

From: Mortgage Corporation of Ohio, Mark D. Vogel  
Subject: Regulation Z -- Truth in Lending

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Comments:

In regards to the final ruling on the Appraisal independence, I would like the following to be place for consideration:

1. Reasonable and customary fees paid to the Appraiser. This amount should be based on information received from the appraisal companies for fees received PRIOR to the HVCC. Current appraisal fees include the amount paid to the AMC and they have ranged from \$175 to \$200 per file leaving the appraiser with a reduction in their income. Prior to HVCC, and FHA Appraisal (In Franklin County OH) with the MC form added was \$425. The appraiser should be given their \$425 and the AMC should mark up the report by their fee thus increasing the burden to the consumer by the \$175 to \$200 fee.
2. The total fee for the appraisal report must be separated on the final HUD 1 Settlement Statement as a fee paid to the appraiser and a fee paid to the AMC. Since the AMC did not create the appraisal report, they should not be listed as Appraisal report fee.
3. AMC's are not allowed to "review" the appraisal report provided, unless that "reviewer" is a certified licensed appraiser with a minimum of 2 years of appraisal experience.
4. AMC's are to be whole and separate entities. AMC are not allowed to be owned, wholly, partly or in any manner(subsidiary, Affiliated Business, etc.) by a Financial Institution (Bank, Credit Union, etc.)
5. Appraisers are to be provided a contact and secure site for reporting violations of Appraisal Independence against AMC's, Banks, Mortgage Bankers, Credit Unions, Real Estate Agents, Lawyers, Mortgage Brokers.
6. Appraisal reports, ordered in compliance with Appraisal Independence are to be portable and accepted by all Lenders, Banks, Secondary Markets, Fannie, Freddie. If an originator ordered an appraisal by following the rule and Independence, and the appraiser certifies independence or the AMC has provided proof of separation, and the initial lending institution does not approve the loan and that loan is then submitted to another lending institution, the second lending institution is to accept the initial appraisal report. If the second lending institution requests an another appraisal report, the cost of the additional appraisal shall be at the lenders expense. That expense is not taken from the income of the originating lender (Mtg Banker, Mtg Broker) or charged to the consumer.
7. Appraisers are not "graded" or "tracked" by revision requests from an AMC. Most revision request are tracked and deemed to be an inferior appraiser and report. Revision requests have been for - misspelled words, fields with more than 50 characters, uw requesting clarification or comment, no aerial photo of the property, change in contract price after the appraisal report has been completed.
8. Appraisal orders are not to contain 7 pages of instructions. This adds to coercion as it implies that the person making the order is telling the

appraiser how to complete the report.

9. There is no need for a geographical market area for each AMC. Fair competition is better for the consumer.

10. Stop blaming the Mortgage Broker for the financial meltdown. We did not create the risky loans you keep pinning on us.

11. Why is the Mortgage Broker the only industry that has to disclose our income? Banks, Mortgage Bankers and Credit Unions should have to disclose their Service Release Premium and their total income as well.

12. All Loan Originators must pass the state and national licensing test under the SAFE Act and NMLS compliance. This is not just for Mortgage Brokers. Why do we have to pass the national test, state test, FBI Background check, National Fingerprints, credit report checks, 24 hours of pre licensing education and 8 hours of continuing education every year, plus all the fees? If I have to do it, so should everyone including bank employees.

I'm available for direct conversation regarding these issues.

Mark Vogel  
Mortgage Corp. of Ohio