

## **Keller Mortgage Referral and Advertising Guidelines**

Because Keller Mortgage is a residential real estate “settlement services provider” as defined by RESPA, market centers and associates who refer consumers to Keller Mortgage must provide adequate consumer notice related to the affiliation between Keller Mortgage and certain officers, directors, and owners of Keller Williams Realty, Inc. In addition, market centers and associates need to be mindful of certain rules of conduct related to mortgage loan advertising. These guidelines from Keller Mortgage will detail what you need to know.

### **1. Disclosure of affiliation**

- Each time a referral of business is made to Keller Mortgage, the consumer must be provided with an Affiliated Business Arrangement Disclosure (“ABA Disclosure”) at the time of referral in the form prescribed by RESPA. Referrals are made anytime a person suggests using Keller Mortgage, whether orally or in writing, including recommendations of Keller Mortgage contained within websites and messages from mobile devices.
- If referring a consumer to Keller Mortgage in person, immediately give the consumer the ABA Disclosure, on a separate piece of paper, and ask the consumer to sign a copy for your files.
- If referring a consumer by telephone, immediately advise the consumer of the affiliation and provide the written ABA Disclosure.
- If referring consumers using digital delivery, such as a website or mobile platform, include a clear and conspicuous disclosure of the affiliation and attach or provide a link to the ABA Disclosure. For example:

**Certain officers, directors, and owners of Keller Williams Realty, Inc. have ownership interests in Keller Mortgage. You are not required to use Keller Mortgage. Please read our Affiliated Business Arrangement Disclosure [HERE](#).**

## 2. Mortgage Advertising Practices

The CFPB, FTC, HUD and state authorities have created a myriad of requirements related to any advertising of mortgage services or products.

- “Advertising” for these purposes includes brochures, posters, media ads, telemarketing, Web pages, and any other communications that promote Keller Mortgage’s services or products.
- Keep copies of all materials advertising Keller Mortgage, as well as any associated sales scripts and training materials, for at least two years.
- Do not use the terms “free” or “no costs” when describing the ZeroPlus program. Use one of the Keller Mortgage-approved terms listed below to describe the program.
  - The Mortgage Acts and Practices Rule (the “MAP Rule”) prohibits any material misrepresentation in commercial communication involving mortgage credit products. Therefore, it is imperative to properly state what fees Keller Mortgage is waiving. Keller Mortgage is only waiving lender fees, **not all fees.**
- All appropriate disclosures should be placed in a clear and conspicuous location.
- It is important and a best practice to always provide at least two other financing options to your clients. We want consumers to be fully informed and aware that they have choices.

### 3. Other Marketing Guidelines

Caution should be used in the promotion of Keller Mortgage offerings. It is easy to promote an offering as your own, which could be seen as unlicensed activity. When promoting the Zero Plus offering, be sure to advise the consumer the offering is provided by Keller Mortgage.

- The Keller Mortgage NMLS Unique identifier of #140234 should be referenced conspicuously close to the Keller Mortgage name.
- Depending upon the target market, additional state licensing disclosure information may be required.
- Under some circumstances hyperlinks may be acceptable.
- Key Guidelines
  - Audio advertisements should have audio disclosures
  - Written advertisements should have written disclosures
  - Use normal volume settings for disclosures
  - Use normal cadence
  - If disclosures appear on screen during a video, they should remain on the screen long enough to be read.

## ***Keller Mortgage-Approved language for the ZeroPlus Loan***

***ANYTHING with Keller Mortgage logo must have NMLS ID of #140234***

***And reference [kellermortgage.com](http://kellermortgage.com) for proper disclosures***

- *The ZeroPlus Loan.  
Zero Origination Fee  
Zero Processing Fee  
Zero Underwriting Fee  
Low Rates  
\$1000 closing credit toward 3<sup>rd</sup> party Costs  
(Loan amount must be at least \$150,000)*
- *Exclusive to Keller Williams Transactions*
- *Zero Plus  
\$0 Lender Fees  
Plus Low Rates & a \$1000 closing credit toward 3<sup>rd</sup> party costs (for loan amounts over \$150K)*
- *Exclusive access to the Zero Plus Loan offered by Keller Mortgage. Fantastic Rate and Thousands of dollars in savings.*
- *Buyers save Thousands of Dollars*
- *Ask me about Special Financing available to Keller Williams customers*

**DISCLAIMER:** This material is provided by Keller Mortgage for informational purposes only and is not intended to be, and should not be considered, legal advice. This communication does not establish an attorney-client relationship between Keller Mortgage or KWRI and any market center or associate. You must obtain legal advice from your own counsel on any particular matter that concerns you.

**AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE**

To: \_\_\_\_\_

From: \_\_\_\_\_

Date: \_\_\_\_\_

This is to give you notice that \_\_\_\_\_, with which your agent is affiliated, has a business relationship with Keller Mortgage, LLC, (Keller Mortgage). Certain officers, directors, and owners of Keller Williams Realty, Inc. (“KWRI”), our franchisor, have indirect ownership interests ranging from an estimated one to 44 percent in Keller Mortgage. Because of this relationship, this referral may provide KWRI and/or officers, directors, or owners of KWRI a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed provider(s) as a condition for settlement of your loan on or purchase, sale, or refinance of the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Provider (settlement services): Keller Mortgage LLC (mortgage loan) Range of charges: Loan Origination Fee 0 to 2% of loan amount, application Fee 0 to \$500 & loan discount fee/points 0 to 3% of loan amount. *The loan discount fee/points are affected by the interest rate on your loan and may be higher if your interest rate is below market. In addition, the lender may require that you pay for the services of an attorney, credit reporting agency, or real estate appraiser chosen by the lender to represent the lender’s interest.*

**ACKNOWLEDGMENT:**

I have read this disclosure form and understand that \_\_\_\_\_ is referring me/us to purchase the above-described settlement services and that KWRI and/or officers, directors, or owners of KWRI may receive a financial or other benefit as a result of this referral.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(signature)