



The CFPB issued a blog post this week regarding the September 23rd 2022, court order vacating the 2020 Home Mortgage Disclosure Act (HMDA) Final Rule which brought the threshold for reporting data on closed-end mortgage loans back to 25 loans (rather than 100 loans set by the 2020 HMDA Final Rule) in each of the two preceding calendar years.

Specifically, the CFPB stated 'The CFPB recognizes that financial institutions affected by this change may need time to implement or adjust policies, procedures, systems, and operations to come into compliance with their reporting obligations. In these limited circumstances, in allocating the CFPB's enforcement and supervisory resources, the CFPB does not view action regarding these institutions' HMDA data as a priority. Thus, the CFPB does not intend to initiate enforcement actions or cite HMDA violations for failures to report closed-end mortgage loan data collected in 2022, 2021, or 2020 for institutions subject to the CFPB's enforcement or supervisory jurisdiction that meet Regulation C's other coverage requirements and originated at least 25 closed-end mortgage loans in each of the two preceding calendar years but fewer than 100 closed-end mortgage loans in either or both of the two preceding calendar years.'

From this information, although the CFPB has not specifically said how to handle HMDA going forward, we are suggesting our clients calculate how many HMDA reportable closed-end mortgage loans they originated in 2021 and 2022. If your bank originated at least 25 in each year, we suggest you begin to collect HMDA data starting January 1, 2023.

Keep in mind the other aspects of the institutional coverage criteria. If your institution is exempt for any of the other reasons, we believe you will continue to be exempt from HMDA reporting.

You can access the institutional coverage charts and other helpful HMDA-related information from the CFPB [here](#).

We know this is not great news for a lot of you. CCI does offer HMDA scrubs as well as one on one coaching if you will be appointing new staff to HMDA. You can reach out to us for more information.

