

# Loan Delivery Information for Qualified Mortgage (QM) Edits

## **Updated December 14, 2023**

As a reminder, Fannie Mae does not use our systems to enforce compliance with industry regulations and applicable law. Instead, we rely on our lenders' representations and warranties with regard to compliance with applicable law as outlined in the Selling Guide. Lenders should check with their legal counsel on how to comply with the Revised QM Rule.

<u>Lender Letter LL-2021-11</u> reminded lenders of the current requirement to deliver a number of data elements related to Qualified Mortgage (QM) in the Uniform Closing Dataset (UCD) file (submitted to us at or before loan delivery), including the method by which the creditor satisfied the Ability to Repay (ATR) requirements or reason for exemption, the Annual Percentage Rate (APR) and Average Prime Offer Rate (APOR) percentages, and points and fees.

We utilize the UCD and Uniform Loan Delivery Dataset (ULDD) (aligned with Freddie Mac), as provided, to perform the checks at time of delivery/purchase. See the Business Rule section below for details on edits.

Loan eligibility APR-APOR thresholds and points and fees requirements per the Lender Letter (allowable loan amounts and values may change each year – review the Consumer Finance Protection Bureau (CFPB) site for the latest information) are listed below:

#### 2024 Loan Amounts and Value Thresholds - Based on Note Date

Regulation Z Section	Eligibility Criteria	Current Selling Guide Requirements		
1026.43(e)(2)(iii)	Points and	ATR Covered loans (Loan Delivery edits C87 and C88):		
fees		Original Loan Amount	Max Allowable Points and Fees	
		less than \$16,308	8%	
		greater than or equal to \$16,308 and less than \$26,092	\$1,305	
		greater than or equal to \$26,092 and less than \$78,277	5%	
		greater than or equal to \$78,277 and less than \$130,461	\$3,914	
		greater than or equal to \$130,461	3%	
		Exempt loans (Loan Delivery edit C47): 5% of the total loan	n amount	



Regulation Z Section	Eligibility Criteria	Current Selling Guide Requirements		
1026.43(e)(2)(vi)	Annual Percentage Rate- Average	ATR Covered loans: The loan's APR cannot exceed the tables below:  First-lien covered transaction (Loan Delivery edit C85 for ARM loans, C90 and C97 for short term ARMs):	, ,	
	Prime Offer Rate (APR- APOR)	Original Loan Amount	Max Allowable Spread	
	Spread*	less than \$78,277	6.5000%	
		greater than or equal to \$78,277 less than \$130,461	3.5000%	
		greater than or equal to \$130,461	2.2500%	
		First-lien covered transaction secured by a manufactur edit C86 for Fixed Rate loans, C95 for ARM loans, C91 (ARMs):	and C98 for short term	
		Original Loan Amount	Max Allowable Spread	
		less than or equal to \$130,461	6.5000%	
		greater than \$130,461	2.2500%	
		<b>Exempt loans:</b> The loan's APR cannot exceed the APOR calculated in accordance with the Revised General QM <i>edit C52 for Fixed Rate loans, C96 for ARM loans, C92 (ARMs)</i> .	rule in TILA. ( <i>Loan Delivery</i>	
		*For short term ARMs, lenders must calculate the APR under that could apply during the first five years after the provide that value in the new UCD field gse:QualifiedMortgageShortResetARM_APRPercent'.	•	



## **Business Rules for Loan Delivery and EarlyCheck**

The edits validate that the data related to the APR-APOR thresholds and points and fees provided in UCD meets the requirements outlined in the Lender Letter. When lenders are researching loans impacted by these new edits, we recommend that you contact your closing team who submitted the UCD data or the correspondent that submitted the UCD data for assistance in validating that the data in the UCD submission is correct.

- If the data points are incorrect in UCD
  - o Update the data in your system that creates the UCD XML file and re-submit the UCD XML file in the UCD Collection Solution
  - o Re-run the edits in the Loan Delivery Application. The fatal edit(s) should be resolved
- If all the data points are correct in UCD
  - o If you continue receiving the fatal edits in Loan Delivery, the loan **is not eligible** for delivery

When validating the UCD data for the edits, verify the following applicable data points are correct in the UCD XML file:

- AbilityToRepayExemptionReasonTyp AveragePrimeOfferRatePercent
  - CurrentRateSetDate
- RegulationZTotalLoanAmount Regulation ZTotal Points And Fees Amo

- AbilityToRepayMethodType
- LienPriorityType

AmortizationType

**APRPercent** 

- LoanPurposeType
- MortgageType

 gse:QualifiedMortgageShortResetAR M APRPercent'

**NOTE:** Additional Data elements to review when validating UCD data

- AutomatedUnderwritingSystemType
- AutomatedUnderwritingSystemTypeOtherDescription
- LoanManualUnderwritingIndicator

**NOTE:** There is the potential that this edit could also fire in EarlyCheck<sup>™</sup> when submitting a MISMO 3.0 ULDD file format, the steps to resolve the issue are the same as above.

#### **Exempt Loans**

If a loan is considered Exempt from Regulation Z's Ability to Repay (ATR) requirements, the file should be submitted in UCD with the following data points if the loan is classified as Exempt:

- AbilityToRepayMethodType=Exempt
- AbilityToRepayExemptionReasonType=PropertyUsage or LoanProgram

**NOTE:** Use PropertyUsage for investment properties, use LoanProgram for Housing Finance Agency (HFA).

**NOTE:** As of March 1, 2022, single-closing construction-to-permanent loans must meet QM requirements and may require an update to the UCD submission if a modification impacts QM data points (i.e., APR, Average Prime Offer Rate, Note Amount, etc.).



## **APR-APOR Spread Edits**

The following edits are in Loan Delivery and EarlyCheck.

The Loan Delivery edits will calculate the spread based on the APR and APOR values submitted in the UCD casefile. Providing a value of zero for the APOR datapoint in UCD may result in the Loan Delivery edit being issued (if the calculated spread (APR-APOR) is above the allowable threshold). The applicable APOR value should be provided in the UCD file and resubmitted in UCD (contact your closing team or correspondent that submitted the UCD data for assistance if needed). If you need further assistance, contact the UCD Mailbox.

**NOTE:** For short term ARM loans, lenders must calculate the APR using the maximum interest rate that could apply during the first five years after the first payment is due and provide that value in the new UCD field gse:QualifiedMortgageShortResetARM\_APRPercent. The gse:QualifiedMortgageShortResetARM\_APRPercent minus the APOR is the calculation that will be used to calculate the spread value for all short-term ARM loans submitted on or after May 1, 2023 in UCD.

Edit No.	Loan Delivery Edit Feedback Message	EarlyCheck	Corresponding UCD Edit
C52 for Fixed Rate loans, C96 for ARM loans, C92 and C99 for short term ARMs	The data provided in UCD indicates this loan is exempt from Qualified Mortgage requirements. An APR spread greater than 6.5% is not permitted for Conventional, First Lien loans exempt from QM requirements. Validate the data in UCD and LD to ensure accuracy. Refer to the Loan Delivery Qualified Mortgage (QM) Edit job aid for further assistance.	MISMO 3.0 file only	There are no 1 to 1 edits that correspond to this edit in UCD. The underlying datapoints are being used by Loan Delivery and are enforced as part of the Phase 1 UCD Critical Edit Mandates. Lenders will need to Verify the data in the UCD data submission for accuracy
2021/2022 C53/C74 2023/2024 C85 for Fixed Rate C94 for ARM loans C97 for short term ARMs submitted to UCD prior to 5/1/2023	The data provided in UCD indicates this loan must meet Qualified Mortgage requirements. The APR spread is greater than the allowed APR spread for the Original Loan Amount provided for this Conventional, First Lien Qualified Mortgage. Validate the APR and APOR in UCD to ensure accuracy. Refer to the Loan Delivery Qualified Mortgage (QM) Edit job aid for further assistance.	MISMO 3.0 file only	
2021/2022 C54/C75 2023/2024 C86 for Fixed Rate C95 for ARM loans	The data provided in UCD indicates this loan must meet Qualified Mortgage requirements. The APR spread is greater than the allowed APR spread for the Original Loan Amount provided for this Conventional, First Lien, Manufactured Home Qualified Mortgage. Validate the APR and APOR in UCD to ensure accuracy.	MISMO 3.0 file only	



Edit No.	Loan Delivery Edit Feedback Message	EarlyCheck	Corresponding UCD Edit
C98 for	Refer to the Loan Delivery Qualified		
short term	Mortgage (QM) Edit job aid for further		
ARMs	assistance.		
submitted			
to UCD prior			
to 5/1/2023			
C90 for	The data provided in UCD indicates this	MISMO 3.0 file	
short term	loan must meet Qualified Mortgage	only	
ARMs with	requirements. The APR spread is greater		
UCD	than the allowed APR spread for the		
submissions	Original Loan Amount and Note Rate		
on or after	provided for this Conventional, First Lien		
5/1/23	Qualified Mortgage. Validate the Short		
	Reset ARM APR of ( Loan Qualified		
	Mortgage Short Reset ARM APR Percent )		
	and the APOR of ( UCD Average Prime Offer		
	Rate Percent ) in UCD to ensure accuracy.		
	Refer to the Loan Delivery Qualified		
	Mortgage (QM) Edits job aid for further		
	assistance.		
C91 for	The data provided in UCD indicates this	MISMO 3.0 file	
short term	loan must meet Qualified Mortgage	only	
ARMs with	requirements. The APR spread is greater		
UCD	than the allowed APR spread for the		
submissions	Original Loan Amount and Note Rate		
on or after	provided for this Conventional, First Lien,		
5/1/23	Manufactured Home Qualified Mortgage.		
	Validate the Short Reset ARM APR of ( Loan		
	Qualified Mortgage Short Reset ARM APR		
	Percent ) and the APOR of ( UCD Average		
	Prime Offer Rate Percent ) in UCD to		
	ensure accuracy. Refer to the Loan		
	Delivery Qualified Mortgage (QM) Edits job		
	aid for further assistance.		
C93	Loan Qualified Mortgage Short Reset ARM	MISMO 3.0 file	UCD edit 3671: For ARM loans
	APR Percent is required at the time of	only	with a first interest rate change
	closing for UCD short reset ARM mortgages		within the first 5 years after the
	with a first-rate change within the first five		date on which the first regular
	years. Please validate the value on the		periodic payment is due, the
	closing disclosure and re-run eligibility.		Qualified Mortgage Short Reset
			ARM APR Percent must be
			provided.
			p



**NOTE:** The APR-APOR calculations in the Loan Delivery edits are based off the APR and APOR data provided in the UCD submission and the original loan amount in Loan Delivery. The Loan Delivery data point HMDA Rate Spread (SID 208) is not used.

#### **Total Points and Fees Edits**

The following edits are in Loan Delivery and EarlyCheck.

**NOTE:** The edits use the original loan amount provided in Loan Delivery for the original loan amount range. The Regulation Z Total Loan Amount is used from UCD in the calculation for the max allowable Points and Fees amount. The Regulation Z Total Loan Amount is calculated by the Original Loan Amount/Note Amount minus the finance charges and therefore, it should not exceed the Original Loan Amount/Note Amount.

Edit No.	Loan Delivery Edit Feedback Message	EarlyCheck	Corresponding UCD Edit
C47	The data provided in UCD indicates this loan is exempt from Qualified Mortgage requirements. A Calculated Regulation Z Total Points and Fees Amount of greater than 5% of the Regulation Z Total Loan Amount is not permitted for loans exempt from QM requirements. Validate the data in UCD and LD to ensure accuracy. Refer to the Loan Delivery Qualified Mortgage (QM) Edits job aid for further assistance.	MISMO 3.0 file only	There are no 1 to 1 edits that correspond to this edit in UCD. The underlying datapoints are being used by Loan Delivery and are enforced as part of the Phase 1 UCD Critical Edit Mandates. Lenders will need to Verify the data in the UCD data submission for accuracy
C48/C76/C87	The data provided in UCD indicates this loan must meet Qualified Mortgage requirements. A calculated Points And Fees percentage (based on the UCD Regulation Z Total Points and Fees Amount divided by the Regulation Z Total Loan Amount) is greater than allowed for the applicable Original Loan Amount under Qualified Mortgage regulations. Validate the data in UCD and LD to ensure accuracy. Refer to the Loan Delivery Qualified Mortgage (QM) Edits job aid for further assistance.	MISMO 3.0 file only	
C49/C77/C88	The data provided in UCD indicates this loan must meet Qualified Mortgage requirements. A provided Regulation Z Total Points and Fees Amount is greater than allowed for the applicable Loan Amount under Qualified Mortgage regulations is not allowed for loans that must meet QM requirements. Validate the data in UCD and LD to ensure accuracy. Refer to the Loan Delivery Qualified	MISMO 3.0 file only	



Edit No.	Loan Delivery Edit Feedback Message	EarlyCheck	Corresponding UCD Edit
	Mortgage (QM) Edits job aid for further		
	assistance.		

## **Edit Updates for Uniform Closing Dataset (UCD) Closing Solution**

The following UCD edits transitioned to fatal severity on 7/31/2021 in the UCD Closing Solution application, as part of the UCD Phase 1 critical edits. The edits enforce the requirement to deliver a number of data elements related to QM in the UCD file, including the method by which the creditor satisfied the ATR requirements or reason for exemption, the APR and APOR percentages, and points and fees. These QM related fields are now used in the Loan Delivery business rules.

We recommend Fannie Mae sellers contact their closing team who submitted the UCD data or the correspondent that submitted the UCD data for assistance in validating the data in UCD submission is correct.

UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
3015	Annual Percentage Rate is required and must be greater than 0.0%. Data must be numeric up to 3 digits, with up to 4 decimal places.	APRPercent	The annual percentage rate for the loan based on the accepted industry standard defined by Regulation Z (Section 12 C.F.R. 1026.18(e)) used for Qualified Mortgages and general disclosure purposes.	Must Exist
3026	Ability to Repay Method Type is required and must be a valid enumeration.	AbilityToRepayMet hodType	Specifies the method by which the creditor satisfied Regulation Z Ability-to-Repay requirements.	Must exist and be one of the following Enumerations  "General" - A loan made subject to Regulation Z general Ability-to-Repay standards.  "Exempt" - A loan that is exempt from Regulation Z Ability-to-Repay requirements.
3027	Average Prime Offer Rate Percent is required and must be greater than 0.0%. Data must be numeric up to 3 digits, with up to 4 decimal places.	AveragePrimeOffer RatePercent	An annual percentage rate that is derived from average interest rates, points, and other loan pricing terms currently offered to consumers by a representative sample of creditors for mortgage transactions that have lowrisk pricing characteristics.	Must Exist



UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
			The Federal Reserve Board publishes average prime offer rates for a broad range of types of transactions in a table updated at least weekly. This rate is used in determining Higher Priced Mortgage Loans (HPML).	
3029	Regulation Z Total Loan Amount is required and must be greater than 0.0%. Data must be numeric up to 9 digits, with up to 2 decimal places.	RegulationZTotalLo anAmount	The total loan amount, expressed in dollars, calculated in accordance with Regulation Z, Truth in Lending. This amount is used in calculations for both Qualified Mortgage and HOEPA.	Must Exist
3030	Current Rate Set Date is required. Provide the data in the YYYY-MM-DD format.	CurrentRateSetDate	Date on which the interest rate for the loan was set by the lender for the final time before closing.	Must exist
3122	If Ability to Repay Method Type equals Exempt, then Ability to Repay Exemption Reason Type is required and must be a valid enumeration.	AbilityToRepayExe mption ReasonType AbilityToRepayMet hodType	Specifies the reason that transaction is exempt from Regulation Z Ability-To-Repay requirements.	AbilityToRepayMethodType = "Exempt" then provide one of the following values  "LoanProgram" - Indicates that transaction is exempt from Regulation Z ability- to-repay requirements because the loan program is exempt from requirements  "PropertyUsage" - Indicates that transaction is exempt from Regulation Z ability-to-repay requirements because the occupancy type for the property is exempt from requirements



UCD Edit	UCD Edit Feedback	Associated Data Point(s)	MISMO definition	Resolution
ID	Message			
3123	If Regulation Z Excluded Bona Fide Discount Points indicator is true, then Loan Price Quote Interest Rate Percent is required and must be greater than 0.0%. Data must be numeric up to 3 digits, with up to 4 decimal places.	LoanPriceQuoteInte restRatePercent RegulationZExclude dBonaFideDiscount PointsIndicator	The mortgage loan interest rate for which the price quote is calculated.	Must Exist
3125	If Loan Discount Points is greater than zero, then Regulation Z Excluded Bona Fide Discount Points Indicator is required. Provide the data as true or false.	FeeType FeeTotalPercent RegulationZExclude dBonaFideDiscount PointsIndicator	When true, indicates that excluded bona fide discount points were charged for this loan.	If Discount point exist and are greater than zero, provide a value of TRUE or FALES for Regulation Z Excluded Bona Fide Discount Points Indicator
3126	If Regulation Z Excluded Bona Fide Discount Points Indicator is true, then Regulation Z Excluded Bona Fide Discount Points Percent is required and must be greater than 0. Data must be numeric up to 3 digits with up to 4 decimal places.	RegulationZExclude dBonaFideDiscount PointsPercent RegulationZExclude dBonaFideDiscount PointsIndicator	The bona fide discount points, expressed as a percent, that are excluded from points and fees calculated in accordance with Regulation Z, Truth in Lending.	Must Exist
3128	Regulation Z Total Points and Fees Amount is required. Enter	RegulationZTotalPo intsAndFeesAmoun t RegulationZExclude	The total amount of points and fees, expressed in dollars, calculated in accordance with Regulation	Must Exist



UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
	the total points and fees excluding bona fide discount points. Data should be numeric up to 9 digits, with up to 2 decimal places and cannot be negative.	dBonaFideDiscount PointsIndicator	Z, Truth in Lending. This amount is used in calculations for both Qualified Mortgage and HOEPA purposes.	
3311	Regulation Z Total Affiliate Fees Amount is required and must be greater than or equal to 0. Data must be numeric up to 9 digits, with up to 2 decimal places.	RegulationZTotalAff iliateFeesAmount	The total amount of fees, expressed in dollars, paid to an affiliate(s) of the creditor.	Must Exist

The following UCD edits transitioned to fatal severity on 5/1/2023 in the UCD Closing Solution application, as part of the UCD Phase 3a critical edits. The edits enforce the requirement to deliver the short-term ARM data elements related to QM.

UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
3670	When Amortization Type is equal to "Adjustable Rate" the First Rate Change Months Count must be provided.	FirstRateChangeMo nthsCount	The number of months after origination in which the first interest rate adjustment occurs, if the interest rate on the subject loan can change.	Must Exist
3671	For ARM loans with a first interest rate change within the first 5 years, the Qualified Mortgage Short Reset ARM APR	gse:QualifiedMortg ageShortResetARM _APRPercent	The annual percentage rate for the loan based on the accepted industry standard defined by Regulation Z (Section 12 C.F.R. § 1026.43(e)(2)(iv)) used for QMs that have an interest rate change within the first	Must Exist



UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
	<b>Percent</b> must be provided.		five years after the date on which the first regular periodic payment is due (e.g., 3/6 and 5/6 SOFR-indexed ARMs).	
3672	For ARM loans with a first interest rate change within the first 5 years, the Qualified Mortgage Short Reset ARM APR Percent must be greater than 0%.	gse:QualifiedMortg ageShortResetARM _APRPercent	The annual percentage rate for the loan based on the accepted industry standard defined by Regulation Z (Section 12 C.F.R. § 1026.43(e)(2)(iv)) used for QMs that have an interest rate change within the first five years after the date on which the first regular periodic payment is due (e.g., 3/6 and 5/6 SOFR-indexed ARMs).	Must be greater than 0.
3673	For ARM loans with a first interest rate change within the first 5 years, the Qualified Mortgage Short Reset ARM APR Percent cannot be a negative value.	gse:QualifiedMortg ageShortResetARM _APRPercent	The annual percentage rate for the loan based on the accepted industry standard defined by Regulation Z (Section 12 C.F.R. § 1026.43(e)(2)(iv)) used for QMs that have an interest rate change within the first five years after the date on which the first regular periodic payment is due (e.g., 3/6 and 5/6 SOFR-indexed ARMs).	Must not be negative.

The following UCD edits have a warning severity in the UCD Closing Solution application.

UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
3317	The Regulation Z Total Points and Fees Amount provided is	RegulationZTotalPoi ntsAndFeesAmount	The total amount of points and fees, expressed in dollars, calculated in accordance with Regulation Z, Truth in Lending.	Must Exist



UCD Edit ID	UCD Edit Feedback Message	Associated Data Point(s)	MISMO definition	Resolution
	\$0.00. Validate the amount to ensure the accuracy of the value provided. For additional information on the Regulation Z Total Points and Fees Amount contact your Compliance Team.		This amount is used in calculations for both Qualified Mortgage and HOEPA purposes.	

### **Additional Resources**

- FAQs: Loan Eligibility Under the Revised QM Definition
- Loan Delivery Release Notes
- Loan Delivery Business Rules Dictionary (login required)
- <u>UCD Critical Edits Transition Resources</u>
- Ask Poli Selling



## **Appendix - Previous Thresholds**

## 2023 Loan Amounts and Value Thresholds - Based on Note Date

Regulation Z Section	Eligibility Criteria	Current Selling Guide Requirements		
1026.43(e)(2)(iii)	Points and fees	ATR Covered loans (Loan Delivery edits C87 and C88):		
		Original Loan Amount	Max Allowable Points and Fees	
		less than \$15,541	8%	
		greater than or equal to \$15,541 and less than \$24,866	\$1,243	
		greater than or equal to \$24,866 and less than \$74,599	5%	
		greater than or equal to \$74,599 and less than \$124,331	\$3,730	
	Annual Percentage Rate- Average Prime Offer Rate (APR- APOR) Spread*	greater than or equal to \$124,331	3%	
		Exempt loans (Loan Delivery edit C47): 5% of the total loan amount		
		First-lien covered transaction (Loan Delivery edit C85 for Fixed Rate loans, C94 for ARM loans, C90 and C97 for short term ARMs):  Original Loan Amount  Max		
			Allowable Spread	
		less than \$74,599	6.5000%	
		greater than or equal to \$74,599 less than \$124,331	3.5000%	
		greater than or equal to \$124,331	2.2500%	
		First-lien covered transaction secured by a manufactured home ( <i>Loan Delivery edit C86 for Fixed Rate loans, C95 for ARM loans, C91 and C98 for short term ARMs</i> ):		
		Original Loan Amount	Max Allowable Spread	
		less than or equal to \$124,331	6.5000%	
		greater than \$124,331	2.2500%	



Regulation Z Section	Eligibility Criteria	Current Selling Guide Requirements
		<b>Exempt loans:</b> The loan's APR cannot exceed the APOR by 6.5000% or more calculated in accordance with the Revised General QM rule in TILA. ( <i>Loan Delivery edit C52 for Fixed Rate loans, C96 for ARM loans, C92 and C99 for short term ARMs</i> ).
		*For short term ARMs, lenders must calculate the APR using the maximum interest rate that could apply during the first five years after the first payment is due and provide that value in the new UCD field gse:QualifiedMortgageShortResetARM_APRPercent'.