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New Mortgage Rules Already Leaving Mark on 2015

It's late December-- time for every piece of news and analysis to begin with some reflection on the preceding year. There's a formula here: 2015 was a year of _____ for _____. The **first blank** is the phenomenon. The **second blank** is who or what experienced the phenomenon.

Let's apply this formula and conclude that 2015 was a year of **transition** for the mortgage and housing industries. Even the very core of the global financial system was in transition if we consider the fact that the year ended with the first Fed rate lift-off in more than 10 years.

Mortgage rates conveyed their own transition by ending the year almost perfectly flat. In stark contrast, 2014 was a year of pervasive movement, with rates starting at the highs of the year and ending at the lows. Whether we're transitioning **back** toward higher rates or simply to a **new reality** of "lower for longer" remains to be seen.

The operational side of the industry was also in heavy transition mode right through the end of the year. Everyone that touches a mortgage transaction has had to adjust to the **TILA/RESPA Integrated Disclosure (TRID) rules**. Different companies are handling this in different ways, and some are doing such a good job that their clients wouldn't sense much of a change. On average though, TRID comes with noticeable growing pains.

Leaving aside the fairly futile debate on whether **TRID does much to help protect consumers**, we can easily observe its other effects--namely, it's causing significant delays. Keep in mind, even an increase of 4-5 days is "significant" when it comes to the average processing time for loans across the entire industry.

Not only does time cost money in terms of locking rates and per diem interest, but the delays officially cost the month of November the **3rd biggest drop in Existing Home Sales since 1980**. The 1st and 2nd biggest drops were seen in the months following the two expirations of the homebuyer tax credits implemented to help buoy the shell-shocked housing market in late 2009 and mid-2010. Double digit month-over-month declines only happen for big, salient reasons.

National Average Mortgage Rates



	Rate	Change	Points
Mortgage News Daily			
30 Yr. Fixed	6.89%	0.00	0.00
15 Yr. Fixed	6.33%	+0.01	0.00
30 Yr. FHA	6.33%	+0.01	0.00
30 Yr. Jumbo	7.05%	0.00	0.00
5/1 ARM	6.58%	0.00	0.00

Freddie Mac

30 Yr. Fixed	6.77%	-0.09	0.00
15 Yr. Fixed	6.05%	-0.11	0.00

Rates as of: 7/22

Market Data

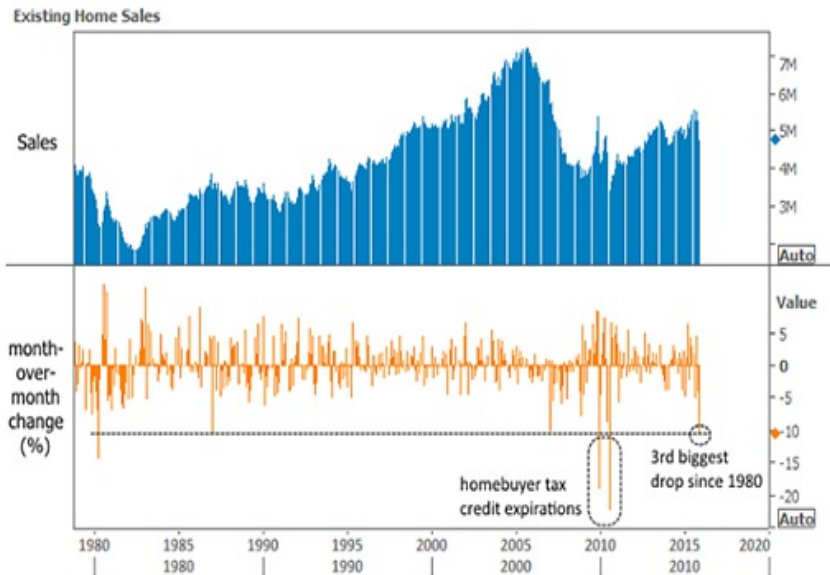
	Price / Yield	Change
MBS UMBS 5.5	99.49	+0.10
MBS GNMA 5.5	99.90	+0.12
10 YR Treasury	4.2325	-0.0200
30 YR Treasury	4.4542	-0.0183

Pricing as of: 7/23 9:02AM EST

Recent Housing Data

		Value	Change
Mortgage Apps	Jul 10	206.1	-0.19%
Building Permits	Mar	1.46M	-3.95%
Housing Starts	Mar	1.32M	-13.15%
New Home Sales	Mar	693K	+4.68%
Pending Home Sales	Feb	75.6	+1.75%
Existing Home Sales	Feb	3.97M	-0.75%
Builder Confidence	Mar	51	+6.25%

Existing Home Sales **never decline this much “just because.”** November’s double digit drop may owe itself to more than one factor, but the only way to reconcile the size of the move is with the TRID-induced delays. Because of the structure of the new rules, processing times will continue to be slightly longer in general, even if they decrease a bit as the industry gets more familiar with them.



New Home Sales also missed the mark in November, though not by nearly as much. The downward revision to October’s numbers was fairly big, taking the annualized pace from 495 million to 470 million.

Remember when the high percentage of “all-cash” sales was shocking and enlightening? The total percentage has come down quite a bit in 2015, but some states are still **pretty close to a 50% share** according to CoreLogic.

In terms of nitty gritty market action, these holiday weeks are almost always duds. This one is no exception. Mortgage rates had been paradoxically moving lower following the Fed rate hike, but moved to the **highest levels in 5 months** by Wednesday. Trading levels in bond markets didn’t exactly justify that much of a move, but lenders tend to price conservatively on holiday-shortened weeks—especially toward the end of them.

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Recent Economic Data

Date	Event	Actual	Forecast	Prior
Tuesday, Dec 22				
10:00AM	Nov Exist. home sales % chg (%)	-10.5	0.0	-3.4
10:00AM	Nov Existing home sales (ml)	4.76	5.35	5.36
Wednesday, Dec 23				
7:00AM	w/e Mortgage Refinance Index	1764.0		1592.7
7:00AM	w/e MBA Purchase Index	230.8		221.7
8:30AM	Nov Durable goods (%)	0.0	-0.6	2.9
8:30AM	Nov PCE price index mm (%)	0.0		0.1
8:30AM	Nov Core PCE price index mm (%)	+0.1	0.1	0.0

Event Importance:

- No Stars = Insignificant
- ☆ Low
- ★ Moderate
- ★★ Important
- ★★★ Very Important

Date	Event	Actual	Forecast	Prior
8:30AM	Nov Personal consump real mm (%)	+0.3		0.1
10:00AM	Nov New home sales chg mm (%)	+4.3	2.0	10.7
10:00AM	Nov New home sales-units mm (ml)	0.490	0.505	0.495
11:30AM	2-Yr Note Auction (bl)	13		
Thursday, Dec 24				
8:30AM	w/e Continued jobless claims (ml)	2.195	2.210	2.238
8:30AM	w/e Initial Jobless Claims (k)	267	270	271
2:00PM	Christmas			
Friday, Dec 25				
12:00AM	Christmas			
Tuesday, Dec 29				
9:00AM	Oct CaseShiller 20 yy (%)	+5.5	5.4	5.5
10:00AM	Dec Consumer confidence	96.5	93.8	90.4
Thursday, Dec 31				
9:45AM	Dec Chicago PMI	42.9	49.8	48.7
2:00PM	News Year's Eve			
Friday, Jan 01				
12:00AM	News Year's Day			

Update: Buyer Broker Agreement

After requests from real estate companies, a nonprofit consumer watchdog group the Consumer Federation of America has developed a list of factors to consider when creating a buyer contract in preparation for upcoming practice changes in the industry.

CFA released its "Proposed Criteria for Evaluating Home Buyer Contract Forms" on Tuesday. The 15 criteria focus on the contracts' form – whether the documents are readable and understandable – and content – whether they are fair to homebuyers.

- the document's expiration date (CFA recommends buyers asks for a three-month contract and never sign one longer than six months)
- the right to terminate the contract
- the disclosure that compensation is negotiable
- the broker's compensation clearly stated and that the buyer broker can't receive additional compensation for facilitating a sale
- that any additional fees, such as for showing a home, will be deducted from the broker's commission if there is a successful sale
- that the commission is due only if there is a successful closing
- that buyers have an obligation – for no longer than 60 days, CFA recommends – to pay a broker who earlier showed them a home they purchased after the contract ended
- seller concessions paid directly to buyers
- dual agency not pre-approved by the contract
- an explanation of how a broker treats different buyer clients interested in the same property
- that buyers should not be required to first go through mediation or arbitration if they have a complaint

Contact me for more information. 702-303-0243 or TPayne@loandepot.com

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