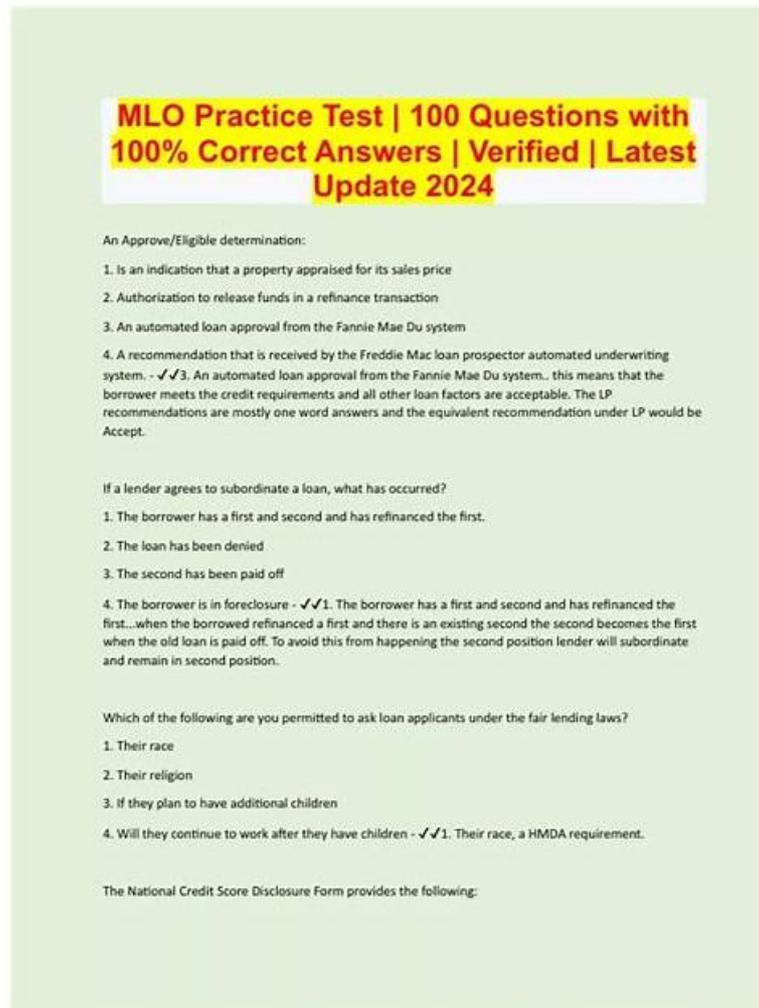


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## NMLS Mortgage Loan Origination (SAFE MLO) Exam Sample Questions (Q93-Q98):

### NEW QUESTION # 93

Which of the following service providers is a mortgage loan originator permitted to require a borrower to use in obtaining a mortgage?

- A. A title company
- B. A home inspection company
- C. An appraiser
- D. A homeowners insurance provider

**Answer: C**

Explanation:

According to RESPA (Regulation X), a borrower generally has the right to choose their own settlement service providers. However, the appraiser is selected by the lender (not the borrower), and the borrower is required to use the appraiser chosen by the lender to ensure appraisal independence and lender risk management.

"A lender may require the use of a particular appraiser to perform the appraisal for a loan."

- RESPA, 12 CFR § 1024.2(b); Appraiser Independence Requirements

References:

CFPB, Your Home Loan Toolkit

Fannie Mae, Appraiser Independence Requirements

### NEW QUESTION # 94

Which of the following loans is subject to right of rescission?

- A. A rate and term refinance loan through the same creditor
- B. A purchase loan secured by a rental home
- C. A refinance loan secured by a vacation home
- D. A cash-out refinance loan on a primary residence

**Answer: D**

Explanation:

The right of rescission is a provision under TILA (Truth in Lending Act) that gives borrowers the right to cancel certain types of loans within three business days after closing. This right applies specifically to refinance transactions on a borrower's primary residence, where they are taking cash out or refinancing their mortgage.

\* Cash-out refinances on a primary residence (C) are subject to the right of rescission because they involve the homeowner's primary residence.

\* Purchase loans (A) and loans secured by vacation homes (B) or other investment properties are not subject to this rule.

\* Even if the same creditor is refinancing the loan (Option D), the right of rescission still applies if it's a refinance of the primary residence.

References:

\* Truth in Lending Act (TILA) Section 125

\* Regulation Z, 12 CFR §1026.23 on the right of rescission

### NEW QUESTION # 95

A borrower visits a mortgage loan originator (MLO) for Mortgage ABC to discuss getting a home equity line of credit (HELOC) loan from Bank LMN. The MLO encourages the borrower to apply with Bank XYZ instead because ABC does not provide HELOC loans. When the borrower submits an application directly to XYZ, XYZ pays the MLO \$100 from the 1% origination fee that it collected from the borrower. Is this fee permissible?

- A. The fee is not permitted as the MLO did not perform any actual origination services for the borrower, unless the fee was

paid directly by the borrower.

- B. The fee is permitted as the MLO performed origination services for the borrower.
- **C. The fee is not permitted as the MLO did not perform any actual origination services for the borrower.**
- D. The fee is permitted if the fee is disclosed on the final settlement statement.

**Answer: C**

Explanation:

The Real Estate Settlement Procedures Act (RESPA) prohibits payment of fees or kickbacks to any party unless that party performs actual, legitimate services related to the origination or processing of a loan. In this case, the MLO did not perform any actual origination services for the borrower, so the fee paid by Bank XYZ to the MLO is not permitted.

\* RESPA Section 8 prohibits referral fees or any unearned fees. The MLO did not originate the loan or perform any substantive services related to the HELOC, which makes the payment illegal.

References:

- \* RESPA (Real Estate Settlement Procedures Act), Section 8
- \* CFPB RESPA Guidelines on fee splitting and kickbacks

### NEW QUESTION # 96

A mortgage loan originator (MLO) is in the process of taking an application for a 30-year mortgage, and the borrowers are over 72 years old. Which of the following actions must the MLO take?

- A. The MLO must inquire about the ability to repay in the event of a borrower's death.
- B. The MLO must present them with a home equity line of credit (HELOC).
- **C. The MLO must complete the application and proceed as normal.**
- D. The MLO must present them with a reverse mortgage.

**Answer: C**

Explanation:

Under the Equal Credit Opportunity Act (ECOA), age cannot be a basis for discrimination in the loan application process. If borrowers are over 72 years old, the MLO must complete the application and proceed as normal, treating them the same as any other applicant. The MLO should not make assumptions about the borrowers' needs, such as automatically suggesting a reverse mortgage (A) or a home equity line of credit (B).

Similarly, there is no obligation for the MLO to inquire specifically about the borrower's ability to repay in the event of death (D), as this would be age discrimination.

References:

- Equal Credit Opportunity Act (ECOA), 15 U.S.C. §1691
- CFPB Guidelines on age and lending practices

### NEW QUESTION # 97

According to Regulation Z, which of the following is a prohibited act?

- A. Including undocumented child support payments made by the borrower
- **B. Advertising rates not currently available to applicants**
- C. Redisclosing a Loan Estimate immediately after locking the rate
- D. Issuing disclosures to applicants

**Answer: B**

Explanation:

Under Regulation Z, which implements the Truth in Lending Act (TILA), it is a prohibited act to advertise mortgage rates that are not currently available to applicants. This rule ensures transparency in advertising, preventing lenders from misleading consumers with rates or terms that they cannot actually offer.

\* Advertising must reflect current, accurate rates and must not mislead borrowers about the costs or availability of loans.

Other options:

- \* Including undocumented child support (A) may violate documentation standards but is not prohibited under Regulation Z.
- \* Issuing disclosures (B) and re-disclosing Loan Estimates (C) are required actions under TILA and TRID.

References:

- \* Regulation Z (TILA), 12 CFR Part 1026

\* CFPB Advertising Rules under TILA

## NEW QUESTION # 98

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