

January 26, 2016

Monica Jackson
Office of the Executive Secretary
Consumer Financial Protection Bureau
1700 G Street, NW
Washington, DC 20552

**Re: Amendments to the 2013 Mortgage Servicing Rules
Under RESPA (Reg X) and TILA (Reg Z)
Docket No. CFPB-2016-0016 (RIN 3170-AA49)**

Dear Ms. Jackson:

On behalf of the 1.453 million credit union members we represent, the Heartland Credit Union Association (HCUA) appreciates the opportunity to comment on the Consumer Financial Protection Bureau's (CFPB) Amendments to the 2013 Mortgage Servicing Rules under the Real Estate Settlement Procedures Act (RESPA) (Regulation X) and the Truth in Lending Act (TILA) (Regulation Z).

We concur with the finding that clear information about consequences of non-payment are important to be included in the statement, even if the information appears somewhat threatening to the borrower. We hope the CFPB will acknowledge that there are consequences to non-payment of borrowed funds, not only in the bankruptcy context, but in other situations as well. We urge the CFPB to go further with this conclusion and amend the forms to include more information about the consequences of non-payment, including information about late fees and when they will be assessed.

Another concern is one of separation of powers. Bankruptcy has always been in the province of the judicial system. It is a legal proceeding in a court of law. It is of great concern for an executive branch agency to promulgate rules affecting a judicial branch function, particularly when the proceedings in such a suit can vary greatly from case to case. In fact, the constitutionality of this proposed rulemaking is in serious question. As such, we urge the CFPB to work with the Bankruptcy Courts as much as possible and defer to their expertise and judgment as to what should be included on the periodic statement.

As always, we appreciate the opportunity to review this issue. We will be happy to respond to any questions regarding these comments.

Sincerely,



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