

HUD Form Updates 2010

What is a HUD-1?

A HUD-1 is the form used for the settlement statement. This form identifies and discloses all the charges applicable due to the transfer or refinance of the property. It also allows for adjustments or proration of expenses paid for the property over time (e.g. water bills, tax bills, homeowner association fees, condominium fees and other assessments). All closing costs are represented on this statement to identify the bottom line paid for the property by the buyer and the bottom line received by the seller.

1. The New HUD effective date was January 16, 2009, but it is not required to be used until January 1, 2010.
2. One of the primary purposes of the new HUD is to improve upfront disclosures on the GFE (Good Faith Estimate), and limit the amount estimated charges can change. It is anticipated that these changes will help consumers save nearly \$700 in closing costs.
3. The new RESPA Rule includes a provision for a prescribed Form GFE which is three pages long.
4. RESPA requires that only the borrower receive a GFE. Charges typically paid by the borrower must be disclosed on the GFE regardless of whether the charges will be paid for by the borrower, the seller, or other party. However, charges not paid by the buyer, and not typically paid by the buyer, do not need to be included on the borrower's GFE.
5. To help borrowers compare their GFE with their HUD-1 Settlement Statement, each designated line on the final HUD will now include a reference to the relevant line from the GFE.
6. The new HUD will also require lender payments to mortgage brokers (Yield Spread Premiums) to be disclosed in a more meaningful way.
7. Loan originators will be required to provide borrowers their GFE three days after the loan originator's receipt of all necessary information.
8. HUD will allow lenders and settlement service providers to correct potential violations of RESPA's new disclosure and tolerance requirements. Lenders and settlement service providers will now have 30 days from the date of closing to correct errors or violations and repay consumers any overcharges.
9. Sections of the HUD that have significantly changed: 800, 1100, 1200.

As this is a general overview of the HUD changes,
contact your Ticor Escrow Officer for more information.

