

SPECIAL ALERT: CFPB PLANS TO PROPOSE TRID AMENDMENTS IN JULY

Director Cordray announced yesterday in a [letter to industry trade groups](#) that the CFPB has "begun drafting a Notice of Proposed Rulemaking (NPRM) on the Know Before You Owe Rule." However, contrary to some reports, the proposal is not imminent. Instead, Director Cordray stated that the Bureau "hope[s] to issue the NPRM in late July," which means that final amendments will likely come late in the year.

In addition, it does not appear that the CFPB is contemplating extensive changes to the rule. Instead, the letter states that the Bureau plans to "incorporat[e] some of the bureau's existing informal guidance, whether provided through webinar, compliance guide, or otherwise, into the regulation text and commentary" and to address "places in the regulation text and commentary where adjustments would be useful for greater certainty and clarity."

These amendments may be helpful insofar as they resolve ambiguities in the regulation and convert informal guidance into official interpretations that are binding on the CFPB and subject to a higher level of deference by the courts. It is not clear which issues the CFPB will address in the proposal or whether the Bureau will take up industry concerns about the limited ability of lenders to cure technical errors and the liability of purchasers of loans with such errors. However, Director Cordray did state that the Bureau "will arrange one or two meetings in late May or early June, but before the NPRM is issued, to discuss further with [the trade groups] the Know Before You Owe rule."

For additional information and resources on the TRID rule, please visit our [TRID Resource Center](#).

* * *

Questions regarding the matters discussed in this Alert may be directed to any of our lawyers listed below, or to any other BuckleySandler attorney with whom you have consulted in the past.

- [Benjamin K. Olson](#), (202) 349-7924
- [Clinton R. Rockwell](#), (310) 424-3901
- [Jeffrey P. Naimon](#), (202) 349-8030
- [John P. Kromer](#), (202) 349-8040
- [Joseph M. Kolar](#), (202) 349-8020
- [Jeremiah S. Buckley](#), (202) 349-8010
- [Joseph J. Reilly](#), (202) 349-7965
- [Amanda Raines Lawrence](#), (202) 349-8089
- [Melissa Klimkiewicz](#), (202) 349-8098
- [Jonathan W. Cannon](#), (310) 424-3903
- [Brandy A. Hood](#), (202) 461-2911
- [Steven vonBerg](#), (202) 524-7893