individual for a business purpose. The borrower now wants a loan to pay off the current lot loan and to construct their primary residence on the lot; thus, the new loan will be a consumer purpose loan. **Is it okay for the purpose to change from business to consumer** because we are making a new loan?
30. **12.2023 Question: TX Release of Lien:** Are there any regulations or Texas Codes that specifically address **time limits and/or procedures for filing a release of lien**?
31. **11.2023 Question: TX Owelty of Partition:** My customer, who was the husband in a recent divorce proceeding, was awarded the homestead property in the divorce. In the divorce decree, the judge also imposed an owelty of partition against that homestead property to secure payment of the debt. The husband was required to pay the spouse because of the judge's award of the property to the husband. **What is an owelty of partition and how is this kind of loan ordered** in your system?
32. **10.2023 Question: Enhanced Life Estate:** Our borrower executed and recorded a "lady bird deed" in which the borrower retained a **life estate** and named their daughter as the sole remainderman; does that mean the daughter needs to receive the Closing Disclosure and/or sign the Deed of Trust?
33. **09.2023 Question: Assumptions and Modifications:** This month, instead of a single FAQ, we answer several questions related to loan **assumptions and modifications**.
34. **08.2023 Question: Documents:** If the **appraiser assigned no value** to existing improvements on a property, may we use the Unimproved Property Deed of Trust (DOT)?
35. **07.2023 Question: VA Loans:** Can PPDocs please give me a list of the fees that are included in its compliance review for **VA non-allowable fees**? There is a discrepancy between the fee lists maintained by PPDocs, Encompass, our QC vendor, and one of our investors. I want to compare all the compliance reviews and hope that we can all get on the same page.
36. **06.2023 Question: TRID:** Is it permissible to ask for **income verification** (tax returns, K1's, etc.) **during the initial underwriting** phase before providing a Loan Estimate and receiving a borrower's intent to proceed?
37. **05.2023 Question: TX Home Equity:** May we charge a **late fee on a consumer purpose HELOC** in Texas? If so, how much and when?
38. **04.2023 Question: TRID:** The **Closing Disclosure** (the "CD") was sent to both applicants through **DocuSign**. Applicant 1 did not open the file. Applicant 2 opened the file but did not sign the CD. I have two questions: Would this be considered acknowledgment of receipt of the CD by Applicant 2 or do they also need to sign the CD? When both applicants have a right of rescission, would both need to sign or would both of them opening the file be considered acknowledgement of receipt?
39. **03.2023 Question: TX Home Equity:** We have a Home Equity loan the borrower paid off, and we are preparing a Release of Lien. The borrower doesn't want to pay the **filing fee to record the**

- Release.** Can we send it to him with a letter explaining that he must record it with the County Clerk to release the lien or are we required to file the Release when a loan is paid off?
40. **02.2023 Question: TRID:** I have two questions. Question 1) **Does TRID require separating an appraisal management company (AMC) fee and an appraisal fee?** Question 2) I know an appraisal fee is excluded from the finance charge, but **is an AMC fee also excluded from the finance charge?**
41. **01.2023 Question: TX Construction Loans:** We are adopting the practice of holding back **reserve funds (f/k/a retainage)** on all future construction loans. Does that change the loan documentation verbiage, and what does that look like?
42. **12.2022 Question: TRID:** As I was completing early disclosures for a loan that we will be **modifying to add an ARM feature** into the permanent phase, I received an audit warning that a TRID loan may not be backdated. The current loan matures tomorrow and the date I entered for disclosing the LE causes the system to say that I cannot close the modification until a specific date next week. What do I need to do?
43. **11.2022 Question: TILA:** I did a redraw to correct the names for the loan officer and title. The periods to **first rate change should be 60; however, your system** will not let me pass the audit below unless I **use 61 months**. Can you help me get past this audit?
44. **10.2022 Question: TRID:** When is a loan **assumption subject to TRID?**
45. **09.2022 Question: TRID:** When a lender takes a **deposit account** (e.g., a certificate of deposit) as **additional collateral on a TRID loan**, where does this appear on TRID disclosures? Similarly, when a lender takes real property as additional collateral, where does it appear on TRID disclosures?
46. **08.2022 Question: TILA:** Can an **interim construction** loan be closed on an **18-month term** or will we get a stop audit in your system?
47. **07.2022 Question: TILA:** This loan was locked with a new investor that's **charging discount points**. We are wondering if we can use another investor's rate sheet to show that these points are **bona fide**.
48. **06.2022 Question: TRID:** Our loan administration department is working on a **commercial loan that will be assumed by another individual**. Is that subject to TRID?
49. **05.2022 Question: Texas Home Equity:** Can someone explain why a **drive-by appraisal** performed by a third-party appraiser is included in the 2% fee cap of a **home equity loan?**
50. **04.2022 Question: TRID:** With interest rates rising, if the **interest rate increases after we provide the initial Loan Estimate, how do we disclose** that? Also, how would we disclose an interest rate increase occurring after we provided the CD?
51. **03.2022 Question: TRID:** We have two questions. **1)** When issuing the initial Loan Estimate, is it accurate to say that the **aggregate adjustment for escrow** is not credited on the LE? **2)** When a borrower has an **active escrow account** and we refinance the property and move the current escrow account to the new rate term refinance, would we **disclose the escrow credit on the initial LE** – so that a more accurate number for the cash to close is disclosed?
52. **02.2022 Question: TRID:** We are making a one-year interest-only construction loan with quarterly interest-only payments. The Loan Estimate Product reads "no principal until mo. 10;" shouldn't this read "no principal until mo. 12?"
53. **01.2022 Question: IVES:** We are ordering borrower transcript information from the IRS using an **IVES** participant. Can you tell me how to order the form in your system?

54. **12.2021 Question: TRID:** The appraisal for this loan came back lower than expected and the borrowers want to order another appraisal. This appraisal would be paid outside of closing. Would I have to notate this new appraisal fee on the **CD** even though this is being **handled outside closing**?
55. **11.2021 Question: HOA Subordination:** The title commitment contains a statement that “maintenance charge is not subordinated to purchase money and/or improvement liens,” and the Homeowners Association (HOA) will not sign a subordination agreement. Does that put the HOA in a first lien position?
56. **10.2021 Question: TRID:** Do we disclose a single pay loan with “Monthly” instead of “Single Pay” in the Estimated Taxes, Insurance & Assessments section of the Loan Estimate?
57. **09.2021 Question:** We have a **Texas Home Equity loan** that we want to close on June 1, 2021. The rescission period goes through June 4, 2021, and the **first payment** will be August 1, 2021. I received an audit stating that the 1st payment is more than 60 days from the closing date. May the first payment be on August 1, 2021?
58. **08.2021 Question: TRID:** We have a loan that is supposed to close on Friday, but we did not get the CD out until Wednesday. However, because the real property collateral for the loan is **investment property**, am I correct that this loan is **exempt from TRID**, and we do not need to wait 3 business days after providing a CD to close?
59. **07.2021 Question: TRID:** When is a loan modification subject to TRID?
60. **06.2021 Question:** Please explain **the one-year seasoning** requirement to refinance a Texas **home equity loan**. Also, as part of the seasoning requirement in Texas law, does the owner have to own the house for a year prior to the closing of a home equity loan?
61. **05.2021 Question:** If we deliver the **Risk Based Pricing Exception Notice** (Model H-3) to a customer, must we also send the **Notice to Home Loan Applicant** as well? Additionally, is the Notice to Home Loan Applicant required for a land only purchase?
62. **04.2021 Question:** May a mother name her daughter as a **DBA**? May an LLP name a corporation as a DBA? On a related note, does an assumed name certificate need to be filed by a borrower?
63. **03.2021 Question:** Do you have any information concerning when to use **Notice of Right to Cancel Model Form H-8** and when to use Model Form H-9?
64. **02.2021 Question:** I know that when a married person purchases a lot, their spouse does not have to be a borrower or vested in title. But I have a **married person** purchasing a homestead who wants to be the **sole borrower and solely vested in title**. The borrower’s spouse will live in the home. Because Texas is a community property state, I was wondering whether the borrower’s spouse must be vested in title and on the sales contract?
65. **01.2021 Question:** We have a buyer with a 1<sup>st</sup> and 2<sup>nd</sup> lien that we are rolling into a new refinance loan. The 2<sup>nd</sup> lien was taken out after the home was purchased. Our underwriter has informed us that we have to structure this loan as a Texas A(6) Cash-out loan because we are paying off a 2<sup>nd</sup> lien that was not used to originally purchase the property. (**Oops. This looks suspiciously like FAQ from 08.2020.**)
66. **12.2020 Question: TRID:** We have a few questions regarding **how holidays affect TRID**. Can you help us with them? When may we close on an initial CD deliver on a holiday? May we close on a holiday? How do we count the three-day waiting period after the initial CD when closing on a holiday? When Friday is an observed holiday for a weekend holiday, is it considered a holiday or a business day?

67. **11.2020 Question:** I have two questions. First, are we required to order **legal reviews** for Trusts, Powers of Attorney or Leaseholds? Second, how do we order these legal reviews?
68. **10.2020 Question:** Here are my escrow entries; however, I keep getting an error. Can you please help me with this? (**Year-end escrow question**)
69. **09.2020 Question:** We have a **cost overrun** on a Texas homestead construction loan. What are our options?
70. **08.2020 Question:** We are refinancing a second lien Texas home equity cash out loan and a first lien purchase loan into one new loan and have a question. Some folks here are saying that the loan is still considered a cash-out because we are refinancing a second lien Texas home equity cash out and the first lien purchase funds into one loan. I am certain that is not true, but I need to know the reasoning. **FNMA**
71. **07.2020 Question: TRID:** I received this audit warning unexpectedly: "all fees paid to the lender must be in Section A. Only fees paid to third parties can be placed in Section B." I have two fees that we have always disclosed as being payable to the lender "FBO the third-party service provider." I thought RESPA required us to do so because those two fees (flood and credit bureau) are deposited into one of our general ledger accounts. Then we write one check per month to the service provider for all the flood certs and credit bureaus we pull. I have not received this error before. Has something changed or am I just overlooking a mistake on my part?
72. **06.2020 Question:** Must both **spouses receive the 12-day notices** on a: 1) Texas home equity loan; and 2) Texas rate/term refinance of a home equity loan?
73. **05.2020 Question:** With all the requests we are getting for **mortgage deferrals related to COVID-19**, we want to make sure we understand how to enter them into the PPDocs system. We are keeping our program simple, regular mortgages and home equity will be handled the same. We are allowing up to 3 months forbearance, then capitalizing and recasting interest for the remainder of the original term. No extensions of maturity date will be granted. We are requiring escrow payments be made. As an example, one of the requests we received was for a 2-month forbearance with the April 1, 2020 payment unpaid. They will not pay for April or May, and their next payment will be June 1. Can you advise me on how to complete the forbearance letter? What would the effective date of the modification be?
74. **02.2020 Question:** The borrower does not want his or her **spouse to sign the Deed of Trust** because the borrower doesn't want the spouse to vest in title. I know the difference, but can you give me an explanation of the difference between a vesting Deed and a Deed of Trust so I can educate myself before I address this with the borrower?
75. **01.2020 Question: TRID:** Under what circumstances should we deliver **revised Loan Estimates and revised Closing Disclosures** to consumers?
76. **12.2019 Question:** We are doing the **modification to add a variable rate** to a loan that matured on November 27, 2019. Our disclosures will be dated December 3, 2019. Is this ok?