



MBA and  
Electronic  
Financial  
Services Council  
Present

# Legal Issues in Mortgage Technology Conference

December 8–10, 2003

Eden Roc Renaissance  
Resort and Spa  
Miami Beach, FL



**MORTGAGE  
BANKERS  
ASSOCIATION**

Investing in communities

# Legal Issues in Mortgage Technology Conference



**L**earn how to take advantage of the industry's emerging ability to create and sell electronic mortgages to investors by attending this year's Legal Issues in Mortgage Technology Conference. This conference is devoted to developing legal and regulatory issues affecting online mortgage lending.

The conference features detailed analysis of current legal and compliance issues applicable to the emerging Internet origination medium, reviews the new rules for electronic creation and transfer of mortgage documents to investors and presents panels on future legislative and regulatory developments. The conference covers TILA, RESPA, ECOA, ESIGN/UETA, Privacy, eMortgages and eRecording. With technology taking the driver's seat in the fast-changing mortgage industry, now more than ever it is imperative that companies recognize the legal impact of technology on their operations.

Attend the Legal Issues in Mortgage Technology Conference, learn the legal state of the mortgage banking community and understand more about eMortgage and regulatory compliance issues.

## Extend Your Reach

Explore MBA's sponsorship opportunities. All levels of conference sponsorship include an opportunity to exhibit.

For **Legal Issues and Mortgage Technology Conference** sponsorship opportunities and application forms, please call (202) 557-2790 or e-mail [mbrady@mortgagebankers.org](mailto:mbrady@mortgagebankers.org).

To advertise in *MBA NewsLink* and *Mortgage Banking* magazine and promote your company before, during and after the conference, please call (203) 966-1746 or e-mail [advertising@mortgagebankers.org](mailto:advertising@mortgagebankers.org).

## Who Should Attend

- General counsels of mortgage banking firms
- Private attorneys who represent mortgage banking companies, depository institutions or secondary market organizations on issues of real estate finance
- Non-attorneys directly involved in legal matters
- Senior executives
- Business managers
- Information technology professionals



# Preliminary Agenda

Schedule subject to change.

## Monday, December 8

12:30 p.m.–5:00 p.m.  
Registration

1:30 p.m.–2:30 p.m.  
**Technology Foundations**

2:30 p.m.–2:45 p.m.  
Break

2:45 p.m.–4:00 p.m.  
**Legal Foundations**

4:00 p.m.–4:15 p.m.  
Break

4:15 p.m.–5:00 p.m.  
**State of Online Lending**

6:00 p.m.–7:30 p.m.  
**Opening Reception**

## Tuesday, December 9

8:00 a.m.–5:00 p.m.  
Registration

8:00 a.m.–9:00 a.m.  
Coffee service

9:00 a.m.–10:30 a.m.  
**eSignature and SPeRS**

10:30 a.m.–10:45 a.m.  
Break

10:45 a.m.–Noon  
**Understanding the Impact of  
Regulatory Requirements on Internet  
Lending**

Noon–1:30 p.m.  
Lunch

1:30 p.m.–2:30 p.m.  
**eNote Registry**

2:30 p.m.–2:45 p.m.  
Break

2:45 p.m.–3:45 p.m.  
**MISMO/eMortgage**

3:45 p.m.–4:00 p.m.  
Break

4:00 p.m.–5:00 p.m.  
**Consumer Privacy and Security**

6:00 p.m.–7:30 p.m.  
Cocktail party

## Wednesday, December 10

8:30 a.m.–11:45 a.m.  
Registration

8:30 a.m.–9:00 a.m.  
Coffee service

9:00 a.m.–10:15 a.m.  
**eRecording – Legal Issues**

10:15 a.m.–10:30 a.m.  
Break

10:30 a.m.–11:45 a.m.  
**GSE Interface**

11:45 a.m.  
Conference concludes

# Panel Sessions

## **Technology Foundations**

This session offers a beginner's description of the emerging electronic signature technology and eMortgages. The panel sets the basic groundwork for issues to be covered in the conference and answers questions such as: What is an eSignature? How is an eSignature created? What is PKI? What is MISMO? What is the industry doing?

## **Legal Foundations**

Get the latest information on legal requirements surrounding mortgage origination and lending. The panel defines regulatory requirements and answers questions such as: What is the ESIGN Law? What are the basic regulatory requirements, including TILA and RESPA, and how do they affect mortgage originations?

## **State of Online Lending**

Receive an overview of the state and general business environment surrounding this medium. Get information on the current volume and advantages of online lending, customer reactions and current growth expectations.

## **eSignature and SPeRS**

Find out about SPeRS (Standards and Procedures for electronic Records and Signatures), an innovative project undertaken by a cross-industry group of financial services companies and trade associations. This project creates voluntary, technology-neutral guidelines for presenting, signing, managing and delivering electronic records and signatures in commercial and consumer transactions. A variety of questions are addressed by SPeRS, including how to explain electronic signatures to customers and how to provide important information more effectively using hyperlinks and other electronic techniques. Receive an overview of the SPeRS guidelines, which will be made available for voluntary use by companies' systems designers and legal counsel.

## **Understanding the Impact of Regulatory Requirements on Internet Lending**

Learn from industry experts as they discuss the Federal regulatory requirements that affect Internet lending, such as RESPA, TILA, ECOA and others. The panel analyzes the interplay between federal regulations and the ESIGN law. Experts answer questions such as: How does one make electronic disclosures? What are the timing requirements on the Internet medium? When are the different federal disclosure requirements triggered on the eMedium? What is an adverse action on the Internet? What are a lender's reporting duties in the Internet environment? In addition, the panel will feature legal expert discussions on how to navigate the confusing legal web of rules and restrictions imposed by the anti-kickback and anti-fee splitting provisions of Section 8 of RESPA.

# Panel Sessions

## **eNote Registry**

Hear expert insights and updates on the MBA/MISMO eNote Registry, now also in production by MERS as the MERS eRegistry.

## **MISMO/eMortgage**

Find out about the current state of the MISMO SMART Document specification and how it relates to the legal requirements for 100 percent electronic mortgages. The session addresses the legal ramifications and major issues the industry faces in developing viable, secure systems to originate, sign, transmit, store and manage electronic mortgage documentation.

## **Consumer Privacy and Security**

This panel features a discussion of compliance issues surrounding the growing federal “Privacy” regulations from our panel of legal experts. Panelists address questions such as: How does the GLB Act affect Internet lending? What is the criteria for web site security? What is the class action landscape? What are the likely developments in the future?

## **eRecording/Legal Issues**

Join the experts in a discussion about on-going efforts to bring automation to mortgage recordation procedures. Also covered are the Property Records Industry Association (PRIA), its electronic recording proposal to NCCUSL and the implications on a Uniform Electronic Recording Act.

## **GSE Interface**

Fannie Mae and Freddie Mac representatives discuss GSE activities in the area of Internet lending. Hear about the latest issues in eCommerce strategy for online mortgage lending, rules surrounding transferable records, and developments for electronic note delivery to the GSEs.

# Travel and Registration Information

## Five Easy Ways to Register



### Online

(Credit card)

<http://shop.mortgagebankers.org>



### Fax

(Credit card)

(202) 721-0247



### Phone

(800) 793-6222

Monday–Friday, 9:00 a.m.–5:00 p.m. ET



### Mail\*

Payable to: Mortgage Bankers Association

Mail to: Mortgage Bankers Association

P.O. Box 631744

Baltimore, MD 21263-1744



### Express Mail\*

Payable to: Mortgage Bankers Association

Mail to: Mortgage Bankers Association

c/o Bank of America/Remittance Processing

Mailcode: MD4-301-18-04

Box #631744

225 N. Calvert Street, 18th Floor

Baltimore, MD 21202

(800) 793-6222

\*Use Express Mail for overnight deliveries. Express mail only ensures postmark date for registration fees. Please allow 3–5 working days for processing and confirmations.

## TRAVEL INFORMATION

### MBA Offers Airfare and Car Rental Discounts

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–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 you do not use Travel Incorporated, please use the codes below when making your travel arrangements to ensure that you receive the appropriate discounts.

### Airfare Discounts

Please ask your travel or airline agent to use the following airline codes when making your MBA travel arrangements. Using the appropriate meeting code will ensure discount savings for you and help MBA track its airline volume.

**American:** (800) 433-1790; Airline Code 15565

**Delta:** (800) 241-6760; Airline Code DMN188877A

**United:** (800) 521-4041; Airline Code 516AO

**US Airways:** (877) 874-7687; Airline Code GF54152454

### Rental Car Discount Program

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 # A369400

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

### Hotel Information

Program registrants are responsible for making their own hotel reservations. Contact the Eden Roc Renaissance Resort and Spa by phone or fax and state that you will be attending **MBA and EFSC's Legal Issues in Mortgage Technology Conference**. Be sure to make your reservations before the hotel cut-off date. The cut-off date does not ensure availability of rooms. If rooms are available until the cut-off date, you will receive the discounted hotel rate provided below. After the cut-off date, reservations will be made on a space-available basis only, and you will be charged the regular hotel rate.

#### Eden Roc Renaissance Resort and Spa

4525 Collins Avenue

Miami Beach, FL 33140

Phone: (305) 531-0000

Fax: (305) 674-5555

MBA discount rate: \$175 Single/Double

Hotel cut-off date: **November 17, 2003**

Since 1956, the legendary oceanfront Eden Roc Resort and Spa has graced Miami Beach's prestigious Millionaire's Row. The innovative oceanfront resort and spa was designed by famed architect Morris Lapidus.

Send Substitution and Cancellation Requests by fax, mail, express mail or e-mail (see information in "Five Easy Ways to Register").

### Program Cancellation

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

**Program and registration:** (800) 793-6222,

Monday–Friday, 9:00 a.m.–5:00 p.m. ET

**Exhibits:** (202) 557-2791 or (202) 557-2792

**Sponsorships:** (202) 557-2790

**Web site:** [www.mortgagebankers.org/conferences](http://www.mortgagebankers.org/conferences)

## REGISTRATION INFORMATION

### Substitutions

Send requests in writing to the attention of "Registration Substitutions" and include a \$25 processing fee.

In order to guarantee that your name will appear on the final registration list, your substitution request must be received on or before **November 24, 2003**.

### Cancellations and Refunds

Send requests in writing to "MBA Cancellations." See below for the refund schedule.

- Received on or before **November 8, 2003**: Full refund minus \$25 processing fee
- Received **November 9–November 29, 2003**: Refund of 50 percent of the registration fee
- **November 29, 2003**: No refunds after this date.

# Registration Form

## MBA and EFSC's Legal Issues in Mortgage Technology Conference

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Please check the appropriate category:

Registrations received with payment by **November 24:**

MBA Member: \$925

Nonmember: \$1,345

Registrations received with payment after **November 24:**

MBA Member: \$980

Nonmember: \$1,445

### REGISTRANT INFORMATION

Please type or print. Photocopy form for additional registrants.

Mr./Ms.	First Name	MI	Last Name	Nickname <i>(to appear on name badge)</i>
Title		Customer ID Number* <i>(please see note below)</i>		
Company Name				
Company Address				
City		State	Zip	
Business Phone Number		Business Fax Number		
E-mail Address <i>(please provide to receive confirmations via e-mail)</i>				

Previous Employer if Employed Less than Two Years

\* 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. 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 of America)

Bill my:  VISA  MasterCard  American Express  Discover

Credit Card Account #	Expiration Date	Amount of Charge
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Name As it Appears on Card

Address if Different from Above

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

For Office Use Only	Meeting No. M2402033	Source Code E1	CMB Credit 3 Points	
ID	Co ID	Order #	Operator	Date