

From: "Nilda Aquino-Herrea" <nilda@ahfg.biz> on 04/03/2008 11:40:03 AM

Subject: Regulation Z

I am writing you as the President of American Heritage Financial Group, in Miami, Florida. I have read the proposed Rule Amending Regulation Z and although I believe it is well intended these are my concerns:

The proposal targets the mortgage broker. All mortgage professionals should play by the same rules regardless of their role in the transaction. In addition it is very difficult to compete with lenders and this rule may eliminate the broker altogether. Mortgage Brokers play a very important role for the borrower is shopping the best program for the clients needs and the proposal seems to be missing this point. In reference to the YSP, this is not only compensation. The YSP also acts as a form of assisting the borrower's cost to be absorbed by the broker. To provide a precise dollar amount is almost impossible, as there are many variables that may come into play in a mortgage transaction so prior disclosure does not seem to be the solution.

I believe that there are more effective ways of protecting the borrower than targeting the mortgage broker. If all originators regardless of the status are required to play by the same rules the competition would be fair and the borrower would be protected. What I believe would force a more professional and ethical way of practice would be by forcing every person originating a mortgage loan transaction to be licensed in their state. That the originator can not be protected by working for a particular lending institution. The current mortgage crisis was not caused by the mortgage broker alone, a lot of lenders and investors made it extremely easy for anyone to purchase property. It was easier to purchase property than to purchase an automobile. The borrower in a lot of cases knew exactly what was happening and if you did not tell them what they wanted to hear they would go down the street. So I urge you to consider all aspects of the mortgage roles and consider a rule that would be fair to all those who are in the business and properly practice it. Thank you for allowing me to voice my opinion. Nilda Aquino-Herrera, President American Heritage Financial Group Miami, FL (sometimes I act as a mortgage broker and others as a Correspondent Lender, depends on the transaction).