

Branch_{X/IR}F



CLOSING LOANS ON TIME

by John Sherman, President



As I'm sure everyone knows, closing loans by the scheduled COE date is important for keeping the borrowers, sellers and realtors happy. But, I'm not sure everyone analyzes what it takes to close a loan on time. We distribute a lot of metrics to our branch managers every month to help them analyze the loan level and average turn times between milestones, but we haven't been including the purchase contract dates in there. The most important time of the transaction is the first week.

Obviously there are going to be cases where we get the client 15 days into their contract and aren't expected to close by the original COE

date. Those are what they are and of course everyone tries to rush those to appease everyone. We had a file started prior to the contract execution date on 70% of the purchases that AFN closed in February. On those loans, it took an average of 5 days from purchase contract execution to disclosing and 11 days to get the app back. Since the average contract length was 36 days, we left ourselves only 25 days to close the loan from the time we got the app back and already wasted 30% of the contract period. That 25 days is way below the industry and AFN averages to close a loan these days.

Continued on page 11

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CONTENTS

Featured Article | 1

Welcome to AFN | 2

Top Producers | 4

Top Processors | 5

Encompass Corner | 6

Underwriter's Angle | 8

Scenario Desk | o

Branch Relations | 10

AFN Props | 12

AFN Fan Corner | 14

Marketing Updates | 16

Product Update | 17

Social Media Status | 18

Compliance Matters | 20

AFN Birthdays | 22

welcome

We're so happy you are here!

We are always pleased to add to Team AFN, and want to welcome the following personnel, who joined us in **February 2017**.

Branch Managers

Amy Sutton

Glenn Radford

Lenore Myers

Michael Harrell

Miguel Fimbres

Loan Officers & Sales

Chanel Battle, Loan Officer

Craig Bode, Loan Officer

Destiny Stoitenberg, LO Assistant

Elene Wood, Loan Officer

Farbod Zamani, Loan Officer

George Wisniewski, Transitional LO

Irving Soberanis, Transitional LO

Israel Robles, Loan Officer

Jacob Al-Hassan, Loan Officer

Jeffrey Ausman, Transitional LO

Julie Morton, Loan Officer

Kathy Hernandez, Loan Officer

Kevin Iribarren, Loan Officer

Kristy Bryan, Loan Officer

Leah Peck, LO Assistant

Lorie Anderson, Loan Officer

Marc Livingood, Sales Team Lead

Marietta Companie, Loan Officer

Mark Burton, Transitional LO

Marlo Newman, Loan Officer

Michael Hill, Loan Officer

Michael Santa Maria,

Non Producing Sales Mgr

Michael Schmidt, Loan Officer

Nancy Meek, Inside Sales Agent

Nikolai Green, Loan Officer

Robert Upton, Loan Officer

Ronald Marini, Transitional LO

Ryan Mccauley, Transitional LO

Samantha Hamidi, Loan Officer

Sandy Rodriguez, LO Assistant

Sarah Dole, Loan Officer

Sonia Alvarado - Oceguera, Transitional LO

Steven Trombetta, Loan Officer

Tarin Golden, Loan Officer

Terry Chenowith Jr, Transitional LO

Thomas Reitano, Loan Officer

Zuriel Meerzon, Production Manager

Support and Corporate Employees

Camille Leal, Transaction Coordinator

Carrie Harrill, Administrative Assistant

Claudia Marquez, Processing Assistant

Crystal Cupp, Telemarketer

David Koch, Processor

Deanna Sanchez, Jr Processor

Destiny Stoitenberg, LO Assistant

Francis Halaka, Marketing Manager /LO

Joseph Khan, Processor

Laura Avila, Disc. Specialist Team Lead

Leah Peck, LO Assistant

Ledra Gibson, Telemarketer

Michael Ragusa, Processor

Nicole Zamora, Jr. Processor

Noel Ziegler, Processor

Olivia Andrade, Processor

Pamela Strickland, Processor

Rebecca Oxford, Underwriter

Ricardo Sagastume, Account Executive

Sandy Rodriguez, LO Assistant

Stefanie Wynne, Jr Processor

Theodore Ethier, Jr. Processor

Trisha Morris, Sr. Processor

Tyson Hare, Processor / Transitional LO

Whitney Fierro, Telemarketer

Yesenia Magana, Jr. Processor

anniversaries

We ask that you join us in wishing the following employees a very Happy Anniversary in March and thank them for their years of Service! Congratulations, and thank you for your dedication and contributions to our success!

Robert Hartz

8 years

Anthony Casillas John Abril

1 years

Alma Orihuela Jack Kirk **Javier Salas** Linda Collins Maria Pimentel Teresa Stockwell

Keith Woeste

5 years

Ryan Pinkney

Kim Skulavik **Daniel Contreras** Nicole Winovich Mary Harlan

Brandon Hawkinson

Chad Wells

Eva Lafond

Kaleigh Collins

Matthew Maine

Nicole Chavez

Savtavling Rem

2 years

Bayo Ajigbotafe

Brenda Cano

Bret Taylor

Brian Mulvihill

Denise Bertino

Derek Christina

Diana Mendenhall

Gina Williams

Hannah Bagh

Heather Chakraborty

June Vu

Kimberly Balint

Kimberly Piscopo

Kurt Krause

Ladonna Condra

Laura Morris

Lauren Collins

Leticia Valizan

Madisyn Failing

Nicholas Couturier

Patricia Ortiz

Raul Esparza

Rebecca Shumard

Robert Martinez

Sejda Mehic

Seth Daniels

Todd Probasco

Alba Vidauri

Amanda Beam

Amy Hart

Ana Ardua

Angie Gonzales

Brian Fisher

Charles Geisendorf

Christian Penner

Clark Knoblock

Craig Pfister

Dena Durniok

Donald Delcollo

Henry Gonzalez

Jacob Emmel

Jene Coble

Jonathan Castro-Aguilar

Joshua Brantley

Justin Simpers

Kenneth Steen

Lowren Beza

Mary Lachick

Richard Camp

Silvia Stabile

Stacie Geisendorf

Sylvia Salmon

Vicky Karasik

Wendy Galves

William Teed

Production Junction

Congratulations! Collectively, we funded 1,029 retail/wholesale loans for a combined volume of \$275,735,308 in February 2017.

We want to thank you all for your collective contributions as you continue to set and achieve production goals! We would like to recognize our top February 2017 Loan Originators and Branches and applaud them for a job well done.

February Top Loan Originators

| | Loan Originator | Units | Volume |
|----|-----------------|-------|-------------|
| 1 | Michael VaVerka | 18 | \$4,629,117 |
| 2 | David Lawver | 8 | \$4,171,798 |
| 3 | Bill Bright | 7 | \$3,692,514 |
| 4 | Jerry Shumard | 7 | \$3,685,935 |
| 5 | Sam Rumi | 13 | \$3,561,178 |
| 6 | Jane Kim | 9 | \$3,382,472 |
| 7 | Gina Gil | 10 | \$3,380,503 |
| 8 | Kevin McRae | 10 | \$2,820,706 |
| 9 | Alex Diaz Jr | 10 | \$2,793,662 |
| 10 | Gregory Perez | 9 | \$2,744,048 |
| 11 | Shane Valente | 6 | \$2,680,462 |
| 12 | April Myrick | 12 | \$2,618,77 |
| 13 | Hector Estrada | 7 | \$2,398,491 |
| 14 | Daniel Chalk | 3 | \$2,388,900 |
| 15 | Areli Arteaga | 11 | \$2,355,176 |
| 16 | Stefanie Neale | 12 | \$2,295,742 |
| 17 | AlexAscencio | 9 | \$2,203,396 |
| 18 | Manuel Fierros | 9 | \$2,088,980 |
| 19 | Cory Miles | 5 | \$2,018,054 |
| 20 | Taryn Proctor | 10 | \$1,998,671 |

February Top Branches

| | Branch | Units | Volume |
|----|------------------------|-------|--------------|
| 1 | Sky Park Division | 55 | \$15,967,412 |
| 2 | Campbell | 27 | \$10,495,346 |
| 3 | Palm Beach | 40 | \$8,646,651 |
| 4 | Lawver | 16 | \$8,418,203 |
| 5 | Parkmont Division | 31 | \$6,847,470 |
| 6 | Chino Hills - Pipeline | 15 | \$5,814,995 |
| 7 | Brea Pointe | 17 | \$5,728,044 |
| 8 | Blacklick | 28 | \$5,665,076 |
| 9 | Cerritos | 19 | \$4,973,843 |
| 10 | Fresno | 23 | \$4,391,323 |

AFN YTD TOTALS! 2,154 loans totaling \$577,184,240.91

Top Processors

CONGRATULATIONS

Thank you, Loan Processors, for handling AFN loan volume with grace and for your part in shaving days off our average application-to-funding turn around in February.

Funded Volume by Number of Units:

| | Processor | Units |
|----|--------------------|-------|
| 1 | Amy Skelton | 20 |
| 2 | Marie Alessi | 16 |
| 3 | Susan Hoesman | 15 |
| 4 | Nicole Wallce | 14 |
| 5 | Tamara Mitchell | 14 |
| 6 | Barbara Hasse | 13 |
| 6 | Allison Ruvo | 12 |
| 8 | Barbara Allen Kite | 12 |
| 9 | Elyria Bucello | 12 |
| 10 | Jeremy Longman | 12 |

Swiftest TT from Decisioned to Cleared

for Docs (with more than 5 loans funded):

| | Processor | Turn Time |
|----|-----------------|-----------|
| 1 | Jamie Curtis | 3.00 Days |
| 2 | Mary Lachick | 5.00 Days |
| 3 | Tyson Hare | 5.00 Days |
| 4 | Terea Hutchison | 6.08 Days |
| 4 | Maria Guillen | 6.86 Days |
| 6 | Shirley Odell | 6.86 Days |
| 7 | Barbara Bowlin | 7.50 Days |
| 8 | Amy Hart | 7.64 Days |
| 9 | Jeffrey Kempter | 7.67 Days |
| 10 | Shana Rodriquez | 8.00 Days |







by Jimmy Vuong, Compliance & Branch Relations Manager

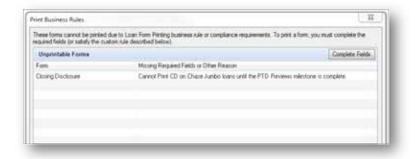
New Closing Disclosure Requirements for Chase Jumbo Loans

Attention: Processors, Doc Drawers, Funders - Effective Immediately

For Chase Jumbo loans, the CD can only be disclosed on or after the PTD Review Milestone is completed to avoid issues with CDs going out too soon and requiring a change in pricing charged to the borrower.

If there is a change in pricing (increase in costs or reduction to the credit for rate) after the initial CD is prepared, thus requiring a re-disclosed CD, Chase asserts the cost can only be passed on to the borrower if the loan closes (Note is signed) within 7 specific business days (excluding Sunday and federal holidays) of re-disclosure, regardless of the reason for the change.

You will get the following message if you attempt to print a CD that is a Chase jumbo loan that is not in the PTD Review Milestone:



Remember that:

- Your lock should remain active through the funding date
- Any pricing changes that occur after the closing docs are issued, cannot be charged to the borrower

For assistance, email Branch Relations or call 714-831-4334.



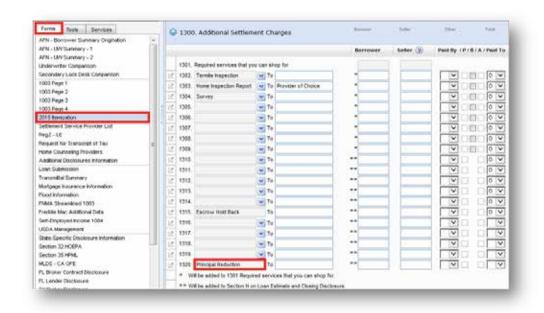


Principle Reduction on Line 1320 of the 2015 Itemization

Attention: Processors, Doc Drawers, Funders - Effective Immediately

To ensure reporting is consistent and accurate, Principle Reductions will be input on line 1320 of the 2015 Itemization.

- All loans started today (3/6/2017) will automatically have "Principal Reduction" as the fee descriptor hardcoded onto line 1320
- Loans that were started prior to 3/6/2017 and are before the Docs Request Milestone will get "Principal Reduction" as the fee descriptor on line 1320 when the Doc Request Milestone is completed
- For loans that have already passed the Doc Request Milestone, "Principal Reduction" will automatically appear as the fee descriptor on line 1320 if the dollar amount on line 1320 is changed





Underwriter's Angle

By: Ed Fink, Director of Credit Risk

In the <u>December Branch Wire</u> we announced the Fannie Mae release of the Day 1 Certainty initiative. Over the past couple of months what we have learned is that the technology used to achieve Day 1 validation is important to understand while we all get accustomed to this relatively new validation method. Leveraging technology to expedite the loan process is the direction in which our industry is moving. In <u>Bulletin 17-004</u> we talked about the requirements of meeting the Fannie Mae tolerance levels to obtain income validation via The Work Number. There are a few key points to remember about this income validation:

- Remember that the information sent to DU needs to resolve with The Work Number feedback. What this means is that the loan numbers on both must match, the employer's and borrower's names must match, and the level of income used in DU must meet the Fannie Mae requirements.
- If the income source is not needed to qualify, don't use it! Some variable income sources like bonus can be very restrictive in the allowable calculation of income.
- Aside from the requirement of W2 transcripts there is no other documentation needed to document the income source when it has been validated through DU. This means you can close your loan faster with less borrower engagement.

Speaking to this final point about income validation brings up the real time and money saver of Day 1 Certainty, Property Inspection Waivers.

As of January of this year over 1.3 million appraisals had been reviewed by CU in just two short years. Enormous amounts of metadata have also been collected through UCDP. On top of that Fannie Mae has a database of over 23 million appraisal reports in total. Fannie Mae's enhanced confidence in home values has prompted them to reintroduce PIWs on a greater scale. Read your AUS property section every time you run a conventional DU. This can save you plenty of time and your borrower the cost of the appraisal. The average number of days saved by obtaining and exercising the PIW is 4.2 days as referenced in the chart to the right!



SCENARIO DETAILS UN SUPPLIANCE SU

by Ed Fink, Director of Credit Risk

The scenario desk saw 468 tickets for the month of February.

Remember, to submit tickets either complete the <u>online form</u> or email <u>scenario@afncorp.com</u>. The benefit of using the online form is that the question can often be more fully answered because more information is usually provided. If you do decide to send an email, please be sure to at least identify the loan program.

Sample question from February:

Q: I have a conventional loan and my borrower earns a foreign pension. Am I able to use that income?

A: Yes, provided that IRS tax returns are provided for the last two years, the borrower reports the foreign income source to the IRS, the income source can otherwise be documented according to the standard pension income requirements, and all earnings are translated to US Dollars.

Q: I received Day 1 Certainty validation on my AUS for both borrowers. Do I need to provide any other income documentation?

A: The only other documentation that is required from the branch is a copy of the W2 transcripts for the income source since our investors require a signed 4506T and are able to execute that document for verification. In fact, do not include any other documentation in file since any information discovered otherwise can invalidate our representation and warranty relief.

Bookmark these links!

- Fannie Mae
- Freddie Mac
- FHA
- VA
- USDA

Have you reviewed some of the important underwriting resources available on the intranet?

- Available Loan Programs and Overlay Matrices
- Posted Policies
- Forms

Important Underwriting Related Bulletins

- Day 1 Certainty
- Social Security Cards and Large
 Deposits for Government Loans
- W2 Transcript Only Program
- Stamped Tax Returns
- Rejected Tax Transcripts



This month, Branch Relations is celebrating it's 3 year anxiversary at AFN. It has been a pleasure serving AFN through the tens of thousands of email tickets and countless phone calls. Join us in recognizing all of the following Branch Relations alumni who have moved on to help AFN in other departments:



Sav Rem Secondary



Kaleigh Collins
Processing



Matthew Maine Sales



Sean Parsons
Sales



Argenis Chavez
Post Closing

A special thanks to our current Branch Relations Coordinators:



Cynthia Sanchez



Raul Esparza



Brandon Johnson

Please don't hesitate to reach out to us for any of the following topics:

- General Encompass support
- Mavent support
- Problems with pricing and locking loans
- General loan process questions
- Help with sending initial disclosures
- Help with understanding compliance conditions
- Building reports
- Building pipeline views
- General Loan Officer Training
- Transferring loans in Encompass
- Setting up new branches

- Branch onboarding assistance
- DU Error Assistance
- Schedule meetings between Corporate management, Branch and Regional Managers

YOUR GO-TO PLACE FOR ANSWERS TO YOUR QUESTIONS!







CLOSING LOANS ON TIME CONTINUED

by John Sherman, President

We're implementing new technology to reduce our average turn times, but even then we'll want to close loans before the contract COE date to show off and compete. This needs to be a shift in how we manage our transaction time from the very beginning.

"I think a reasonable goal is to disclose within 1 day of purchase contract execution when we already have a file started prior to that."

For borrowers who are e-signing disclosures, we would usually get those back the same day or following day. That right there would shave 9 days off of our time from contract execution to app received and probably avoid most rushes later in the transaction. The loan officer controls this portion of the transaction and hopefully you are holding yourselves accountable just like you hold your ops team accountable after the file is turned in to processing. This is another situation where the Team AFN mantra is very relevant in working toward a common goal. As always, I know we can be better.

Let's be better.



AFN Props!

AWARD *

Thank you for participating and sharing your appreciation for your Team AFN co-workers!

We encourage you to keep submitting props for your co-workers! Below are just a few that were submitted in February. Give AFN Props here!

Awarded to: Sean Mitchtavy, Loan Officer

"Being new anywhere is difficult! I'm new to the Orland Park branch. From day one, Sean has been there to help me whenever I needed help. He is very knowledgeable and shares his marketing ideas freely with his team mates. I'm so very grateful that Sean and I are on the same team!!"

Given by: Karen Ramanauskas, Loan Officer

Awarded to: Megan Miller, Licensing Coordinator

"I was applying for my first out of state license. Megan took the time out of her busy day to stay on the phone with me and gave me step by step instructions of how to complete the application. She made it so very easy for me! By her staying on the phone to walk me through it, I didn't have to second guess if I completed the licensing application correctly!

Given by: Karen Ramanauskas, Loan Officer

Awarded to: Gina Allen, Underwriter

"Gina has been so helpful and always makes time for questions. She is the best UW ever!!! our entire branch completely loves her and she is incredibly valued by us!"

Given by: Sheila Lee, LO Assistant

Congratulations To Our Top Prop Recipients for February!

1st Place with 5 Props **Alex Diaz**

Runner Ups

Ted Clavel - 4 Props

Gina Allen - 2 Props



Awarded to: Cynthia Sanchez, Branch Relations Coordinator

"Cynthia has is always willing to help. She always has a smile and so efficient. She's such a pleasure to work with and knows her stuff!"

Given by: Deborah Molina, Processor

Awarded to: Jon Carrico, Loan Officer

"Jon goes above and beyond as a Loan Officer as he helps with setup and processing on all loans for the branch. He is the ultimate team player"

Given by: Michael VaVerka, Regional Manager

Awarded to: Aveelyn Navarro, Sr. Processor

"Aveelyn is really talented & good at her job. The customer loves her, I have minimal interaction on a file once sent to processing. She is a difference maker and a proof statement that AFN does what they advertise on the processing side. She has processed 3 loans for me and I have had the same experience on all."

Given by: Michael Nelson, Loan Officer

"Ben is always
helpful and answers all
of my questions no matter
how much work he already
has on his plate."

Awarded to: Benjamin Benavidez, Funder Given by: Mitchell West, Doc Drawer "Ted is to cooking, what Michael Jordan is to basketball. The greatest of all time! Keep it up, Ted."

> Awarded to: Ted Clavel Food Prep & Food Supply Manager

> > Given by: Sean Parsons Loan Officer

"Hailey is such a great teacher and very patient! I love her attitude every day and it's such a pleasure working with her :)"

> Awarded to: Hailey Castillo Processor

Given by: Sheila Lee LO Assistant

AFN FAN CORNER

For Chris Hill from Plano

"Chris made the entire experience easy and painless. The work he put in to help me through my VA home buying process was above and beyond what I have ever dealt with. Chris was such a big help getting me to raise my credit score as well as helping me through my student loans to get them caught up to date. I can't say enough about the help Chris gave from beginning to end. AFN is lucky to have such a great team member. I can't thank Chris and AFN enough for their help in buying our new home." - William C.

For Jane Kim from Skypark

"Jane is not only extremely well versed in her profession, she makes the process simple and easy. She was able to provide my wife and I peace of mind through the entire process and she exceeded our expectation. We wish we had more homes to buy just so we can work with her more often."

- Guy D.

For Julie Waldron from Address Mortgage

"Julie was absolutely wonderful to work with. Julie's response time was fantastic! Every question I had she had answers and answered questions I didn't have. Working with her team members was fantastic. What great people to work with. The best experience I had in selling my home! Thank you!"-Rosemarie A.

For Greg Perez from Mission Viejo

"Greg and his team did an amazing job getting me my house and under the 30 day promised time frame. Awesome individual. I am definitely going to recommend Greg and Toni Palacios to anyone who ask friends and family.

Thank you so Much Greg Perez "- Mario M.

For Joshua Ulmer from Palm Beach

"From start to finish the communication from your team was above and beyond. Everyone I had encountered was pleasant and very easy to talk to. I wouldn't hesitate to refer or use your company again. Thank you for all you have done to make what could have been a frustrating process as painless as possible." - Marlena P.

For Knisten Steiner from Murrieta Steiner

"This is the third loan **Kristen** has done for me. She is very good at getting ahold of me me, letting me know which paperwork I need, and keeping me in the loop of how everything is going. She got me a good APR percentage for all of my loans and is always available to answer questions I have." - Jason E.

AFN SOCIAL SURVEY STATS



"Dave was personable, knowledgeable and willing to extend himself to make a transaction. He was always accessible via a direct line (which we used several times). If we need to refinance again, Dave's number is on our direct dial."

- Michael T. for David Melton from Blacklick

SOCIAL SURVEY Joshua Ulmer - Palm Beach 7 reviews. Average: 5 * * * * **Greg Perez - Mission Viejo** 6 reviews. Average: 5 * * * * * Julie Waldron - Address Mortgage 5 reviews. Average: 5 $\star\star\star\star\star$

"Kirk worked with me for months. He's professional, knowledgeable, personable, informative, patient & willing to spend as much time as I needed to get my questions and concerns answered, He always made sure I understood everything, I never felt rushed. There were about 5 potential homes that I decided to put offers on and he was always willing to spend as much time as I needed on each. I highly recommend him and can't say enough good things about him. He made a stressful situation doable."

- Joyce K. for Kirk Kephart from Parkmont Lending

SocialSurvey Training



Marketing Library Update

Now available on <u>iConnect</u>. Download them in 3 easy steps. Learn how here:

Flyer Tutorial | Email Tutorial | Postcard Tutorial

New Flyers and Emails



Stop Paying Rent Flyer



Stated Income Flyer



Home Is Possible Flyer



Pre-Approval Realtor Email



Verus Brokered Product Flyers

Non-

Non-QM space is expanding!

by: Michael Faraci, Product Manager - Secondary Marketing

February brought lots of wonderful new tools to an ever growing interest in the Non-QM space.

February 13-16 brought us the **Non-QM Educational Series**. The three sessions highlighted all of AFN's Non-QM offerings from Impac, Verus and Galton. We were even lucky enough to be joined by representatives and presenters from our investors, who provided us with a fantastic perspective on the highlights, niches and pitfalls of each program. These webinars were received very well, and with far higher attendance numbers than expected. The three sessions combined for a total of just over 700 attendees!

Don't forget that full guidelines, qualification matrices, tools and other program information (including previously recorded program overviews) are published in the "Non-QM Investors" section on the Loan Programs page on the AFN Intranet.

Last, but definitely not least, is the long awaited addition of Galton Funding (I-38) into NYLX/Loan Decisions. Moving forward, the Galton Funding rate sheet will no longer be published. These Non-QM first and second liens are now available to all branches, and they can be priced/locked through NYLX/Loan Decisions.

March is shaping up to be a bounce-back month for AFN. We hope that these enhancements in the Non-QM category can help you capture some additional market share in your area.





by Michael Fleming, Social Media Coordinator

At their most fundamental level, hashtags are a way of organizing content across social media. When you click on a hashtag on Twitter or Instagram, you're taken to a list of other posts that use the same hashtag. For example #MotivationMonday is a popular hashtag used on both Twitter and Instagram. Typically it involves a motivational quote that helps us get through the struggle of Mondays.

Hashtags are much more than just a way to make Tweets and Instagram posts more entertaining. You've probably seen your fair share of random hashtags thrown onto the end of Tweets and Instagram captions that seem to serve no real purpose. But when used correctly, hashtags can be one of the most effective ways to track your social media marketing campaigns, brand influence and a lot more. When it comes to hashtag tracking, a lot of people are in the dark. What hashtag should you use? How can you tell who's using the hashtag? Where do you go to track everything? What do you even need hashtags for?

The very first thing you'll want to do is decide on what hashtag you want to use. Ideally every campaign you launch should use a unique hashtag so you can trace all conversations back to a specific project or goal. On the surface, choosing a hashtag might seem like a simple concept. But in order to give your hashtags the most visibility, keep the tips to the right in mind.

SOCIAL MEDIA CONNECTION

SEARCH FOR

If you're struggling to come up with ideas for hashtags, run a quick hashtag search in the social network you're using. Search for keywords related to the topic of your campaign and see what pops up. It can help kick your creativity into gear and give you some great ideas for your own hashtags.

Long hashtags are difficult to memorize, which opens the door for people to make mistakes when typing them. A good goal is to keep it 16 characters or less.



DON'T BE TOO GENERAL

The purpose of hashtag tracking is to be able to measure social media engagement for a particular campaign. When you're using a hashtag that 20 other accounts are also using, it's nearly impossible to track your campaigns.

If this still feels like I am talking in another language feel free to contact me at mfleming@afncorp.com and we can talk some more.





Marketing and Legal Review

by: Andy Kalyviaris, Esq., Chief Compliance Officer | Associate General Counsel

I'd like to remind everyone that all marketing must go through legal review prior to use. This includes advertisements not aimed at consumers, such as job postings or recruitment pieces. By sending in your ads for review, you can be sure that all legal requirements – as well as AFN branding requirements – are met. I cannot stress this enough: One non-compliant piece can easily result in thousands of dollars in fines against both the loan originator and AFN, along with a permanent administrative action appearing on both NMLS public profiles. Considering that a fair amount of business can be lost from the effects of a stained NMLS profile, the aggregate costs of one non-compliant piece are substantial.

Although it may seem like a time-consuming step, consistently sending in all your ads for review will ensure that every piece you send out is compliant and polished (after all, who doesn't want an extra set of eyes checking for typos?), ultimately providing a consistently professional image for both you and AFN.

We do not want the legal review process to get in the way of you originating new business, and have worked hard to develop an efficient legal review process. However, some marketing pieces might require additional review, additional disclosure language or may be denied altogether. For example, reverse mortgage marketing is heavily scrutinized by regulators, possibly requiring longer review times depending on the complexity/content of the piece. To help you avoid the inefficiencies of multiple revisions or wasted time on a rejected marketing piece, I am providing the tips below. Keeping these tips in mind should help get your marketing pieces in and out of legal review in no time.

- All advertising must be truthful and not deceptive or misleading. If an ad states specific credit terms, it must state only those terms that actually are or will be arranged or offered by AFN. An advertisement should not mention specific credit terms unless AFN can actually offer those terms to the recipient of the ad (cannot only be available to a small portion of those receiving the ad).
- Use of government or agency logos is prohibited. Ads should not be designed in a way that will lead consumers to believe the ad is coming from a state or federal agency. This includes use of logos, graphics, language, or format. The CFPB has handed out several large fines for these types of violations, so ads that may fall into this category will likely require substantial changes.

- AFN requires certain disclosures/disclaimers on all marketing pieces. This includes, but is not limited to, NMLS IDs, Equal Housing Logo, and state-specific language. When considering a piece, be aware that some space must be reserved so as to include this language in a reasonably-sized font.
- AFN also requires that the AFN logo is included on all pieces (usually at the top of the ad). The AFN logo should be the most prominent logo on the piece. Once again, keep this in mind when considering the layout of the ad.
- Be aware of the claims you are making in the piece: The more extreme or absolute the claim, the more disclaimers will be necessary to avoid issues (such as UDAAP or MAP rule) and customer complaints. Also, keep in mind that claims such as "lowest", "best", etc. are never allowed on any AFN advertising. Considering this, it is best to make realistic claims. This keeps disclaimers at a minimum, ultimately resulting in a more attractive and inviting piece.
- If you want to advertise specific rates or terms, be aware that additional trigger terms are required. For example, advertising a specific payment triggers a requirement for loan amount, rate/APR, down payment amount, payment terms (frequency of payments and length of term), and a statement that the payment does not include property tax or insurance, and the borrower's payment obligation will be greater. All these trigger terms must be included in the same size font and directly next to the advertised payment. Originators aware of these requirements can plan accordingly and save time during the review process.
- Be mindful of RESPA issues when co-branding/co-marketing. When co-branding a piece, make sure each party is paying their pro rata share. Keep in mind that this may not be a 50/50 split. For example, if a REALTOR has agreed to include your picture and contact info on the bottom 20% of a piece, the REALTOR needs to pay for 80% of the marketing cost. Please check out the great RESPA article we included in <u>last month's newsletter</u> for a refresher on RESPA issues.
- Completely fill out the <u>marketing form</u> when submitting an ad for review. This helps marketing know relevant information (such as what state-specific language needs to be included in the piece).
- Does your ad pass the sniff test? If an ad seems misleading, or not quite right, there is a good chance that these issues will come up during the legal review. For example, advertising an ARM as a fixed-rate loan is misleading and the ad will not make it through legal review.

The information above is far from a complete guide to advertising requirements, and additional federal and state regulations likely apply. Nevertheless, becoming familiar with these general requirements will provide you with a basic understanding of compliance requirements as you come up with advertising ideas or as you navigate the marketing review process.

Remember, when conducting legal reviews, we are focused on helping you develop profitable marketing pieces while also protecting everyone from legal issues. Also, please keep in mind that our talented marketing department has an extensive library of pre-approved marketing materials (including recruiting materials), and are always more than happy to help you design custom pieces. As always, if you have any questions or concerns regarding compliance, please contact the legal department.

We ask that you join us wishing following the employees a very Нарру Birthday in the month of



March!

SUNDAY

MONDAY

TUESDAY

Luis Vasquez Saeed Atef Tina Diep

David Olson

Patrick Ladkani

Bruce Hamed Natalie Lopez

Brandon Johnson

Celina Dera Cynthia Calvin

Anna Demartino - Birch **Anna Montgomery Cheryl Bauer Gregory Porter** Jessica Haines

Trent Mims

12

Carol Glusic

Richard Pemberton

Irma Chavez **Kurt Krause** Norma Mendoza

13

Bruce Mcginley Deanna Sanchez Janelle Rideau Jay Perez Karen Kristoff Norelle Trujillo

Briana Miller **Paul Rector** William Jennings

Brianna Killion Michael Kanter

THURSDAY WEDNESDAY **FRIDAY SATURDAY Garfield Grant Elaine Porras** Lucy Gomez-Armendariz **Aaron Mattsson** John Chew Melina Marquez Felicia Petersen **Adam Cordes Richard Borton** Selena Miranda **Diane Cisneros** William Wilson Yuri Rice Jason Carroll Beatriz Godoy Jimson Rivera Christopher O Mara Brandin Scharlin **Daniel Dempsey** Glenn Lucardie Nikos Amofa **Cortney Windsor Dave Shumard** Kathleen Ryan Diana Mendenhall Thelma Robles Rebecca Curtis Patrick Mccaffrey Todd Probasco Roque Lachica **Tony Soliman** Travin Lui Tyler Doyel **Zachary Tanner Christian Foote Brandon Burgason Courtney Wallace** Patty Rambo Brianda Bejines Froilan Corona Ramon Dizon Cierra Hassoldt **Christopher Connolly** Mirian Lozano Theodore Ethier **Judy Morales** Corey Hancock **Robert Gaines** Sharon Russell Jasmine Farmer Sylvia Sanchez Twyla Hankins Larry Rollinsr Marie Alessi Monica Edwards Christopher Moreno **Evelyn Sherman Amber Young** Dawn A Evans Gina Mcgowan Peter Davidson **Christina Burton** Debra Epstein **Kenneth Barnes** Marites Tamayao Dylan Oliveira Kimberly Bisera Sandy Leach

Guadalupe Gonzalez **Scott Shields** Susanne Sensenbach

Robert Nino

23

Joanne Link **Robert Hinz** Sandra Donnell

Lisa King Rich Wilde Ryan Mandley

Sherri Sensenbach

Alex John Salmoun Sandra Rubin Savtavling Rem Yvette Fioretti

25



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