



October 7, 2015

To: Members of the United States House of Representatives

From: James Ballentine, Executive Vice President, Congressional Relations & Political Affairs

Re: Support H.R. 3192 – The Homebuyers Assistance Act

The American Bankers Association strongly supports H.R. 3192, the Homebuyers Assistance Act. This legislation will provide an official hold-harmless period until February 1, 2016, for those making a good-faith effort to comply with the Consumer Financial Protection Bureau's (CFPB) new TILA-RESPA Integrated Disclosure (TRID) rule, which became effective on October 3, 2015.

Recent reports have mischaracterized an important aspect of the bill, claiming that the bill will remove the private right of action for violations. This is not accurate. The bill only provides a safe harbor for good faith efforts at compliance to private rights of action up until Feb. 1 of 2016 which is exactly the same safe harbor given for regulatory actions. To gain the safe harbor for either regulatory or private rights of action, there must be a showing of good faith efforts at compliance.

While CFPB and the prudential regulators have indicated that they intend to enforce TRID compliance with an eye toward corrective rather than punitive action in the early months of transition, they are unable to provide similar treatment with regard to civil liability under the rules. H.R. 3192 provides a clear and consistent safe harbor for good faith efforts at compliance for both regulatory and civil actions. Borrowers in all parts of the nation will benefit from this legislation, ensuring that the transition to new rules proceeds without concerns over technical difficulties constraining credit or slowing the settlement process.

We urge you to support The Homebuyers Assistance Act.