

to read as follows:

Article -- Commercial Law

12-108. Points Prohibited.

(A) Except for a loan described in §12-103(d) or (e) of this subtitle, a lender may not charge a borrower or any other person any point or fraction of a point.

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(A) Except for a loan described in §12-103(d) or (e) of this subtitle, a lender may not charge a borrower or any other person any point or fraction of a point.

(B) NOTWITHSTANDING THE PROVISION OF SUBSECTION (A), A LENDER MAY IMPOSE AND COLLECT, AS A CONDITION OF MAKING A LOAN, ALL FEES, DISCOUNTS, POINTS OR OTHER CHARGES THAT LENDERS ARE PERMITTED OR REQUIRED TO IMPOSE, COLLECT, OR PAY IN ORDER TO QUALIFY THE LOAN FOR SALE IN WHOLE OR IN PART, OR IN ORDER TO OBTAIN A PURCHASE COMMITMENT, UNDER ANY PROGRAM AUTHORIZED BY FEDERAL OR STATE OF MARYLAND STATUTE OR REGULATION, INCLUDING BUT NOT LIMITED TO GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, FEDERAL NATIONAL MORTGAGE ASSOCIATION, FEDERAL HOME LOAN MORTGAGE CORPORATION, FEDERAL RESERVE BANK, FEDERAL HOME LOAN BANK AND THE FARMERS HOME ADMINISTRATION.]]

12-108.

[[(C)]] (B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION, A LENDER MAY IMPOSE AND COLLECT, AS A CONDITION OF MAKING A LOAN, ALL FEES, DISCOUNTS, POINTS, OR OTHER CHARGES THAT LENDERS ARE PERMITTED OR REQUIRED TO IMPOSE, COLLECT, OR PAY PURSUANT TO A FEDERAL OR MARYLAND LAW PROVIDING FOR A PROGRAM OF MORTGAGE PURCHASES (EXCLUSIVE OF THE MARYLAND HOME FINANCE AUTHORITY) OR BY ANY FEDERAL [[OR STATE]] AGENCY OR INSTRUMENTALITY OR SUBSIDIARY THEREOF, INCLUDING BUT NOT LIMITED TO, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, FEDERAL NATIONAL MORTGAGE ASSOCIATION, FEDERAL HOME LOAN MORTGAGE CORPORATION, FEDERAL RESERVE BANK, FEDERAL HOME LOAN BANK AND THE FARMERS HOME ADMINISTRATION, PROVIDED THAT ALL OF THE FOLLOWING CONDITIONS ARE MET:

(1) THE LOAN IS ELIGIBLE FOR PURCHASE BY, AND IS TENDERED IN GOOD FAITH, FOR PURCHASE, PURSUANT TO A [[COMMITMENT]] COMMITMENT OR OFFER TO PURCHASE BY THE FEDERAL [[OR STATE]] AGENCY, INSTRUMENTALITY, OR SUBSIDIARY;