

FEDERAL TRADE COMMISSION

[File No. 932-3143]

Progressive Mortgage Corporation; Sanford Cramer; Analysis to Aid Public Comment**AGENCY:** Federal Trade Commission.**ACTION:** Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair or deceptive acts or practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require, among other things, the Ohio-based mortgage banker, and its president, to provide full and accurate disclosure of finance charges, annual percentage rates, and other terms and conditions of financing, in compliance with the Truth in Lending Act (TILA). The agreement settles allegations that Progressive Mortgage provided false and misleading information about payment schedules and the cost of credit to mortgage applicants, in violation of the TILA.

DATES: Comments must be received on or before February 10, 1997.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, Room 159, 6th St. and Pa. Ave., N.W., Washington, D.C. 20580.

FOR FURTHER INFORMATION CONTACT: John M. Mendenhall, Federal Trade Commission, Cleveland Regional Office, 668 Euclid Avenue, Suite 520-A, Cleveland, OH 44114. (216) 522-4210.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46, and Section 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the above-captioned consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. The following Analysis to Aid Public Comment describes the terms of the consent agreement, and the allegations in the accompanying complaint. An electronic copy of the full text of the consent agreement package can be obtained from the Commission Actions section of the FTC Home Page (for November 25, 1996), on the World Wide Web, at "http://www.ftc.gov/os/actions/htm." A paper copy can be obtained from the FTC Public Reference Room, Room H-130, Sixth Street and Pennsylvania Avenue, N.W., Washington, D.C. 20580, either in person or by calling (202) 326-3627.

Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with Section 4.9(b)(96)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

Analysis of Proposed Consent Order to Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Progressive Mortgage Corporation, a mortgage banker and its president Sanford Cramer.

The proposed consent order has been placed on the public record for sixty (60) days for the reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The Commission's complaint charges that proposed respondents failed to include premiums for mortgage insurance in calculating the finance charge and the annual percentage rate for mortgage loans. Respondents failed to accurately disclose to consumers the payment schedule and total of payments scheduled to repay the obligation in its Truth in Lending Act disclosures.

The Complaint also alleges that Sanford Cramer President provided false and misleading written disclosures relating to the Truth in Lending Act about consumer credit transactions.

The proposed Consent order contains provisions designed to remedy the violations charged and to prevent the proposed respondents from engaging in similar acts and practices in the future. Part I of the order prohibits Progressive from engaging in the alleged practices in the future. Part I also requires Progressive to calculate and make all disclosures required by the Truth in Lending Act and cease from misrepresenting any term or condition of financing for any consumer credit transaction.

Paragraph II of the Order addresses the specific practices at issue by prohibiting Cramer from misrepresenting the annual percentage rate, the finance charge, the monthly payment amount or the total of payments in any written disclosure. He is also prohibited from misrepresenting any term or condition of financing for any consumer credit transaction.

The remainder of the proposed order consists of a six year recordkeeping

provision and other standard compliance provisions.

The purpose of this analysis is to facilitate public comment on the proposed order, and is not intended to constitute an official interpretation of the agreement and proposed order, or to modify in any way their terms.

Donald S. Clark,

Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Program Support Center; Agency Information Collection Activities: Submission for OMB Review; Comment Request**

The Department of Health and Human Services, Program Support Center, publishes a list of information collections it has submitted to the Office of Management and Budget (OMB) for clearance in compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) and 5 CFR 1320.5. The following are those information collections recently submitted to OMB.

1. *HHS Payment Management System Forms (PMS-270 and PMS-272)—0937-0200—Extension.*

The PMS-270, Request for Advance or Reimbursement is used to make advances or reimbursement payments to grantees. It serves in place of the SF-270.

Respondents: State and local governments; profit and nonprofit businesses and organizations receiving grants from HHS; *Total Number of Respondents:* 25; *Frequency of Response:* monthly; *Average Burden per Response:* 15 minutes; *Estimated Annual Burden:* 75 hours.

The PMS-272, Federal Cash Transactions Report, is used to monitor Federal cash advances to grantees and obtain Federal cash disbursement data. It serves in place of the SF-272.

Respondents: State and local governments; profit and nonprofit businesses and institutions receiving grants from HHS; *Total Number of Respondents:* 11,050; *Frequency of Response:* quarterly; *Average Burden per Response:* 4 hours; *Estimated Annual Burden:* 176,800 hours.

Total Burden: 176,875 hours.

OMB Desk Officer: Allison Eydt.

Copies of the information collection packages listed above can be obtained by calling the PSC Reports Clearance Officer on (301) 443-2045. Written comments and recommendations for the proposed information collection should