

**AMENDMENT**  
**OFFERED BY MR. AL GREEN OF TEXAS TO THE**  
**AMENDMENT OFFERED BY MR. FRANK OF**  
**MASSACHUSETTS**

Page 5 of the amendment, after line 16, insert the following:

1                   “(E) ADDITIONAL MORTGAGE BROKER RE-  
2                   QUIREMENTS.—

3                   “(i) In addition to the requirements  
4                   under subparagraph (C) and to duties im-  
5                   posed under other statutes or common law,  
6                   to be eligible as a mortgagee under this  
7                   section, a broker shall—

8                   “(I) safeguard and account for  
9                   any money handled for the borrower;

10                   “(II) follow reasonable and lawful  
11                   instructions from the borrower;

12                   “(III) act with reasonable skill,  
13                   care, and diligence; and

14                   “(IV) ~~make reasonable efforts to~~  
15                   ~~secure a mortgage loan with rates,~~  
16                   ~~charges, and repayment terms that~~  
17                   ~~are advantageous to the borrower.~~

*delete  
unanimous  
consent*

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“(ii) For purposes of this subparagraph, a loan correspondent shall be considered to be a mortgage broker.

“(iii) The duties and standards of care created in this subparagraph shall not be waived or modified.

“(iv) Any broker found by the Secretary to have violated the requirements of this subparagraph may not originate mortgage loans insured under this title.

~~“(v) A borrower injured by a violation of this subparagraph may bring an action for recovery of damages. Damages awarded under this subparagraph shall include all points, fees, and costs incurred in the origination of the loan, and all other actual and consequential damages and such damages as the court may award, plus reasonable attorney’s fees and court costs.”.~~

*Deleted  
by  
unanimous  
consent*