

116TH CONGRESS
2D SESSION

S. 371

AN ACT

To provide regulatory relief to charitable organizations that provide housing assistance, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Building Up Inde-
3 pendent Lives and Dreams Act” or the “BUILD Act”.

4 **SEC. 2. MORTGAGE LOAN TRANSACTION DISCLOSURE RE-**
5 **QUIREMENTS.**

6 (a) TILA AMENDMENT.—Section 105 of the Truth
7 in Lending Act (15 U.S.C. 1604) is amended by inserting
8 after subsection (d) the following:

9 “(e) DISCLOSURE FOR CHARITABLE MORTGAGE
10 LOAN TRANSACTIONS.—With respect to a mortgage loan
11 transaction involving a residential mortgage loan offered
12 at 0 percent interest with only bonafide and reasonable
13 fees and that is primarily for charitable purposes by an
14 organization described in section 501(c)(3) of the Internal
15 Revenue Code of 1986 and exempt from taxation under
16 section 501(a) of such Code, forms HUD–1 and GFE (as
17 defined under section 1024.2(b) of title 12, Code of Fed-
18 eral Regulations) together with a disclosure substantially
19 in the form of the Loan Model Form H–2 (as depicted
20 in Appendix H to part 1026 of title 12, Code of Federal
21 Regulations) shall, collectively, be an appropriate model
22 form for purposes of subsection (b) of this section.”.

23 (b) RESPA AMENDMENT.—Section 4 of the Real Es-
24 tate Settlement Procedures Act of 1974 (12 U.S.C. 2603)
25 is amended by adding at the end the following:

1 “(d) DISCLOSURE FOR CHARITABLE MORTGAGE
2 LOAN TRANSACTIONS.—With respect to a mortgage loan
3 transaction involving a residential mortgage loan offered
4 at 0 percent interest with only bonafide and reasonable
5 fees and that is primarily for charitable purposes, an orga-
6 nization described in section 501(c)(3) of the Internal
7 Revenue Code of 1986 and exempt from taxation under
8 section 501(a) of such Code may use forms HUD–1 and
9 GFE (as defined under section 1024.2(b) of title 12, Code
10 of Federal Regulations) together with a disclosure sub-
11 stantially in the form of the Loan Model Form H–2 (as
12 depicted in Appendix H to part 1026 of title 12, Code
13 of Federal Regulations), collectively, in lieu of the dislo-
14 sure published under subsection (a) of this section.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 subsections (a) and (b) shall take effect on the date of
17 the enactment of this Act.

Passed the Senate December 21, 2020.

Attest:

Secretary.

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