

FLORIDA

| <i>Fee</i> | <i>Lender Permissible</i> | <i>Broker Permissible</i> | <i>Included in A.P.R. ¹</i> | <i>Maximum Allowable Fee</i> | <i>Comments</i> |
|-------------------------|---------------------------|---------------------------|--|---|--|
| Application | Yes | Yes | Yes/No | Reasonably related to services to be performed | May not be based on percentage of principal loan amount. Fla. Stat. Ann. § 494.0038. Nonrefundable application fee must be reasonably related to the services to be performed. Fla. Stat. Ann. § 494.0038(4). Application fees charged to all applicants for credit, whether or not credit is actually extended, excluded from the finance charge. Reg. Z. § 226.4 (c)(1). |
| Appraisal | Yes | Yes | No | Actual cost | Fla. Stat. Ann. § 494.0038. |
| Assumption | | | Yes | | |
| Attorney Fee | Yes | | No | Servicing: 10% of principal loan amount | Under Florida law, attorney's fees are not included in the calculation of interest for usury purposes. Fla. Stat. Ann. § 687.05. |
| Broker Fee | Yes | Yes | No | Mortgage loan exceeding \$5,000: \$250 plus 10% of entire mortgage loan. | Mortgage brokerage fee earned by a licensee is not considered interest or a finance charge under Florida Law. Fla. Stat. Ann. § 494.0042. |
| Closing Agent | | | Yes | | |
| Courier | Yes | Yes | Yes | Third party charge | Fl. Admin. Code § 69V-40.008 |
| Court Costs | | | | | |
| Credit Report | Yes | Yes | No | Actual cost | Fla. Stat. Ann. § 494.0038. Reg. Z, § 226.4(c)(7)(iii). |
| Debt Cancellation | | | No | | |
| Debt Collection | | | No | | |
| Deferral | | | No | | |
| Delivery | | | Yes | | |
| Discount Points | Yes | | Yes | | Fla. Stat. Ann. § 494.0069. |
| Document Prep | | | No | | |
| Escrow Agent | | | Yes | | |
| Escrow Repair | | | | | |
| Fax (internal) | | | | | |
| Flood Certification | Yes | Yes | Yes | Third party charge | Fla. Stat. Ann. § 494.0068. Excluded from finance charge, if fee is to determine if flood insurance is required prior to closing. Reg. Z, Part 226, § 226.4(c) (7) (iv). |
| Flood Determination | Yes | Yes | Yes | Third party charge | Fla. Stat. Ann. § 494.0068. |
| Inspection | | | Yes | | |
| Insurance | | | No | | |
| Internal Attorney | | | No | | |
| Internal Debt Collector | | | No | | |
| Investor | | | | | |
| Late Payment | Yes | | No | 5% of amount of payment past due | Fla. Stat. Ann. § 494.00791 (13). |
| Lender | | | No | | |
| Loan Fee | | | | | |
| Misc. Third Party | | | | | |
| Modification | | | Yes/No | | |
| Non-sufficient Funds | Yes | Yes | No | Greater of between \$25 and \$40 based on face amount or up to 5% of face amount | Fla. Stat. Ann. § 832.07(1). |
| Notary | | | No | | |
| Origination (points) | Yes | | See comments | The Mortgage Brokerage and Lending Act does not provide limitation on charging points | Loan origination fees up to 4% of face amount not considered interest or a finance charge. If mortgage loan is sold or assigned within 90 days after funding, loan origination fees up to 10% not considered interest or a finance charge. Fla. Stat. Ann. § 494.0074. |
| Payoff | | | No | | |
| Payoff Statement | | | No | | |
| Photocopy (internal) | | | | | |
| Prepayment Penalty | Yes | | No | No provisions regarding or restricting amount | Any note which is silent about the right to prepay, the borrower may prepay without penalty. Fla. Stat. Ann. § 697.06. |
| Processing | | | Yes | | |
| Public Officials | | | | | |
| Reconveyance | | | No | | |
| Redraw | | | No | | |
| Refinance | | | No | | |
| Release | | | No | | |
| Satisfaction | | | No | | |
| Secondary Market | | | Yes | | |
| Settlement Agent | | | Yes | | |
| Subordination | | | | | |
| Survey | | | No | | |
| Tax Service | | | Yes | | Not permitted on FHA loans. |
| Title Examination | | | No | | |
| Title Insurance | | | No | | |
| Title Search | | | | | |
| Trustee's Fee | | | Yes | | |
| Underwriting | | | Yes | | |

¹ Please note: The fees that can be included in the APR are regulated federally by Regulation Z. However, some states also impose additional regulations and/or restrictions. A state that is silent on whether a particular fee is allowed or not will be blank in that row on the matrix.