



TRID CD Disclosure Time Line Tip Sheet

Overview:

The new TILA-RESPA rules apply to applications **taken by Brokers on or after October 3rd, 2015**, in other words, the date the Broker takes the application is the trigger for the new rules, not the date the broker submits the application or the date the lender “accepts the application.” The rules also include a **NEW THREE-BUSINESS-DAY WAITING PERIOD AFTER DELIVERING THE CLOSING DISCLOSURE (CD) BEFORE THE LENDER CAN PROCEED WITH CLOSING**. Now is a great time to familiarize yourself with the new rules.

Closing Disclosure (CD) Waiting Period:

- There is a new three-business-day waiting period after the delivery of the CD before lenders can proceed with closing.
- If, after delivery of the CD, the APR goes up $1/8$ or the loan product changes the lender is required to deliver a new CD AND reset the three-business-day waiting period (**Note: Adding a Prepayment Penalty (PP) is also a CD re-disclosure trigger**).
- **Warning:** Under the worst case scenario, delivery and the three-business-day waiting period can mean up to 12 calendar days from the date the CD is issued and the closing date, with weekends and holidays. It can take longer if the APR goes up by $1/8$ or the loan product changes. See additional information and an illustration of the worst case scenario in the Delivery and Waiting Period section below.

Tips:

- Prepare loans to close as soon as possible. This will provide for adequate time to deliver the CD and wait three business days in order to hit the desired loan closing date.
- Brokers may have their borrower(s) e-consent and access the CD electronically as soon as it is issued. This will shorten the time it takes to deliver the CD and get the three-business-day waiting period started.
- Avoid Annual Percentage Rate (APR) and loan product changes after the CD is issued. This will ensure the three-business-day waiting period does not reset.

IN PERSON: Delivered when the borrower receives the disclosure. Evidence the borrower has received it is required (i.e., signature).

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8	9	10 Closing Disclosure (CD) is hand delivered to the borrower	11	12	13 First day the loan can close
14	15 President's Day	16	17	18	19	20

MAIL: Deemed delivered after three business days of the disclosure being placed in the mail. Evidence of mailing is required.

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8	9	10 Closing Disclosure (CD) is placed in the mail	11	12	13 Borrower is deemed to have received the Closing Disclosure (CD)
14	15 President's Day	16	17	18 First day the loan can close	19	20

EXPRESS MAIL: Delivered on the day the express courier delivers it to the borrower. A borrower signed courier delivery receipt is required.

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8	9	10	11 Closing Disclosure (CD) sent by overnight mail	12 The borrower signs the delivery receipt	13
14	15 President's Day	16	17 First day the loan can close	18	19	20

ELECTRONIC: Delivered when the borrower receives the disclosure. Evidence of the borrower accessing the disclosures after providing his/her e-consent according to the ESIGN Act is required.

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8	9 Closing Disclosure (CD) issued electronically	10 Borrower e-consents and accesses Closing Disclosure (CD)	11	12	13 First day the loan can close
14	15 President's Day	16	17	18	19	20

If the borrower has PREVIOUSLY e-consented according to the ESIGN Act, it is deemed delivered after three business days of issuance or when the borrower accesses the disclosures, whichever is earlier. Previous e-consent is obtained if the borrower e-consented to receiving the initial disclosures or re-disclosures electronically.

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8	9 Closing Disclosure (CD) issued electronically	10	11	12 Borrower is deemed to have received the CD	13
14	15 President's Day	16	17 First day the loan can close	18	19	20

WORST CASE: The worst case scenario is a borrower who has not previously e-consented and fails to e-consent and access the CD when it is issued electronically within two business days of it being issued; and it has to be mailed.

February 2016						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7	8 Closing Disclosure (CD) issued electronically	9 The borrower does NOT e-consent and access the Closing Disclosure (CD)	10 The borrower does NOT e-consent and access the Closing Disclosure (CD)	11 The Closing Disclosure is placed in the mail	12	13
14	15 President's Day	16 Borrower is deemed to have received the CD	17	18	19 First day the loan can close	20

NOTE: If you are concerned about the timing of loan closing and the borrower has not e-consented, it is advisable that you simultaneously mail the CD in addition to sending the CD electronically.

Additional Timing Requirements:

- Like the GFE and TIL, the Loan Estimate (LE) has to be delivered or mailed within three business days after receiving an application.
- Like the GFE, the LE does not expire for 10 business days after it is delivered or mailed.
- Like the GFE, a loan may not close before the seventh specific business day after the LE is delivered or mailed.
- Like the GFE, a revised LE must be delivered or mailed within three business days of a valid change of circumstance.
- Unlike a GFE, we will not be issuing an LE with our initial disclosure package when the application is “accepted”.
- An LE may not be delivered after the fourth business day before closing (the signing date of the note) or a CD is delivered, whichever is the earlier.
- Like a re-disclosed TIL, the CD has to be delivered three business days before closing (the signing date of the note).
- Like the HUD-1, if anything changes, a corrected CD must be delivered at or before closing.
- Like a re-disclosed TIL, a loan may not close within three business days after the CD is delivered.