October 26, 2015

Re: Official declaratory ruling

Uniform Consumer Credit Code, 14A O.S. §§ 1-302 and 3-301.1
Adjustment of statutory points and fees amount that triggers additional disclosure
requirements for higher cost mortgage loans

Effective July 1, 2014, lenders subject to Oklahoma law must disclose information required by
the Federal Consumer Credit Protection Act (the Act). The Act includes amendments made to
the Act by the Dodd-Frank Wall Street Reform and Consumer Protection Act and regulations
issued by the Consumer Financial Protection Bureau (CFPB). See 14A O.S. §§ 1-302 and 3-
301.1.

The statutory points and fees amount that triggers additional disclosure requirements under the
Act for certain residential mortgage loans (referred to as subsection 10 mortgage loans in
Oklahoma and also referred to as higher cost mortgage loans) is subject to adjustment on an
annual basis by the CFPB through regulations. As reflected in the September 21, 2015 edition of
the Federal Register, the CFPB has issued a regulation adjusting the statutory points and fees
amount that triggers additional disclosure requirements for higher cost mortgage loans to
$1,017.00, effective January 1, 2016.

It is the position of the Department that since lenders subject to Oklahoma law must disclose
information required by the Act and the regulations issued by the CFPB to implement the Act,
any dollar threshold adjustments made by the CFPB through regulations concerning the
applicability of the Act also applies to lenders subject to Oklahoma law. Therefore, the $1,017.00
adjusted statutory points and fees amount that triggers additional disclosure requirements for
higher cost mortgage loans, effective January 1, 2016, shall apply to lenders subject to Oklahoma
law and such amount is subject to adjustment on a yearly basis by the CFPB through regulations.

Scott Lesher
Administrator