

Ohio Homebuyers' Protection Act

Informational Document

The Ohio Homebuyers' Protection Act gives the Ohio Attorney General enforcement authority over abusive lending practices committed on or after January 1, 2007 by loan officers, mortgage brokers or non-bank lenders. The Act prohibits these businesses from committing unfair, deceptive or unconscionable acts in connection with a residential mortgage loan, including:

- Entering into a mortgage knowing you had no reasonable probability of payment of the mortgage.
- Refinancing an existing mortgage loan when the new loan does not have a reasonable, tangible net benefit to you considering terms of both the new and refinanced loans, the cost of the new loan, and your circumstances.
- Taking advantage of an inability to reasonably protect your interests because of any known physical or mental infirmities or illiteracy you may have.
- Compensating, instructing, inducing, coercing, or intimidating an appraiser for the purpose of improperly influencing the appraiser's independent judgment with respect to the value of the house being appraised.
- Failing to provide you with loan disclosures required under state and federal law, or providing you with a loan disclosure that includes a material misrepresentation.
- Failing to disclose to you at the loan closing that you are not required to close the loan merely because you received prior estimates of closing costs or signed an application, and that you should not close a loan that contains different terms and conditions than promised.
- Financing any credit, life, disability, or unemployment insurance premiums, or any debt collection agreement as part of your loan unless the premiums are calculated and paid monthly.
- Charging you a late fee more than once with respect to a single late loan payment.
- Representing a sponsorship, approval, or affiliation that the broker or lender does not have.
- Representing that a loan has uses, benefits, or a price advantage that it does not have, or that the loan is available to you for a reason that does not exist.
- Recommending or encouraging that you default on an existing mortgage or revolving credit loan agreement.
- Attempting to enforce a prepayment penalty against you on a first mortgage when your loan amount is less than \$83,894 (for calendar year 2012).

For more information visit www.OhioAttorneyGeneral.gov or call 800-282-0515.