

§ 1026.37(d) *Cash to close.*

§ 1026.37 Content of disclosures for certain mortgage transactions (Loan Estimate).

For each transaction subject to § 1026.19(e), the creditor shall disclose the information in this section, as applicable:

(d) *Cash to close.* In a separate table, under the heading “Cash to Close”:

(1) The dollar amount as calculated in accordance with paragraph (h)(8) of this section, labeled “Estimated Cash to Close”;

Commentary

1. *As applicable.* The disclosures required by § 1026.37 are to be made only as applicable, except as otherwise provided in § 1026.37(o). A disclosure that is not applicable to a particular transaction generally may be eliminated entirely. For example, in a transaction for which the creditor does not require homeowner’s insurance, the disclosure required by § 1026.37(m)(3) need not be included. Alternatively, the creditor generally may include disclosures that are not applicable to the transaction and note that they are “not applicable” or “N/A.” As provided in § 1026.37(i) and (j), however, the adjustable payment and adjustable interest rate tables required by those paragraphs may be included only if those disclosures are applicable to the transaction and otherwise must be excluded.

2. *Format.* See § 1026.37(o) and its commentary for guidance on the proper format to be used in making the disclosures, as well as permissible modifications.

(2) The dollar amount calculated in accordance with paragraph (f)(4) of this section, described as “Loan Costs”;

(3) The dollar amount calculated in accordance with paragraph (g)(5) of this section, described as “Other Costs”;

(4) The dollar amount disclosed pursuant to paragraph (g)(6)(ii) of this section, described as “Lender Credits”;

(5) The sum of the amounts disclosed pursuant to paragraphs (d)(2), (d)(3) and (d)(4) of this section, described as “Closing Costs”; and

(6) A statement referring the consumer to the location where tables required pursuant to paragraphs (f) and (g) of this section are provided for details.