

Gateway Correspondent - Power of Attorney, Electronic Signatures and a Combination of Both

Power of Attorney	FHA/RD-USDA	Section 184	VA	FNMA	TX6(a) FNMA
Allow a Specific POA for Loan Closing Docs	Yes HUD 4155.2 6.A.1.f	Yes Section 184 Processing Guide 2014 Chp 6.4.D	Yes VA HB Chapter 9 Section 7	Yes B8-3-03 & Part E Quick References & NO on all cash out transactions	No TX Supreme Ct Ruling 10-0121
Allow a Specific POA for initial disclosures and initial 1003 Application	No HUD 4155.1 1.B.1.a 1.B.3.c 1.B.3.d	No Section 184 Processing Guide 2014 Chp 6.4.D	Yes Along with an Alive & Wellness Cert - per Laura Rodriguez at VA.gov	No B8-3-03 & Part E Quick References	No TX Supreme Ct Ruling 10-0121
Allow a Specific POA for initial disclosures, initial 1003 Application and the borrower(s) to use an electronic signature on these documents as well.	No HUD 4155.1 1.B.1.a 1.B.3.c 1.B.3.d & ML 2010-14	No Section 184 Processing Guide 2014 Chp 6.4.D	No per Laura Rodriguez at VA.gov	No B8-3-03 & Part E Quick References	No Supreme Court Ruling 10-0121
Electronic/Laser Signature	FHA/RD-USDA	Section 184	VA	FNMA	TX6(a) FNMA
Allow borrower(s) to use an electronic/laser signature on the initial disclosures and initial 1003 Application with evidence of e-consent.	Yes - FHA ML 2014-03 Yes - RD/USDA RD AN # 4776 (1980D)	Yes Section 184 follows FHA protocol ML 2014-03	Yes per Laura Rodriguez at VA.gov Circular 26-13-13	Yes A2-5.1-03 & 04	Yes A2-5.1-03 & 04
Allow borrower(s) to use an electronic/laser signature on the closing documents.	No ML 2014-03 RD AN # 4776 (1980D)	No Section 184 follows FHA protocol ML 2014-03	No Gateway policy will not allow (though VA Does) Circular 26-13-13	No A2-5.1-03 & 04	No A2-5.1-03 & 04
Allow the Loan Officer to use an electronic/laser signature on the initial 1003 Application.	No ML 2014-03 RD AN # 4776 (1980D)	No Section 184 follows FHA protocol ML 2014-03	No GMG policy will not allow (though VA does) Circular 26-13-13	No FNMA Guide B1-1-01	No FNMA Guide B1-1-01
Allow the Loan Officer to use an electronic/laser signature on the final 1003 Application.	No ML 2014-03 RD AN # 4776 (1980D)	No Section 184 follows FHA protocol ML 2014-03	No Gateway policy will not allow (though VA does) Circular 26-13- 13	No FNMA Guide B1-1-01	No FNMA Guide B1-1-01
Allow a third party electronic/laser signature outside of the lender's control (i.e. sales contracts, appraisals)	Yes ML 2014-03 RD AN # 4776 (1980D)	Yes Section 184 follows FHA protocol ML 2014-03	Yes per Laura Rodriguez at VA.gov Circular 26-13-13	Yes A2-5.1-03 & 04	Yes A2-5.1-03 & 04

All Files

Borrower electronic/laser signature or electronic delivery of documents consent: The loan file must contain the borrower's consent form for the use of any electronic signature, electronic disclosures or document sent. The e-consent disclosure must be provided to the borrower prior to sending any documents or appraisals electronically.

Other Documents That Require Ink/Live Signatures

Borrower Certification and Authorization, 4506T and the SSA form RD/USDA form 1980-21

Loan Officer/Lender electronic signature documentation requirements

Lenders or document custodians must collect and retain appropriate evidence to:

- document a signer's agreement to use an electronic signature,
- demonstrate a signer's execution of a particular electronic signature, and
- prove its attribution of the electronic signature to that signer.

Any files that a lender maintains must include:

- the name of the person and related entity, if applicable, who signed each document in the loan file;
- the borrower's consent for the use of any electronic signature or disclosure;
- the date of the signature;
- the method by which the document was signed; and
- any associated information that can be used to verify the electronic signature.