QUESTION:

I recently received a 22AL requesting loan information about my buyer’s loan status. I sent a 22AP to the lender for completion. The lender responded with: “the application is moving along”. I requested more specific information via the 22AP and the loan officer forwarded the 22AP to the loan processor who said: “I have received direction from management and this is not something we can take the responsibility for filling out.” To comply with the 3-day deadline, I sent the 22AP to the buyers and asked them to complete it to the best of their knowledge. Am I using the 22AP correctly and is it okay for the buyers to complete it if the lender refuses?

ANSWER:

Completion of Form 22AP is the obligation of the buyers. Lender did not agree, in Form 22A, to complete Form 22AP ... buyer did. Buyer supplied paperwork to lender and should be able to identify, by check marking a box, the information that buyer provided to lender. Buyer knows whether there is outstanding information lender is seeking from buyer. Buyer can identify the lender to whom buyer made loan application. There is nothing about Form 22AP that should require lender’s completion rather than buyer’s completion. If, for some reason, buyer needs lender to answer a question to facilitate buyer’s completion of Form 22AP, buyer should ask that question of lender. Otherwise, buyer should complete Form 22AP and timely return it to seller.

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