

**From:** "Colin Cherry" <ccherry@LendSmartMortgage.com> on 04/02/2008 05:15:03 PM

**Subject:** Regulation Z

To Whom it May Concern:

My name is Colin Cherry and I live in Centerville, MN. I *ABSOLUTELY* oppose any further demands to create additional documents to disclose yield spread and total compensation. I will start my objection with some questions that I would really look forward to seeing the answers on:

1. Are you requiring me to quote fees, rates, and programs to someone when I don't know their income, assets, employment which I collect by taking an application? Would you sign a law into effect without knowing what was in it?
2. If rate, fees, program, and broker compensation are disclosed on the Good Faith Estimate that is **REQUIRED BY LAW** to be sent by the broker within 3 days of application and is then **REQUIRED** to be signed by the borrower, how is that not sufficient documentation?
3. Considering my previously mentioned question, how would a client compare your newly suggested "total compensation" document as the client is shopping with competitive offers that aren't from brokers? The non-brokers would provide a copy of their GFE. The same document you feel isn't sufficient for a broker to present to a client.

I support eliminating forms and/or editing existing forms to be clearer to a prospective client, but more forms will simply add to the already confusing process that leads clients to pay less and less attention with each form that have to read.

As a By Referral Only broker who is 100% referral, I am consistently reminded that the options I have available as well as the education and service I provide is far superior to someone who works in a non-broker environment. They are always pushing their products, consumer loans, insurances, checking accounts, all the while making healthy YSP premiums as they consistently originate over-market loans earning healthy servicing premiums.

In order for a fair level of competition to exist the playing field needs to be level. Handicapping brokers with additional disclosures is not just unfair, it will also confuse a borrower since they can't compare that document with one provided by a non-broker originator. This would further the problem and confusion that exists today.

Thanks for your time,

**Colin Cherry**

**Senior Mortgage Consultant**

*By Referral Only*

**LendSmart Mortgage**

11334 86th Avenue

Maple Grove, MN 55369

Direct Number - 763-255-2363

Main Number - 763-772-1200

Toll Free - 1-866-772-2503

Fax - 763-772-1201

[ccherry@lendsmartmortgage.com](mailto:ccherry@lendsmartmortgage.com)