

Exhibit D

Instructions Page

Purpose

PFI's delivering loans under the MPF® Program must use this exhibit to determine a mortgage loan's eligibility in accordance with MPF Program Guide Chapter 7.

Preparation

- **When:** The PFI must use this exhibit prior to delivering a mortgage loan to determine if the loan meets MPF Program eligibility requirements for anti-predatory lending.
- **Who:** This exhibit should be used by an employee of the PFI who has responsibilities that would cause such individual to be knowledgeable of the facts and processes needed to determine a mortgage loan's eligibility.
- **How:** This exhibit should be used as a job-aid. It is not required to be submitted.

Additional Guidance

Please contact the MPF Service Center by using one of the following options for any questions or assistance with this Exhibit:

- [MPF Customer Service Portal](#)
- Email: MPF-Help@fhlbc.com
- Phone: (877) 345-2673

Helpful Hints

- Any loans that are eligible per this exhibit must be submitted for Loan Presentment (Form OG3) using the appropriate predatory lending category code.

Anti-Predatory Lending Category

The PFI must use the anti-predatory lending categories below to determine if a loan is eligible for delivery under the MPF Program.

Standard & Poor's High Cost Loan Categorization

Loans in this category are not eligible for delivery under the MPF Program

State/Jurisdiction	Name of Anti-Predatory Lending Law/Effective Date	Category under Applicable Law
HOEPA Section 32	Home Ownership and Equity Protection Act of 1994, 15 U.S.C. § 1639, 12 C.F.R. §§ 226.32 and 226.34. Effective October 1, 1995, amendments October 1, 2002	High Cost Loan
Arkansas	Arkansas Home Loan Protection Act, Ark. Code Ann. §§ 23-53-101 et seq. Effective July 16, 2003	High Cost Home Loan
Cleveland Heights, OH	Ordinance No. 72-2003 (PSH), Mun. Code §§ 757.01 et seq. Effective June 2, 2003	Covered Loan
Colorado	Consumer Equity Protection, Colo. Stat. Ann. §§ 5-3.5-101 et seq. Effective for covered loans offered or entered into on or after January 1, 2003. Other provisions of the Act took effect on June 7, 2002	Covered Loan
Connecticut	Connecticut Abusive Home Loan Lending Practices Act, Conn. Gen. Stat. §§ 36a-746 et seq. Effective October 1, 2001	High Cost Home Loan

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State/Jurisdiction	Name of Anti-Predatory Lending Law/ Effective Date	Category under Applicable Law
District of Columbia	Home Loan Protection Act, D.C. Code §§ 26-1151.01 et seq. Effective for loans closed on or after January 28, 2003	Covered Loan
Florida	Fair Lending Act, Fla. Stat. Ann. §§ 494.0078 et seq. Effective October 2, 2002	High Cost Home Loan
Georgia (Oct 1, 2002 – Mar 6, 2003)	Georgia Fair Lending Act, Ga. Code Ann. §§ 7-6A-1 et seq. Effective October 1, 2002 – March 6, 2003	High Cost Home Loan ('not ratable' as defined in MPF Program Guide Chapter 7.6.1)
Georgia as amended (Mar 7, 2003 – current)	Georgia Fair Lending Act, Ga. Code Ann. §§ 7-6A-1 et seq. Effective for loans closed on or after March 7, 2003	High Cost Home Loan
Illinois	High Risk Home Loan Act, Ill. Comp. Stat. tit. 815, §§ 137/5 et seq. Effective January 1, 2004 (prior to this date, regulations under Residential Mortgage License Act effective from May 14, 2001)	High Risk Home Loan
Indiana	Indiana Home Loan Practices Act, Ind. Code Ann. §§ 24-9-1-1 et seq. Effective for loans originated on or after January 1, 2005; amended by 2005 HB 1179, effective July 1, 2005.	High Cost Home Loan ('not ratable', as defined in MPF Program Guide Chapter 7.6.1)
Kansas	Consumer Credit Code, Kan. Stat. Ann. §§ 16a-1-101 et seq. Sections 16a-1-301 and 16a-3-207 became effective April 14, 1999; Section 16a-3-308a became effective July 1, 1999	High Loan to Value Consumer Loan and; High APR Consumer Loan
Kentucky	2003 KY H.B. 287 – High Cost Home Loan Act, Ky. Rev. Stat. §§ 360.100 et seq. Effective June 24, 2003	High Cost Home Loan

Anti-Predatory Lending Category

Standard & Poor's High Cost Loan Categorization

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State/Jurisdiction	Name of Anti-Predatory Lending Law/ Effective Date	Category under Applicable Law
Maine	Truth in Lending, Me. Rev. Stat. tit. 9-A, §§ 8-101 et seq. Effective September 29, 1995 and as amended from time to time	High Rate High Fee Mortgage
Maine	Truth in Lending, Me. Rev. Stat. tit. 9-A, §§ 8-103 et seq. Effective January 1, 2008 and as amended from time to time	Rate Spread Home Loan
Massachusetts	Part 40 and Part 32, 209 C.M.R. §§ 32.00 et seq. and 209 C.M.R. §§ 40.01 et seq. Effective March 22, 2001 and amended from time to time	High Cost Home Loan
Massachusetts	Massachusetts Predatory Home Loan Practices Act Mass. Gen. Laws ch 183C, § 1 et seq. Effective November 7, 2004	High Cost Home Mortgage Loan ('not ratable', as defined in MPF Program Guide Chapter 7.6.1)
Nevada	Nev. Rev. Stat. §§ 598D.010 et seq.	Home Loan
New Jersey	New Jersey Home Ownership Security Act of 2002, N.J. Rev. Stat. §§ 46:10B-22 et seq. Effective for loans closed on or after November 27, 2003	High Cost Home Loan ('not ratable', as defined in MPF Program Guide Chapter 7.6.1)
New Mexico	Home Loan Protection Act, N.M. Rev. Stat. §§ 58-21A-1 et seq. Effective as of January 1, 2004; Revised as of February 26, 2004	High Cost Home Loan
New York	N.Y. Banking Law § 6-l Effective for applications made on or after April 1, 2003	High Cost Home Loan
New York	N.Y. Banking Law § 6-m Effective September 1, 2008	Subprime Home Loan

Anti-Predatory Lending Category

Standard & Poor's High Cost Loan Categorization

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State/Jurisdiction	Name of Anti-Predatory Lending Law/Effective Date	Category under Applicable Law
North Carolina	Restrictions and Limitations on High Cost Home Loans, N.C. Gen. Stat. §§ 24-1.1E et seq. Effective July 1, 2000 and as amended from time to time	High Cost Home Loan
North Carolina	Restrictions and Limitations on High Cost Home Loans, N.C. Gen. Stat. §§ 24-1.1E et seq. Effective January 1, 2008 and as amended from time to time	Rate Spread Home Loan
Ohio	H.B. 386 (codified in various sections of the Ohio Code), Ohio Rev. Code Ann. §§ 1349.25 et seq. Effective May 24, 2002	Covered Loan
Oklahoma	Consumer Credit Code (codified in various sections of Title 14A) Effective July 1, 2000; amended effective January 1, 2004	Subsection 10 Mortgage
Rhode Island	Rhode Island Home Loan Protection Act, R.I. Gen. Laws §§ 34-25.1-2 et. seq. Effective December 31, 2006	High Cost Home Loan ('not ratable', as defined in MPF Program Guide Chapter 7.6.1)
South Carolina	South Carolina High Cost and Consumer Home Loans Act, S.C. Code Ann. §§ 37-23-10 et seq. Effective for loans taken on or after January 1, 2004	High Cost Home Loan
Tennessee	Tennessee Home Loan Protection Act, Tenn. Code Ann. §§ 45-20-101 et. sec. Effective January 1, 2007	High Cost Home Loan
West Virginia	West Virginia Residential Mortgage Lender, Broker and Servicer Act, W. Va. Code Ann. §§ 31-17-1 et seq. Effective June 5, 2002	West Virginia Mortgage Loan Act Loan

Anti-Predatory Lending Category

Standard & Poor's Covered Loan Categorization (MPF Predatory Lending Code "CV")

Loans in this category are not eligible for delivery under the MPF Program

State/Jurisdiction	Name of Anti-Predatory Lending Law/Effective Date	Category under Applicable Law
Georgia (Oct 1, 2002 – Mar 6, 2003)	Georgia Fair Lending Act, Ga. Code Ann. §§ 7-6A-1 et seq. Effective October 1, 2002 – March 6, 2003	Covered Loan
New Jersey (Nov 27, 2003 – July 5, 2004)	New Jersey Home Ownership Security Act of 2002, N.J. Rev. Stat. §§ 46:10B-22 et seq. Effective November 27, 2003 – July 5, 2004	Covered Home Loan

Standard & Poor's Home Loan Categorization (MPF Predatory Lending Code "HL")

State/Jurisdiction	Name of Anti-Predatory Lending Law/Effective Date	Category under Applicable Law
Georgia (Oct 1, 2002 – Mar 6, 2003)*	Georgia Fair Lending Act, Ga. Code Ann. §§ 7-6A-1 et seq. Effective October 1, 2002 – March 6, 2003	Home Loan* ('not ratable' as defined in MPF Program Guide Chapter 7.6.1)
Maine*	Truth in Lending, Me. Rev. Stat. tit. 9-A, §§ 8-101 et seq. Effective January 1, 2008 and as amended from time to time	Residential Mortgage Loan; Subprime Mortgage Loan*
New Jersey	New Jersey Home Ownership Security Act of 2002, N.J. Rev. Stat. §§ 46:10B-22 et seq. Effective for loans closed on or after November 27, 2003	Home Loan
New Mexico	Home Loan Protection Act, N.M. Rev. Stat. §§ 58-21A-1 et seq. Effective as of January 1, 2004; Revised as of February 26, 2004	Home Loan
North Carolina	Restrictions and Limitations on High Cost Home Loans, N.C. Gen. Stat. §§ 24-1.1E et seq. Effective July 1, 2000; amended October 1, 2003 (adding open-end lines of credit)	Consumer Home Loan
South Carolina	South Carolina High Cost and Consumer Home Loans Act, S.C. Code Ann §§ 37-23- 10 et seq. Effective for loans taken on or after January 1, 2004	Consumer Home Loan

*Loans in this category are **not eligible for delivery** under the MPF Program

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