

**From:** "Tim McNerney" <tmcnerney@apexlending.com> on 04/04/2008 05:45:03 PM

**Subject:** Regulation Z

I am commenting on proposed changes to our mortgage industry. I believe additional certification and licensing of mortgage brokers and lenders makes sense as long as both are involved and not just the mortgage brokers. I have no issue with that and anyone that does, doesn't belong in this business in the first place. However, the disclosures and pricing restrictions and compensation restrictions you are proposing are going to put thousands out of jobs and eliminate millions of home owners opportunities to purchase a home or refinance their current home. I have seen many a news cast and many hearings involving the mortgage business where mortgage brokers are branded along side lenders as well as not as professional and sometimes predatory and even fraudulent. Not everyone does bad business. Not everyone is doing anything wrong other than providing a service to people for compensation with the homeowner benefiting in home ownership or lower monthly payments. Not every homeowner failed to make their mortgage payment specifically because their mortgage payment adjusted and went up. What about credit cards? We are a nation in debt and I see it with virtually every customer I work with that we all carry more credit card debt than we should and the rates on those cards are out of control. Is it possible that some of these other debts contributed to delinquencies on mortgages? Is the homeowner/consumer responsible at all if at the time they bought or refied they had proof to repay and then later went rampant with spending? The market has already begun to make difficult but necessary changes in how we qualify people. What you are proposing will put a vice grip on this business and this economy that anyone who wants to purchase a home or refi their current home must have perfect credit and nothing but. That seems a bit discriminatory that you can have all these restrictions in place and only the very lucky get to live the American dream.

I work as an independent mortgage broker and am able to shop my customers around to various lenders to find the best program and competitive pricing and costs and that is how I beat out others. That is why my customers are happy and satisfied and well informed during the process and after signing. I have to find my own way to get customers which in many cases involves paying for marketing companies to provide qualified leads. All other office expenses I have to pay for such as paper, ink cartridges, software, internet access, credit agency access with a per credit report fee, home office per loan fee, mailings and fed ex packages. I can have all those things in place and still lose customers to other mortgage brokers and or lenders depending on what the customer is being told. Every customer I have found is different, every customer has different situations with credit, with their job, their home, their equity positions. Every customer has different goals and aspirations and needs. That's where the benefit of the mortgage broker comes in because they can work closely, intimately with the customer's financial picture and help them find the best mortgage loan solution that fits them. What it looks like you will be doing is eliminating that consumer choice and leaving them to fend for themselves directly with lenders that may simply say here is your option take it or leave it and how can that be in the best interest of the consumer? I am confident you will due your due diligence and find the middle ground that works with the market place. Emphasis on certifications, testing and continuing education for mortgage brokers are all good things maybe even more extensive back round checks or bonding if you would. Those things certainly would significantly eliminate any issues and confusion that may have occurred with untrained unscrupulous mortgage broker and/or lenders. I thank you for your time and allowing me to express my concern over my career which is had enough at the moment.

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