



Frequently Asked Questions

Why choose a mortgage broker?

Sixty-six percent of Americans do. Brokers provide consumers with choice, convenience and expertise. The consumer receives an expert mentor through the complex mortgage lending process. The broker offers the consumer extensive choices and access to affordable home loans while balancing the consumer's financial interests and goals.

The mortgage loan process can be arduous, costly, and seemingly impossible to the consumer. The broker works as the liaison between the borrower and the lender to create a cost effective and efficient loan process. Many low-income borrowers with less than perfect credit histories would not have been able to purchase their dream home without the assistance and dedication of a mortgage broker.

With two-thirds of the nation's mortgages originated by mortgage brokers, consumers are clearly choosing the superior options, service, and expertise offered by mortgage brokers. Brokers have forced retail lenders to compete with other loan sources thus driving down costs to consumers in the state of Florida and nationwide.

Is a mortgage broker a lender or a banker?

Neither. A broker is a real estate financing professional acting as an independent contractor. The range of products and services offered *through* brokers, and *by* brokers, is evolving rapidly. There are circumstances when brokers may act as bankers, funding their loans. However, the majority perform origination services up to the point of funding.

What role does the mortgage broker play that is different than that of the wholesale lender?

The wholesale lender underwrites and funds the home loan, may service the loan payments, and ensure the loans' compliance with underwriting guidelines. The mortgage broker, on the other hand, originates the loan. A detailed application process, financial and credit worthiness investigation, and extensive disclosure requirements must be completed in order for a wholesale lender to evaluate a consumer's home loan request. The broker simplifies this process for the borrower and the wholesale lender, by conducting this research, counseling consumers on their loan package choices, and enabling them to select the right loan for their home buying needs.

Do brokers work for the wholesale lender or the consumer?

Neither. As an independent contractor, the broker allows wholesaler lenders to cut origination costs by providing such services as preparing the borrower's loan package, loan application, funding process, and counseling the borrower. Brokers help keep loan rates low due to their minimal overhead and setup costs. Furthermore, the broker will seek the loan which best suits the borrower's financial circumstances, needs, and goals. From the consumer perspective, with rare exception, the broker does not get paid unless and until the loan closes. Thus, the broker has the ultimate incentive to provide the best possible customer service to the consumer.



Isn't the broker supposed to get the best deal for the consumer?

Since mortgage brokers offer the products of many wholesale lenders they often have the best selection. This question presumes that anyone can know what is "the best deal." While many would consider "the best deal" to mean "the lowest rate," a loan program with a very low interest rate may not be the best choice for a consumer with limited cash, if that rate comes with high points and fees. A 15-year loan may save a borrower tens of thousands of dollars in interest payments on a 30-year loan, but the higher monthly payments may not be acceptable to the consumer. So, "the best deal" for any consumer depends on his financial circumstances, needs, and goals.

Why do brokers collect fees from both the consumer and the lender? Isn't this a conflict of interest or a duplication of charges prohibited by RESPA?

RESPA allows fees to be charged between settlement service providers, as long as those fees are reasonable for services, goods, or facilities actually provided. Mortgage brokers provide the same services to consumers as do retail loan offices that typically charge the consumer an origination fee. These services include taking the application, obtaining the credit report and appraisal, counseling the consumer on the loan process, and collecting the necessary documents. Brokers also provide separate and distinct services and facilities to wholesale lenders. These include marketing the lender's products and assembling and delivering the completed loan package.

In addition, lenders may pay brokers a premium, ("yield spread premium" or "service release premium"), which may include compensation for the services and facilities, but also represents payment for the intrinsic market value of the closed loan. All of these are legal compensation. It is important to remember that, regardless of which party compensates the broker (lender or consumer), in almost all cases the broker receives nothing until the loan closes.

Do mortgage brokers "steer" consumers to the wholesale lender who pays the highest fees to the broker?

While isolated instances of adverse steering can occur, the mortgage brokerage industry has predominantly armed consumers with a free-market economy weapon: open and vigorous competition. Any consumer exercising his or her basic right to shop and compare will ultimately find the loan options that are in his best interests. The combination of government-mandated disclosures and vigorous competition has presented today's consumer with unprecedented levels of choice. While price is an important consideration in advocating a specific wholesale lender, brokers also make their professional recommendations based on a number of other factors, which include the lender's:

- reputation for service
- underwriting criteria
- ability to fund a loan on time
- compliance with consumers' requirements

Does the mortgage broker really care about the quality of the loan itself?

Yes, absolutely. The safety and soundness of the mortgage lending community is directly linked to the success and integrity of its home loan originations. Furthermore, mortgage brokers represent the



single largest residential origination source today, emphasizing that they play a significant role in the mortgage loan process. These numbers highlight the fact that consumers who exercise their choice –

choose mortgage brokers - most likely because brokers are dedicated to their customers, consumers, wholesale lenders, and ultimately, American tax-payers.

Should brokers be regulated?

Brokers are regulated by several federal laws and regulations and dozens of state laws and licensing boards. The FAMB supports reasonable and fair state and federal regulation of mortgage brokers and lenders and works cooperatively with its legislators and regulators to protect consumers and industry alike.