

Suspend the Rules and Pass the Bill, H.R. 5078, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2^D SESSION

H. R. 5078

To amend the Real Estate Settlement Procedures Act of 1974 to modify requirements related to mortgage disclosures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2017

Mr. HILL introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Real Estate Settlement Procedures Act of 1974 to modify requirements related to mortgage disclosures, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “TRID Improvement
5 Act of 2018”.

1 **SEC. 2. AMENDMENTS TO MORTGAGE DISCLOSURE RE-**
2 **QUIREMENTS.**

3 Section 4(a) of the Real Estate Settlement Proce-
4 dures Act of 1974 (12 U.S.C. 2603(a)) is amended—

5 (1) by striking “itemize all charges” and insert-
6 ing “itemize all actual charges”;

7 (2) by striking “and all charges imposed upon
8 the seller in connection with the settlement and” and
9 inserting “and the seller in connection with the set-
10 tlement. Such forms”; and

11 (3) by inserting after “or both.” the following
12 new sentence: “Charges for any title insurance pre-
13 mium disclosed on such forms shall be equal to the
14 amount charged for each individual title insurance
15 policy, subject to any discounts as required by State
16 regulation or the title company rate filings.”.

17 **SEC. 3. POSITIVE CREDIT REPORTING PERMITTED.**

18 (a) **IN GENERAL.**—Section 623 of the Fair Credit
19 Reporting Act (15 U.S.C. 1681s–2) is amended by adding
20 at the end the following new subsection:

21 “(f) **FULL-FILE CREDIT REPORTING.**—

22 “(1) **IN GENERAL.**—Subject to the limitation in
23 paragraph (2) and notwithstanding any other provi-
24 sion of law, a person or the Secretary of Housing
25 and Urban Development may furnish to a consumer

1 reporting agency information relating to the per-
2 formance of a consumer in making payments—

3 “(A) under a lease agreement with respect
4 to a dwelling, including such a lease in which
5 the Department of Housing and Urban Devel-
6 opment provides subsidized payments for occu-
7 pancy in a dwelling; or

8 “(B) pursuant to a contract for a utility or
9 telecommunications service.

10 “(2) LIMITATION.—Information about a con-
11 sumer’s usage of any utility services provided by a
12 utility or telecommunication firm may be furnished
13 to a consumer reporting agency only to the extent
14 that such information relates to payment by the con-
15 sumer for the services of such utility or tele-
16 communication service or other terms of the provi-
17 sion of the services to the consumer, including any
18 deposit, discount, or conditions for interruption or
19 termination of the services.

20 “(3) PAYMENT PLAN.—An energy utility firm
21 may not report payment information to a consumer
22 reporting agency with respect to an outstanding bal-
23 ance of a consumer as late if—

24 “(A) the energy utility firm and the con-
25 sumer have entered into a payment plan (in-

1 including a deferred payment agreement, an ar-
2 rearage management program, or a debt for-
3 giveness program) with respect to such out-
4 standing balance; and

5 “(B) the consumer is meeting the obliga-
6 tions of the payment plan, as determined by the
7 energy utility firm.

8 “(4) DEFINITIONS.—In this subsection, the fol-
9 lowing definitions shall apply:

10 “(A) ENERGY UTILITY FIRM.—The term
11 ‘energy utility firm’ means an entity that pro-
12 vides gas or electric utility services to the pub-
13 lic.

14 “(B) UTILITY OR TELECOMMUNICATION
15 FIRM.—The term ‘utility or telecommunication
16 firm’ means an entity that provides utility serv-
17 ices to the public through pipe, wire, landline,
18 wireless, cable, or other connected facilities, or
19 radio, electronic, or similar transmission (in-
20 cluding the extension of such facilities).”.

21 (b) LIMITATION ON LIABILITY.—Section 623(c) of
22 the Consumer Credit Protection Act (15 U.S.C. 1681s-
23 2(c)) is amended—

24 (1) in paragraph (2), by striking “or” at the
25 end;

1 (2) by redesignating paragraph (3) as para-
2 graph (4); and

3 (3) by inserting after paragraph (2) the fol-
4 lowing new paragraph:

5 “(3) subsection (f) of this section, including any
6 regulations issued thereunder; or”.

7 (c) GAO STUDY AND REPORT.—Not later than 2
8 years after the date of the enactment of this Act, the
9 Comptroller General of the United States shall submit to
10 Congress a report on the impact of furnishing information
11 pursuant to subsection (f) of section 623 of the Fair Cred-
12 it Reporting Act (15 U.S.C. 1681s–2) (as added by this
13 Act) on consumers.