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To: Washington Department of Financial Institutions

From: Gary Gardner (For BECU)

Date: August 20, 2008

RE: Comments on Draft 4 of Disclosure Summary Rules

On behalf of my client, BECU (Boeing Employee's Credit Union) I'd like to offer some comments regarding Draft 4 of the proposed mortgage disclosure rules and model form.

We continue to believe that DFI should include a safe harbor provision for institutions that opt to use the DFI model form. We would suggest language along the lines of:

*"Although use of the model notice is not required, a financial institution that is subject to this section shall be deemed to be in compliance with the notice requirement if it properly uses the model notices provided by DFI."*

We would also suggest that DFI allow some minor modifications in the model form that a financial institution who chooses to use it might make and still retain the safe harbor. We would suggest language along the lines of:

*"Financial institutions may make changes to the language and format of the model notice without losing the safe harbor from liability provided by the model notices. The changes to the model notices may not be so extensive as to affect the substance, clarity, or meaningful sequence of the language in the model notices. Acceptable changes include, for example: Rearranging the order of the required references; pluralizing terms; rearranging order of phrases; and adding the financial institutions logo."*

The safe harbor language is very important to us – and I think to all financial institutions as we implement this sweeping change in the law. Because of the nature of the additional disclosure, and the newness of the law, a safe harbor provision as we have outlined would encourage financial institutions to use the DFI form.

Lastly, there are a couple of minor grammatical typographical corrections that should be made to Draft 4.

Residential mortgage loan is defined as "four or less" units. We would suggest changing that to "Four or fewer units" or a "One to four family dwelling."

In section 6© of the Q&A, there is a typo “State” should be “States”.

In the definitions section, subsection (h) should be subsection (j), and in section 7, the second (b) should be a (d) and the second (c) should be (e).

Thanks for allowing us to work with you on this proposed regulation. Please let me know if you have any questions.