

TRID Rule Essentials Checklist

This checklist contains some important TILA-RESPA Integrated Disclosure (TRID) Rule essentials designed to help a Settlement Agent (SA) review a transaction for compliance under the TRID Rule. As a reminder, the Loan Estimate (LE) and the Closing Disclosure (CD) are lender disclosure forms and in all cases the lender remains responsible for their accuracy.

General Essentials

- Verified that settlement agent did not act as a record retention or document repository holder for proof of timing delivery of Loan Estimate.
- Verified documents are not backdated.

Lender Instructions

- Received all instructions regarding the Closing Disclosure in writing.

Closing Disclosure – Lender Prepared

- Received instructions for all naming and fee placement on Closing Disclosure.
e.g. A proforma Closing Disclosure or a copy of the Loan Estimate for reference.
- Received written instructions from lender providing earliest signing/consummation date.
- Confirmed delivery of the Closing Disclosure to Seller by obtaining a signed and dated copy.
**Note: In UT, MI, MO, MN, KS the Settlement Agent working with the Seller would send the CD to the Seller and contact the Settlement Agent working with the Borrower.*

Closing Disclosure – Settlement Agent Prepared

- Received written lender delegation instructions.
- Received instructions for all naming and fee placement on Closing Disclosure.
e.g. A proforma Closing Disclosure or a copy of the Loan Estimate for reference.
- Verified the naming of the fees and placement mirrored the lender's Loan Estimate.
- Verified that Closing Disclosure was sent separately from any and all other documents.
- Verified the Closing Disclosure was NOT placed in one envelope, a cover letter and documents placed in another, and sent together in one mailing or overnight envelope.
- Confirmed delivery of the Closing Disclosure to Seller by obtaining a signed and dated copy.
**Note: In UT, MI, MO, MN, KS the Settlement Agent working with the Seller would send the CD to the Seller and contact the Settlement Agent working with the Borrower.*

First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. First American, the eagle logo, First American Title, and firstam.com are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates.

Information is for training purposes only and is not and may not be construed as legal advice. No third party entity may rely upon anything contained herein when making legal and/or other determinations regarding its practices, and such third party should consult with an attorney prior to embarking upon any specific course of action.

AMD: 06/2015



First American Title™

www.firstam.com

©2015 First American Financial Corporation and/or its affiliates. All rights reserved. • NYSE: FAF

TRID Rule Essentials Checklist

CD Changes

- Advised and verified that all fees, credits and/or adjustments are reflected on the Closing Disclosure to avoid activity that might be perceived by the CFPB as defrauding a lender. Settlement Agent will always disclose any known fees, credits or adjustments to the lender.
- Verified that lender provided (to SA) or received (from SA) a corrected Closing Disclosure for any changes in charges, fees or credits as defined under the Rule on page 533.

Pre-Consummation/Signing

- Received written instructions from lender providing earliest signing/consummation date.
- Verified Settlement Agent provided Closing Disclosure to the Seller on or before consummation (the day the borrower signs the loan documents).
- Received instructions from lender to schedule signing appointments.

Settlement Statements for Borrower and Seller

- Issued a Settlement Statement to accurately reflect the charges, fee names, itemization, deposits and disbursements. For example: title insurance premiums to be charged in accordance with the purchase contract and state law or rate filings.
- Obtain a final Settlement Statement signed by both the Seller and Borrower.

Post Consummation Closing

- Verified all documents are recorded.
- Verified all title insurance policies are issued.
- Adjusted recording fees based on actual fees, if necessary.
 - Issued a revised Settlement Statement to appropriate party:
 - If Seller, issued a correct CD with copy to lender.*
 - If Borrower, notified lender of the change and followed instructions provided by the lender.*

Preferred Closing Services

12 St. Albans Circle, Newtown Square, PA 19073

www.preferredclosing.com

First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. First American, the eagle logo, First American Title, and firstam.com are registered trademarks or trademarks of First American Financial Corporation and/or its affiliates.

Information is for training purposes only and is not and may not be construed as legal advice. No third party entity may rely upon anything contained herein when making legal and/or other determinations regarding its practices, and such third party should consult with an attorney prior to embarking upon any specific course of action.

AMD: 06/2015



First American Title™

www.firstam.com

©2015 First American Financial Corporation and/or its affiliates. All rights reserved. • NYSE: FAF