

Overview

CMG Mortgage, Inc., dba CMG Financial, NMLS #1820, (“CMG”) permits the use of electronic signatures, defined as any method of signing documents where an original “wet” signature is not used, on certain documents depending on the loan program. In all circumstances where electronic signatures are permitted, the electronic signature and date must be clearly visible. Electronic signatures are never permitted on any documents that require notarization or witnesses and are not permitted on any final closing documents. See below for detailed information on acceptable electronic signatures by document type and loan program.

Ownership

Document Owner:	Corporate Credit
Applicable Channel(s):	All Channels
Process Responsibility:	All production staff

Policy

Electronic signatures are permitted only on the loan program and document types as listed below. Additionally, for all loan programs where electronic signatures are permitted on initial disclosures, the following rules apply:

Consumer Services CMG Disclosures: The initial disclosures can be electronically signed via CMG’s doc vendor system. CMG contracts with a vendor to deliver initial disclosures to the consumer with the option for electronic signatures in compliance with the electronic signatures in Global and National Commerce Act (E-Sign Act), the Uniform Electronic Transactions Act (UETA), and the IRS’s IVES Participant Guidelines for the 4506-T.

Correspondent and Wholesale Brokers: The Correspondent Selling Company and the Wholesale Broker is required to validate that their document delivery company is contracted to deliver initial disclosures to the consumer with the option for electronic signatures in compliance with the electronic signatures in Global and National Commerce Act (E-Sign Act), the Uniform Electronic Transactions Act (UETA), and the IRS’s IVES Participant Guidelines for the 4506-T.

Conventional/Agency Loans

For conventional loan programs, electronic signatures are permitted on the Initial 1003 and all initial disclosures.

Electronic signatures are permitted on real estate sales contracts. CMG must ensure the sales contract is signed by the correct parties in all required places.

Note for Loans Deliverable to Freddie Mac: For LP/FHLMC loans, real estate contract electronic signatures are only permitted on real estate sales contracts that are managed by a licensed real estate broker. For Sale by Owner (FSBO) purchase transactions are ineligible for electronic signatures on the real estate contract if the loan is to be designated as “Either” or “Freddie” for GSE delivery. If either the Seller(s) or Buyer(s) are not utilizing a licensed Real Estate Broker, then Electronic Signatures are NOT permitted for that party. CMG is required to ensure all of the real estate brokers listed on the sales contract are licensed.

Corporate Policy Statement 1012-ALL

FHA Loans

For FHA loan programs, electronic signatures are permitted on the Initial 1003 and all initial disclosures.

Electronic signatures are permitted on real estate sales contracts. CMG must ensure the sales contract is signed by the correct parties in all required places.

Note: The Amendatory Clause and Real Estate Certification are attachments to the Sales Contract so these documents may be electronically signed.

VA Loans

For VA loan programs, electronic signatures are permitted on the Initial 1003 and all initial disclosures.

Electronic signatures are permitted on real estate sales contracts. CMG must ensure the sales contract is signed by the correct parties in all required places.

USDA Loans

For USDA loan programs, electronic signatures are permitted on the Initial 1003 and all Initial Disclosures.

Electronic signatures are permitted on real estate sales contracts. CMG must ensure the sales contract is signed by the correct parties in all required places.

Non-Agency Loans (Including Jumbo & AIO)

For non-agency loan programs, electronic signatures are permitted on the Initial 1003 and all initial disclosures.

Electronic signatures are permitted on real estate sales contracts. CMG must ensure the sales contract is signed by the correct parties in all required places.

Bond & DPA Program Loans

For bond & DPA program loans, electronic signature requirements vary by housing finance agency (HFA) and master servicer. For information on eligibility within a specific program, see product guidelines. For product guidelines that do not mention electronic signatures, it should be assumed that they are not permitted.

Quick Reference

The table below summarizes the ability to permit Electronic Signatures per each loan program. Please refer to the details above to ensure full compliance with the requirements.

Loan Program	Initial Disclosures	Sales Contract
Fannie Only	Yes	Yes
Freddie/Either	Yes	Yes*
FHA	Yes	Yes
VA	Yes	Yes
USDA	Yes	Yes
Non-Agency	Yes	Yes
Bond & DPA	See Guides	See Guides

**Sales Contract must be managed by a licensed Real Estate Broker.*

Additional Information

External Resources:

- Freddie Mac – Electronic Signatures and Transactions FAQ
<http://www.freddiemac.com/singlefamily/underwrite/faq.html>
- USDA – AN 4776
<http://www.rurdev.usda.gov/SupportDocuments/an4776.pdf>