

## Mortgage Broker Fee Agreement and Disclosure

This Mortgage Broker Fee Agreement and Disclosure ("Agreement") is by and between \_\_\_\_\_ a mortgage broker ("we," "us," "our") and the borrower (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, and this Agreement represents the entire agreement between you and us.

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

**OUR SERVICES:** A mortgage broker charges fees to arrange a loan from a mortgage lender that will fund the loan. As your mortgage broker, we will assist you in obtaining a loan. We do not offer products from all mortgage lenders, so we cannot guarantee you this 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.

**YOUR MORTGAGE LOAN:** You are currently applying for a mortgage loan in the amount of \$\_\_\_\_\_, your fees may increase if the loan amount increases, or decrease if the loan amount decreases. The fees in this Agreement are for mortgage broker services and do not include other closing costs or credits from us or other parties for non- broker related services. Please refer to your LE for other fees related to the settlement of your loan. Once your interest rate is locked and your loan amount and terms are finalized, we will be able to tell you the exact amount of all fees, including our fees in addition to our fees, estimates of other fees you will pay in connection with your loan will be shown on your LE.

Our fees may be paid by either you or paid by the mortgage lender, but not by both.

- **BROKER COMPENSATION PAID BY YOU:** Depending on the loan program, you select and subject to applicable legal requirements, our fees may be paid by you directly from your own funds at or prior to the loan closing; you may also elect to include our fees in your loan amount and pay us at closing out of your loan proceeds. If you choose to pay the fees out of the loan principal, your principal amount will increase (unless the loan amount quoted already includes our fees), and you will pay interest on this increased amount over the life of the loan.
- **BROKER COMPENSATION PAID BY MORTGAGE LENDER:** Instead of paying our compensation directly, you may pay our fees by electing to pay the mortgage lender higher interest rate, and the mortgage lender will then pay us. When you elect to pay a higher interest rate, you will not pay us anything directly prior to or at closing. Paying our fees directly may result in a lower interest rate but higher costs at closing. The amount of our fee does not change based on the interest rate of the loan.

By signing this Agreement, you acknowledge that we have discussed these fee payment options with you.

<input type="checkbox"/> <b>Broker Compensation Paid by You*</b>	
<p><b>MAXIMUM BROKER FEE:</b> This amount represents the total of all fees that are paid to us directly by you for arranging your loan with a mortgage lender. This amount is included in "Origination Charges" of Page 2 of your LE. The amount listed as "Origination Charges" on your LE may be greater than the Maximum Broker Fee shown here, as the total "Origination Charges" may also contain other origination charges and fees for your loan from the mortgage lender and other third parties as applicable.</p>	<p style="text-align: center;">_____</p> <p style="text-align: center;">Must be completed with a fixed dollar amount or percentage of the loan amount.</p>
<input type="checkbox"/> <b>Broker Compensation Paid by the <u>Mortgage Lender</u></b>	
<p><b>MAXIMUM BROKER FEE:</b> This amount represents the total of all fees that are paid to us by the mortgage lender for arranging your loan with that mortgage lender. This amount is included in "Paid by Others" of Page 2 of your Closing Disclosure ("CD"). The amount listed as "Paid by Others" may also contain other origination charges and fees for your loan from the mortgage lender and other third parties as applicable.</p>	<p style="text-align: center;">_____</p> <p style="text-align: center;">Must be completed with a fixed dollar amount or percentage of the loan amount.</p>
<p><b>CREDIT FOR BROKER FEE FROM THE MORTGAGE LENDER:</b> This amount represents the credit to you from the mortgage lender for the purpose of the lender's payment of our fee. The total amount of the mortgage lender credits as noted in Part J of your LE may be greater, but will not be less than this amount because Part J credits may be applied to other non-mortgage broker fee settlement costs. Until you lock your interest rate the amount of the total Part J credit may change. Please note that changes to your interest rate do not affect the amount of our fee.</p>	<p style="text-align: center;">_____</p> <p style="text-align: center;">Must be completed</p>

\*If the method of paying our compensation changes before loan closing, a new copy of this Agreement is required. You will also receive a new LE and other loan disclosures in this case. Please note that a change in the method of paying our compensation may delay your loan closing.

Borrower: \_\_\_\_\_ Co-Borrower: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_ Date: \_\_\_\_\_  
 Broker Name: \_\_\_\_\_ Loan Originator Signature: \_\_\_\_\_

**PLEASE CONFIRM WITH A LEGAL REPRESENTATIVE THAT THIS DOCUMENT MEETS ALL STATE/LOCAL REQUIREMENTS FOR YOUR USE.**