

(B) "BORROWER" MEANS A PERSON WHO MAKES A LOAN APPLICATION FOR OR RECEIVES A LOAN OR OTHER EXTENSION OF CREDIT THAT IS OR IS INTENDED TO BE SECURED IN WHOLE OR IN PART BY ANY INTEREST IN RESIDENTIAL REAL PROPERTY LOCATED IN MARYLAND.

(C) "COMMISSIONER" MEANS THE COMMISSIONER OF CONSUMER CREDIT.

(D) "FEDERALLY APPROVED SELLER-SERVICER" MEANS A MORTGAGE LENDER THAT HAS BEEN APPROVED AS A SELLER-SERVICER BY:

- (1) THE FEDERAL HOME LOAN MORTGAGE CORPORATION;
- (2) THE FEDERAL NATIONAL MORTGAGE ASSOCIATION; OR
- (3) THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

(E) (1) "INDEPENDENT EVIDENCE OF COMMERCIAL PURPOSE" MEANS, WHERE A MORTGAGE LOAN IS MADE FOR A COMMERCIAL PURPOSE TO AN INDIVIDUAL, ANY AND ALL DOCUMENTATION BY WHICH THE MORTGAGE LENDER, PRIOR TO THE MAKING OR PROCUREMENT OF THE LOAN, ESTABLISHES THAT THE BORROWER IS SEEKING FUNDS FOR A LEGITIMATE COMMERCIAL ENTERPRISE.

(2) "INDEPENDENT EVIDENCE OF COMMERCIAL PURPOSE" DOES NOT INCLUDE AN AFFIDAVIT OF THE BORROWER WITHOUT SUPPORTING EVIDENCE, EXCEPT WHERE:

(I) THE BORROWER IS SEEKING FUNDS TO START A BUSINESS AND HAS NOT YET INCORPORATED OR PREPARED DOCUMENTATION OR PROOF OF OWNERSHIP OF A COMMERCIAL ENTERPRISE; AND

(II) THE AFFIDAVIT STATES THE PURPOSE FOR WHICH THE PROCEEDS OF THE MORTGAGE LOAN ARE TO BE USED AND THE NATURE OF THE BUSINESS CONDUCTED OR TO BE CONDUCTED BY THE BORROWER.

(F) "INTEREST IN REAL PROPERTY" INCLUDES:

(1) A CONFESSED JUDGMENT NOTE OR CONSENT JUDGMENT REQUIRED OR OBTAINED BY ANY PERSON ACTING AS A MORTGAGE LENDER FOR THE PURPOSE OF ACQUIRING A LIEN ON RESIDENTIAL REAL PROPERTY;

(2) A SALE AND LEASEBACK REQUIRED OR OBTAINED BY ANY PERSON ACTING AS A MORTGAGE LENDER FOR THE PURPOSE OF CREATING A LIEN ON RESIDENTIAL REAL PROPERTY;

(3) A MORTGAGE, DEED OF TRUST OR LIEN OTHER THAN A JUDGMENT LIEN, ON RESIDENTIAL REAL PROPERTY; AND

(4) ANY OTHER SECURITY INTEREST THAT HAS THE EFFECT OF CREATING A LIEN ON RESIDENTIAL REAL PROPERTY IN MARYLAND.