

President
James H. Dudley, IV



Executive Vice President & CEO
Leslie Midgley, CAE

May 1, 2017

The Honorable Jeb Hensarling
Chairman
The House Financial Services Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman,

I am writing on behalf of the Texas Land Title Association (TLTA). We represent nearly 13,000 title professionals throughout Texas. Founded in 1908, the Texas Land Title Association is a statewide trade association advocating for the land title industry in Texas. TLTA members protect the property rights of Texans and bring certainty, efficiency and security by researching titles, safely conducting closings and issuing title insurance to protect real property owners and mortgage lenders against losses from defects in titles.

Our association is writing in support of the CHOICE Act. We applaud your efforts to repeal and replace parts of Dodd-Frank that are holding back economic growth, particularly housing and business lending by community financial institutions. We support provisions to make it easier for community financial institutions to make mortgage loans, such as the provision that would create a legal safe harbor from ability-to-repay requirements for mortgage loans that are kept on a depository institution's balance sheet.

Our Federal Issues Committee recently met, and we wanted to relay to you the issues that a broad cross-section of Texans thought important to address in financial reform.

We support changes to the regulatory structure of the CFPB that we think will make the agency more accountable to the public. We support provisions that would subject the CFPB to federal appropriations, so there is accountability in their spending and activities. We also support the establishment of an Office of Economic Analyses to review rules and regulations before they are promulgated to determine if they are necessary. Further, we support provisions that would require that all major financial regulations – such as those likely to result in an annual economic impact of more than \$100 million, or a major increase in prices for consumers or costs for businesses – receive affirmative Congressional approval before becoming effective.

We also believe it is important to bring regulatory certainty to CFPB's actions. Our Committee raised concerns about the CFPB's ability to impose excessive fines and whether there is uniformity in their application. We support provisions in your bill that would allow parties subject to CFPB

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administrative proceedings and information requests the ability to take these actions to federal court if they believe they are unjust. We further support adding more certainty to their enforcement actions, such as more narrowly defining unfair and deceptive practices. Lastly, we support provisions to segregate civil penalties and reserve them for victim relief, not for other uses.

We also ask you to consider restricting CFPB's authority to potentially re-interpret previous legal and regulatory precedents. For example, a changed interpretation of RESPA was at the heart of the *PHH v. CFPB* case considered in the D.C. Circuit Court of Appeals. We support your bill that strikes the provision in the Dodd-Frank Act that gives CFPB deference over other agencies in its interpretation of consumer financial laws. Our members remained concerned that CFPB interpretations can be a moving target.

Thank you for the introduction of the Financial CHOICE Act, and we look forward to working with you as it advances in the legislative process.

Sincerely,



James H. Dudley, IV
President



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Executive Vice President and CEO