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Illinois Anti-Predatory Lending Program (Effective July 1, 2010)

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Note: The following (1) & (2) may assist in applying Anti-Predatory Lending Program requirements to RECORDINGS.

(1) NEEDS CERTIFICATE OF EXEMPTION OR CERTIFICATE OF COMPLIANCE

<ul style="list-style-type: none"> • Mortgage • Home Equity Loan • Second Mortgage • Revolving Credit Mortgage • Forgivable Mortgage • Line of Credit • Reverse Mortgage • Junior Mortgage • Second Mortgage • Trust Deed • Subordinate Trust Deed (acts as a new second mortgage) • Subordinate Mortgage (acts as a new second mortgage) 	<ul style="list-style-type: none"> • Bridge Loan • Mortgage/Trust Deed to Secure a Bail Bond • Private Mortgage • Residential Mortgage • Commercial Mortgage • Construction Mortgage • Mortgage and Security Agreement • Mortgage and Assignment of Rents • Mortgage and Fixture filing • Purchase Money Mortgage • Mortgage by Corporation • Open End Mortgage • Mortgage and Balloon Payment
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Basically any **brand new** loan on real estate **dated or executed** (signed) on or after 7-1-10.
 (Note: attach only ONE Certificate per document)

(2) DOES NOT NEED ANY CERTIFICATE OF EXEMPTION OR CERTIFICATE OF COMPLIANCE

<ul style="list-style-type: none"> • Modification of Mortgage (changes to an existing mortgage) • Assignment of Mortgage (assigns an existing mortgage) • Amended or Restated Mortgage • Mortgage Extension Agreement (changes to an existing mortgage) • Assignment of Rents • Amendment of Mortgage (changes to an existing mortgage) • Release of Mortgage 	<ul style="list-style-type: none"> • Chattel Mortgage (Loan secured by personal property, NOT real estate) • Assumption of Mortgage • Novation Agreement (substitution of debtors) • Subordination of Mortgage • Subordination Agreement (agreement about new loan & existing loan & their priority in the chain of title.) • Promissory Note • Installment Agreement for Deed • IHDA Recapture Agreement (Illinois Hardest Hit Fund Homeowner Emergency Loan Fund)
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Basically any document affecting a **pre-existing** loan on real estate and in no way creating a brand new loan.

(3) NEEDS A CERTIFICATE OF SERVICE

<ul style="list-style-type: none"> • Lis Pendens ***SEE BELOW 	
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***If any Lis Pendens for a residential mortgage foreclosure is recorded on the property within the program area, a certificate of service must be simultaneously recorded that affirms that a copy of the Lis Pendens was filed with the Department. **765 ILCS 77/70**

Below are the types of Lis Pendens that **do not** require a Certificate of Service:

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|-------------------------|---------------------|
| Dissolution of Marriage | Eminent Domain |
| Demolition | Probate |
| Condemnation | Mechanics Lien |
| Tax Deeds | Commercial Mortgage |