



# MBA's LEGAL ISSUES AND REGULATORY COMPLIANCE CONFERENCE 2011

11

MAY 15–18, 2011

BOCA RATON, FLA.

Boca Raton Hotel

Registration is **Open**



# MBA's LEGAL ISSUES AND REGULATORY COMPLIANCE CONFERENCE 2011

Attend **MBA's Legal Issues and Regulatory Compliance Conference 2011** to understand the latest legal and regulatory developments facing the real estate finance industry. During this time of enormous change, this is the must-attend conference on mortgage-related legal and regulatory issues. Take advantage of this opportunity to engage with industry experts as they delve into the latest regarding:

- Dodd-Frank
- Consumer Financial Protection Bureau (CFPB)
- Loan officer compensation
- Qualified Residential Mortgage (QRM)/Qualified Mortgage (QM)
- Real Estate Settlement Procedures Act (RESPA) and Truth in Lending Act (TILA)
- State legislation — Secure and Fair Enforcement for Mortgage Licensing Act (SAFE)
- Government housing
- Secondary market
- Fair lending
- Fair Credit Reporting Act (FCRA) And Fair and Accurate Credit Transactions Act (FACTA)
- Technology — Mortgage Electronic Registration Systems (MERS)
- Servicing/foreclosure
- Inside counsel issues
- Legal ethics
- And much more

## WHO SHOULD ATTEND

Attorneys; compliance officers and specialists; general and legal counsel; government relations professionals; policy directors; quality assurance professionals; and anyone else interested in the array of legal and regulatory compliance issues.

### MBA THANKS ITS SPONSORS

#### Platinum

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Locke Lord Bissell & Liddell, LLP

 **McGLINCHEY STAFFORD PLLC**

#### Gold

**BLANK**



**ROME LLP**  
COUNSELORS AT LAW

 **Buckley Sandler LLP**

On Sunday, May 15, the conference begins with — at no extra charge — optional refresher workshops offering a brief overview of key legislation and regulations applicable to the industry for newcomers and those seeking to refresh their knowledge. Also on Sunday, MBA is offering — at no extra charge — a four session litigation forum to provide a unique platform for an interactive discussion of litigation claims facing the industry. The interactive forum is geared toward inside and outside counsel as well as others in the industry with litigation responsibilities.

## NETWORK WITH ATTENDEES

Conference sponsorship is the ideal vehicle to grab the attention of this important audience and position your company as a leader in the industry. All sponsorships include a tabletop exhibit opportunity, but space is limited. For more information contact Mark Brady at [mbrady@mortgagebankers.org](mailto:mbrady@mortgagebankers.org) or (202) 557-2790.

## EXTEND YOUR REACH

Advertise in *Mortgage Banking*<sup>®</sup> magazine and *MBA NewsLink* to promote your company before, during and after the conference. Call (203) 834-8832 or email [advertising@mortgagebankers.org](mailto:advertising@mortgagebankers.org).

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### Silver




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### Bronze




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### Host




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### Host (Continued)



Sponsors confirmed as of March 3, 2011.

# PRELIMINARY AGENDA

*Schedule subject to change.*

## Sunday, May 15

Noon–6:00 p.m.

Registration

12:30 p.m.–5:00 p.m.

### REFRESHER WORKSHOPS

12:30 p.m.–1:30 p.m.

#### Workshop 1: Quick Guide and Update of the Alphabet Soup: Federal Laws Part 1

1:30 p.m.–2:30 p.m.

#### Workshop 2: Quick Guide and Update of the Alphabet Soup: Federal Laws Part 2

2:30 p.m.–2:45 p.m.

Refreshment Break

2:45 p.m.–3:45 p.m.

#### Workshop 3: State Law Developments

3:45 p.m.–4:00 p.m.

Refreshment Break

3:45 p.m.–6:30 p.m.

Exhibit Hall Open

4:00 p.m.–5:00 p.m.

#### Workshop 4: The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010

12:30 p.m.–5:00 p.m.

### LITIGATION FORUM

12:30 p.m.–1:30 p.m.

#### Session 1: Litigation Challenges Involving the Mortgage Origination Process

1:30 p.m.–2:30 p.m.

#### Session 2: Litigation Involving Servicing and Foreclosure

2:30 p.m.–2:45 p.m.

Refreshment Break

2:45 p.m.–3:45 p.m.

#### Session 3: Claims Against Industry Partners and Other Players

3:45 p.m.–4:00 p.m.

Refreshment Break

3:45 p.m.–6:30 p.m.

Exhibit Hall Open

4:00 p.m.–5:00 p.m.

#### Session 4: Enforcement

4:00 p.m.–5:30 p.m.

#### Committee Meeting: Legal Issues, Regulatory Compliance and Quality Assurance (Members only meeting)

5:30 p.m.–6:30 p.m.

Opening Reception in the Exhibit Hall

## Monday, May 16

7:30 a.m.–5:45 p.m.

Registration

7:30 a.m.–5:00 p.m.

Exhibit Hall Open

7:30 a.m.–8:30 a.m.

Continental Breakfast in the Exhibit Hall

8:30 a.m.–10:15 a.m.

### OPENING GENERAL SESSION Bureau on the Horizon

10:15 a.m.–10:30 a.m.

Coffee Break in the Exhibit Hall

10:30 a.m.–11:45 a.m.

### SECOND GENERAL SESSION Today's Legislative, Regulatory and Litigation Landscape

11:45 a.m.–1:30 p.m.

Luncheon

1:30 p.m.–2:45 p.m.

### CONCURRENT SESSIONS

- Regulatory Panel 1: Deep Dive — New Risk Retention/Qualified Residential Mortgage (QRM) and Ability to Repay/Qualified Mortgage (QM) Requirements (Repeats)
- Litigation Panel 1: Defending Your Company against Individual Cases

2:45 p.m.–3:15 p.m.

Refreshment Break in the Exhibit Hall

3:15 p.m.–4:30 p.m.

### CONCURRENT SESSIONS

- Regulatory Panel 2: New Challenges in Loan Originator Compensation Requirements (Repeats)
- Government Housing Issues
- Hot Secondary Market Issues

4:30 p.m.–4:45 p.m.

Refreshment Break in the Exhibit Hall

4:45 p.m.–5:45 p.m.

### ROUNDTABLE DISCUSSIONS

- Loan Originator Compensation
- Risk Retention — QM and QRM
- Government Housing Issues
- Litigation Claims — Individual Cases
- Secondary Market/ Buyback Issues

5:45 p.m.–7:00 p.m.

Networking Reception:

**Caribbean Nights**

## Tuesday, May 17

8:00 a.m.–5:45 p.m.

Registration

8:00 a.m.–5:00 p.m.

Exhibit Hall Open

8:00 a.m.–9:00 a.m.

Continental Breakfast in the Exhibit Hall

9:00 a.m.–10:30 a.m.

### THIRD GENERAL SESSION

#### State Regulation and Enforcement Initiatives

10:30 a.m.–10:45 a.m.

Coffee Break in the Exhibit Hall

10:45 a.m.–12:00 p.m.

#### CONCURRENT SESSIONS

- Regulatory Panel 3: Deep Dive — Persistent Challenges Presented by Loan Disclosures
- SAFE Update
- Litigation Panel 2: Major Litigation and Enforcement Trends

Noon–1:30 p.m.

Luncheon

1:30 p.m.–2:45 p.m.

#### CONCURRENT SESSIONS

- Regulatory Panel 4: Fair Lending
- Legal Issues Related to Servicing and Foreclosure (Repeats)
- Accounting Issues Front and Center

2:45 p.m.–3:15 p.m.

Refreshment Break in the Exhibit Hall

3:15 p.m.–4:30 p.m.

#### CONCURRENT SESSIONS

- Regulatory Panel 5: Hot Topics
- Regulatory Panel 1: Deep Dive — New Risk Retention/Qualified Residential Mortgage (QRM) and Ability to Repay/Qualified Mortgage (QM) Requirements (Repeats)
- Legal Issues Related to Servicing (Repeats)

4:30 p.m.–4:45 p.m.

Refreshment Break in the Exhibit Hall

4:45 p.m.–5:45 p.m.

#### ROUNDTABLE DISCUSSIONS

- SAFE State Licensing
- Servicing
- Fair Lending
- Litigation Panel 2: Major Litigation and Enforcement Trends
- Mortgage Fraud
- RESPA and TILA

## Wednesday, May 18

8:00 a.m.–Noon

Registration

8:00 a.m.–8:30 a.m.

Continental Breakfast

8:30 a.m.–10:15 a.m.

#### CONCURRENT SESSIONS

- Regulatory Panel 2: New Challenges in Loan Originator Compensation Requirements (Repeats)
- Update on MERS and Other Technology Issues

10:15 a.m.–10:30 a.m.

Coffee Break

10:30 a.m.–Noon

#### CONCURRENT SESSIONS

- Potpourri: Mortgage Fraud, Credit Reporting and Appraisals
- Legal Ethics for Continuing Legal Education (CLE)

Noon

Conference Concludes

# WORKSHOPS and LITIGATION FORUM

## Refresher Workshops

### **Workshop 1: Quick Guide and Update of the Alphabet Soup: Federal Laws Part 1**

This workshop provides a brief overview and update of the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transaction Act (FACTA), Fair Housing Act, Equal Credit Opportunity Act (ECOA) and Home Mortgage Disclosure Act (HMDA) requirements including recent changes.

### **Workshop 2: Quick Guide and Update of the Alphabet Soup: Federal Laws Part 2**

This workshop continues the brief overview and update with the RESPA, TILA and Federal Housing Administration requirements including recent changes.

### **Workshop 3: State Law Developments**

Listen to a survey on the range of state legislative and regulatory developments including legislation implementing the SAFE Act and the Nationwide Mortgage Licensing System and Registry (NMLS), other major state lending and servicing legislation, regulations and case law developments.

### **Workshop 4: The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010**

Listen to a brief overview of key sections of Dodd-Frank including portions of Title IX, Title X and XIV including requirements for risk retention, the powers and responsibilities of the Bureau of Consumer Financial Protection (CFPB) as well as requirements under the Mortgage Reform and Anti-Predatory Lending provisions including ability to repay. The session also provides an update of Dodd-Frank regulatory activities so far.

## Litigation Forum

### **Session 1: Litigation Challenges Involving the Mortgage Origination Process**

This session examines claims under a range of laws involving the origination of mortgage loans.

### **Session 2: Litigation Involving Servicing and Foreclosure**

This session focuses on servicing related litigation and enforcement claims in state and federal courts.

### **Session 3: Claims Against Industry Partners and Other Players**

Recent difficulties have led to a host of claims and counterclaims by companies against others in the mortgage industry and related industries. This session updates participants on the range of cases in this area.

### **Session 4: Enforcement**

This session focuses on the range of enforcement actions by Federal and State regulators and strategies available to companies to address them.

# GENERAL SESSIONS

*Subject to change.*

## General Sessions

### **Opening General Session: Bureau on the Horizon**

Less than a year ago, Congress enacted the Dodd-Frank Mortgage Reform and Consumer Protection Act which not only instituted a broad overhaul of responsibilities for financial regulation that had not been seen in generations, but made the new Bureau of Consumer Financial Protection (CFPB) a centerpiece of that effort. This expert panel of government officials, industry and consumer advocates will examine the implications of the CFPB's robust powers as well as its assumption of virtually all key regulatory authorities for the industry. The panel will give particular attention to what we might expect in the coming months in a range of areas including completion of agency rulemakings, RESPA-TILA integration, supervisory initiatives and development of the complaint process, to name a few. This session will set the stage for deeper consideration of the CFPB and its authorities in the sessions to follow.

### **Second General Session: Today's Legislative, Regulatory and Litigation Landscape**

Participants know all too well that the industry has faced a burgeoning landscape of significant legal and regulatory issues in all areas. In this session, key government and industry officials provide an overview of the top tier legal and regulatory issues facing the industry that span origination, servicing and secondary market operations. Topics include loan officer compensation, risk retention, the future of the GSEs, proposed tax changes and major servicing litigation, to name a few. This diverse menu of topics will be revised right up until the time of the conference to assure that panel subjects are as up-to-date as they are critical. Where legislation or rules are in process, these experts also will provide insights into what we might expect. This session like the other general sessions will provide grounding for the sessions ahead.

### **Third General Session: State Regulation and Enforcement Initiatives**

New regulatory initiatives focusing on the mortgage industry have been enacted, promulgated or are in process in several states including initiatives in connection with the SAFE Act. At the same time, state regulators have increased their supervision and enforcement initiatives. Hear a top-flight panel of regulators and industry experts give an overview of state regulatory developments and major trends that will affect your company.



# CONCURRENT SESSIONS

*Subject to change.*

## Concurrent Sessions

### **Regulatory Panel 1: Deep Dive-New Risk Retention/Qualified Residential Mortgage (QRM) and Ability to Repay/Qualified Mortgage (QM) Requirements**

The new rules regarding risk-retention including the exception for QRMs were placed on a fast track by Congress and the parallel ability to repay QM requirements are in process as well. Join this expert panel for a discussion of these rules and their enormous implications for the industry.

### **Regulatory Panel 2: New Challenges in Loan Originator Compensation Requirements**

Implementation of the Federal Reserve's new loan originator compensation rule and the new interpretation of the Fair Labor Standards Act (FLSA) Administrative Exemption have presented new challenges to productivity considering the array of lingering questions. This expert panel explains these new requirements and provides an up-to-the-minute update for you and your company.

### **Regulatory Panel 3: Deep Dive — Persistent Challenges Presented by Loan Disclosures**

The introduction of TILA revisions under the Mortgage Disclosure Improvement Act (MDIA) and the new RESPA rules has presented an array of new challenges. This authoritative panel dives deep into these new changes with the objective of addressing practical issues while preparing you for further modifications ahead.

### **Regulatory Panel 4: Fair Lending**

The government and private litigants have continued their focus on fair lending issues concerning both loan origination and servicing. This expert panel guides you through key developments and legal issues raised under the Fair Housing Act, ECOA and other civil rights laws.

### **Regulatory Panel 5: Hot Topics**

Regulatory issues are hastily raising our concerns. This expert session will address the hottest topics at the date of the conference. These up-to-the-minute topics will not be covered in other sessions.

### **Litigation Panel 1: Defending Your Company Against Individual Cases**

The financial crisis continues to spawn an array of claims and actions by borrowers, investors, shareholders and government officials concerning all phases of the mortgage business. This expert panel examines many of the most ubiquitous claims and provides strategies to help your firm or company better defend against them.

### **Litigation Panel 2: Major Litigation and Enforcement Trends**

Major litigation has been filed or continue against lenders under a wide range of laws. Major enforcement actions are also being undertaken at both the state and federal levels. This panel of litigation experts analyzes the cases and examines key trends in major litigation and enforcement.

### **Legal Issues Related to Servicing and Foreclosure**

Unprecedented legislation, regulation and litigation have been directed at the servicing, loss mitigation and foreclosure process. Explore the wide range of new legal issues concerning servicing and foreclosure, including signing concerns, title issues and servicer compliance with TILA and rescission requirements, to name a few.

### **Government Housing Issues**

As the government segment of the mortgage market has grown, program requirements have been added and modified in key areas. Learn about major FHA, Ginnie Mae and other government program changes from this eventful year and what we might soon expect.

### **Hot Secondary Market Issues**

Changes to the Government Sponsored Enterprises' (GSEs) requirements, loan buyback requests and proposals to revamp the secondary market system itself are top line issues in the industry. This authoritative panel delves deep into the range of secondary market proposals as well as new requirements and the present state of litigation and claims.

### **SAFE Update**

As a result of the SAFE Act, every state has enacted new or revised old loan originator licensing requirements. At the same time, the banking agencies have issued new rules and the Conference of State Bank Supervisors (CSBS) and the American Association of Residential Mortgage Regulators (AARMR) have been actively implementing the National Mortgage Licensing System and Registry (NMLS). This panel dives into what has happened and provides a look forward at potential changes ahead.

### **Accounting Issues Front and Center**

Accounting standards and their application remain an area of sharp controversy and regulatory concern in the industry. Get an update on existing and proposed revisions to accounting standards and understand the high stakes involved in this debate. The panel also considers the potential impact of Basel 3 as well as Financial Accounting Standards Board (FASB) and the International Accounting Standards (IASB) convergence.

### **Update on MERS and Other Technology Issues**

The last year has seen unprecedented attention to the Mortgage Electronic Registration System (MERS) and legal issues presented by its use. Join this authoritative panel to update you on these issues and to explore the burgeoning eMortgage business and other technology issues in this area which bear consideration as your company navigates change.

### **Potpourri — Mortgage Fraud, Credit Reporting and Appraisals**

This year has seen several developments in relation to mortgage fraud, credit related disclosures and appraisal requirements. Join this expert panel to explore this potpourri of issue areas.

### **Legal Ethics for Continuing Legal Education (CLE)**

This session satisfies ethics course requirements for CLE credit subject to approval by appropriate state bar accrediting agencies. Conference participants can also receive CLE credit for other conference sessions, subject to appropriate state bar accreditation.

# REGISTRATION AND TRAVEL INFORMATION

## FIVE EASY WAYS TO REGISTER

**Online** (credit card)  
<http://store.mortgagebankers.org>

**Phone**  
(800) 793-6222, select option 3  
Monday–Friday, 9:00 a.m.–5:00 p.m. ET

**Fax** (credit card)  
(202) 289-0671

**Mail\***  
Payable to:  
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Mail to: Mortgage Bankers Association  
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Uniondale, New York 11555-0448

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Uniondale, NY 11555  
(800) 793-6222 (select option 3)

\* Use express mail for overnight deliveries to meet registration cutoff dates when applicable. Express mail only ensures postmark date for registration fees. Please allow 3–5 working days for processing and confirmations.

## REGISTRATION INFORMATION

### Conference Registrant Information

Registering online is easy with our enhanced features. Simply visit [www.mortgagebankers.org](http://www.mortgagebankers.org) and click *Conferences & Events*.

*Note:* Registrant badges can only be picked up by the registered individual unless prior arrangements have been made.

### Substitutions

Send requests in writing to the attention of “Registration Substitutions” and include a \$50 processing fee. You may email your substitution request to [meetings@mortgagebankers.org](mailto:meetings@mortgagebankers.org). In order to guarantee that your name will appear on the Final Registration List, substitutions must be received by *April 15*. After *April 15*, all substitutions must be done on site.

### Cancellations and Refunds

- Cancellations received on or before *April 15*: Full refund minus \$50 processing fee
- Cancellations received *April 16–May 6*: 50 percent penalty applied to all registration cancellations
- *May 6*: No refunds made after this date

Cancellation requests should be sent to the attention of “MBA Cancellations.” You may email your cancellation request to [meetings@mortgagebankers.org](mailto:meetings@mortgagebankers.org). (You may also email your substitution request to [meetings@mortgagebankers.org](mailto:meetings@mortgagebankers.org).) In the unlikely event of program cancellation, MBA will refund 100 percent of registration fees paid. MBA assumes no liability for any penalty fees on airline tickets, deposits for hotel accommodations or any other fees, charges, penalties or other incidental costs that a registrant might incur as a consequence of a program cancellation.

### For More Information

#### Speaking Opportunities

Deanna Johnston, [djohnston@mortgagebankers.org](mailto:djohnston@mortgagebankers.org)

#### Sponsorship Opportunities

Mark Brady, (202) 557-2790

#### Web site

[www.mortgagebankers.org](http://www.mortgagebankers.org)

## TRAVEL INFORMATION

Please contact Travel Incorporated, MBA's official travel agency, to take advantage of special discounts on airfare and car rentals. You can make your travel arrangements Monday through Friday, 24 hours a day. A proposed schedule will be sent to you immediately. Reservations will include 5–10 percent savings depending on the destination and meeting. You may also call our official air carriers and car rental agencies directly. To contact Travel Incorporated, call (800) 524-3002. If not using Travel Incorporated please use the codes below when making travel arrangements to ensure that you receive the appropriate discounts.

### Airfare Discounts

Please ask your travel or airline agent to use MBA's airline code when making your conference travel arrangements. Using the appropriate airline code will ensure discount savings for you and help MBA track its airline volume. Please refer to your conference registration confirmation letter for airline codes and applicability.

### Car Rental Discounts

MBA members can obtain discounts by contacting the car rental agency directly and providing the identification number.

**Avis:** [www.avis.com](http://www.avis.com); (800) 831-8000;  
Avis Worldwide Discount number – A369400

**Budget:** [www.budget.com](http://www.budget.com); (800) 527-0700; T495200

**Hertz:** [www.hertz.com](http://www.hertz.com); (800) 654-2200; ID# 316138

### Hotel Accommodations

The cutoff date for discounted hotel rates is *April 22*. This does not ensure availability of rooms. If rooms are available until *April 22*, you will receive the discounted hotel rate. After *April 22*, reservations are accepted on a space available basis only, and you may be charged the regular hotel rate. In order to receive MBA's special negotiated room rate, you must contact the Boca Raton Hotel by phone and state that you will be attending MBA's Legal Issues and Regulatory Compliance Conference.

Boca Raton Hotel  
501 East Camino Real  
Boca Raton, FL 33431  
Phone: (561) 447-3000/(888) 557-6375  
Fax: (561) 394-3961

MBA discount rate: \$199/night, Cloister Traditional;  
\$219/night, Cloister Deluxe;  
\$239/night, Tower Estate View;  
\$259/night, Tower Waterway;  
\$339/night, Yacht Club Waterway  
\$20 resort fee/night

**Hotel cutoff date:** *April 22, 2011*

# MBA REGISTRATION FORM

**ATTN: MBA Meetings**

## MBA's LEGAL ISSUES AND REGULATORY COMPLIANCE CONFERENCE 2011

May 15–18, 2011 Boca Raton Hotel + Boca Raton, Fla.

Please check the appropriate category:

Registrations received with payment **by April 15, 2011:**

Registrations received with payment **after April 15, 2011:**

MBA Member\*: \$950  Nonmember: \$1,450

MBA Member\*: \$995  Nonmember: \$1,550

## REGISTRANT INFORMATION

Please type or print. Photocopy form for additional registrants.

Mr./Ms. First Name MI Last Name Nickname

Title Customer ID Number\*\*

Company Name

Company Address

City State Zip Business Phone Number

Business Fax Number Email Address (please provide to receive confirmations via Email)

Previous Employer if Employed Less than Two Years

\* Subject to membership verification. \*\* To identify your Customer ID Number, please see the printed number located next to your name on the mail panel or call (800) 793-6222, select option 3. Not required to register.

If you have special needs addressed by the Americans with Disabilities Act, please check here and attach a statement regarding your particular needs.

## PAYMENT INFORMATION

Payment Enclosed

(Check Payable to: Mortgage Bankers Association)

Bill my:  VISA  MasterCard

American Express  Discover

Credit Card Account# Expiration Date

Amount of Charge

Name As it Appears on Card

Address if Different from Above

Signature Date

Please return this form with proper payment to Mortgage Bankers Association. See "Five Easy Ways to Register" for address information.

### Optional Diversity Questions

Your answers to this section are optional. The use of this information is restricted to MBA and is being requested to enhance MBA's continuing efforts to increase diversity within its membership. Your individual information will not be provided to any external source or organization.

Are you:  Male  Female

Do you identify yourself as a member of any of the following racial and/or ethnic groups (check all that apply):

Hispanic/Latino

Black/African-American

Asian/Asian-American/  
Pacific Islander

Native Hawaiian/American  
Indian/Native American

White/Caucasian

None of the above \_\_\_\_\_

**FOR OFFICE USE ONLY ATTN: DEPARTMENT 1—Meetings Meeting # M2112076 Source Code B1 CMB 2 Pts.**

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### EARN CONTINUING EDUCATION CREDITS

This conference is intended to satisfy CLE course requirements upon approval by applicable state bar licensing entities.

### EARN 3 CMB CREDITS

Attendees of this conference earn three points toward the Certified Mortgage Banker (CMB) Designation.  
[www.campusmba.org/cmb](http://www.campusmba.org/cmb)

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### SAVE THE DATE

**MBA's REGULATORY  
COMPLIANCE CONFERENCE**

September 25–27, 2011  
Renaissance Hotel + Washington, D.C.  
[www.mortgagebankers.org](http://www.mortgagebankers.org)