



QUICK FACTS

June 2012

COMPANY STATISTICS

WHAT: The MERS® System and Mortgage Electronic Registration Systems, Inc. (MERS).

WHO: For a complete list of shareholders, visit our website at www.mersinc.org.

WHEN: Established on Oct. 1995 in Delaware. The MERS® System began registering and tracking mortgage loans in 1997.

WHERE: MERSCORP Holdings, Inc. is headquartered in Reston, Va.

WHY: MERS was created in the 1990s, in response to changes in the mortgage finance industry, to streamline the mortgage process by using e-commerce to replace paperwork.

MEMBERSHIP: About 3,000 lenders, vendors and government entities.

MORTGAGES REGISTERED: Over 70 million to date; about 30 million active mortgage loans.



What is MERSCORP Holdings?

MERSCORP Holdings, Inc. is a privately held corporation that owns and manages the MERS® System and all other MERS® products. It is a member-based organization made up of about 3,000 lenders, servicers, sub-servicers, investors and government institutions.

What is MERS?

Mortgage Electronic Registration Systems, Inc. (“MERS”) is a wholly-owned subsidiary of MERSCORP Holdings, and its sole purpose is to serve as mortgagee in the land records for loans registered on the MERS® System and MERS® Commercial. MERS is a nominee for the lender and subsequent buyers (“beneficial owners”) of a mortgage loan and serves as a common agent for the mortgage industry.

What is the MERS® System?

The MERS® System is a national electronic database that tracks changes in mortgage servicing rights and beneficial ownership interests in loans secured by residential real estate.

Are MERS loans recorded in the public land records?

All mortgages (or deeds of trust) registered on the MERS® System are recorded in the public land records, and MERS remains the lien holder in the land records whenever transfers of the promissory note or servicing rights take place between MERS members. The MERS® System is not a legal system of record nor a replacement for the public land records. No interests are transferred on the system; they’re only tracked.

How does MERS become a mortgagee?

There are two ways. At closing, the borrower and lender both agree to standard language in the security instrument making MERS the original mortgagee, with the right to act on behalf of the lender. The standard language is approved and used by Fannie Mae, Freddie Mac, Ginnie Mae, the Federal Housing Administration (FHA) and the Veterans Administration (VA). If MERS was not recorded as the original mortgagee on the security instrument, a lender can assign the mortgage to MERS after closing.

MERSCORP Holdings, Inc.
1818 Library Street, Suite 300
Reston, VA 20190
Tel: 800-646-6377
Fax: 703-748-0183
Web: www.mersinc.org

GLOSSARY

Beneficiary: The person/company for whose benefit a deed of trust is given.

Closing: The act of transferring ownership of a property from seller to buyer in accordance with a sales contract.

Deed of Trust: A document used in many states in lieu of a mortgage. Legal title to the property is vested in one or more trustees to secure the repayment of the loan.

Mortgage: A written debt instrument by which a borrower gives the lender a lien on real estate as security for the repayment of a loan.

Mortgagee: One who holds a lien on property or title to property, as security for a debt; the mortgage lender or lender's nominee.

Nominee: One who, in a limited capacity, is authorized to act for or represent another.

Promissory Note: A document that acknowledges a debt and outlines a borrower's promise to pay the specified sum to the lender under specified terms. It is a negotiable instrument and changes in its ownership are not recordable events.

Servicing: Often performed for a fee after loans are sold to investors; includes billing, collecting payments, filing reports, managing tax and insurance escrow accounts, and default follow-up for mortgages.

Source: *Dictionary of Real Estate Terms*, 7th edition, Copyright 1997, Baron's Educational Series Inc.

MEDIA CONTACTS

Janis L. Smith

Vice President

Corporate Communications

Tel: 703-738-0230

Email: janiss@mersinc.org

Karmela Lejarde

Communications Manager

Tel: 703-761-1274

Email: karmelal@mersinc.org

Jason Lobo

Director

Corporate Communications

Tel: 703-652-1660

Mobile: 571-405-1063

Email: jasonl@mersinc.org

What does “MERS as original mortgagee” mean to borrowers?

MERS' role and rights are clearly spelled out in the contract between borrower and lender. When borrowers sign the mortgage security instrument at closing, they agree to standard language that grants and conveys legal title of the mortgage to MERS as mortgagee, giving the company the right to act on behalf of the current and subsequent owner of the loan. However, MERS does not make decisions regarding the borrower's mortgage.

Does MERS collect mortgage payments from borrowers?

MERS doesn't handle mortgage servicing. The mortgage lender, or another mortgage servicing company, collects payments from borrowers and manages their loans. Borrowers who have questions about their loans, or who need help with foreclosure prevention, should contact the company they send their payments to—not MERS. Since 2011, all mortgage loans going to foreclosure are assigned and recorded in the servicer's name.

What does MERS do for lenders?

As the mortgagee of record, MERS provides service of process on legal documents and receives legal notices and other mail regarding the mortgaged properties. MERS sorts, scans and transmits documents electronically to the appropriate member for each loan. Because MERS is a common agent for its members, recording an assignment of the mortgage is not necessary when ownership of the promissory note or servicing rights transfer between members, eliminating work and cost. The MERS® System also provides information on undisclosed liens, which reduces fraud.

Does MERS have the documents for loans registered on the system?

MERS is not a document custodian and doesn't hold promissory notes or mortgage documents on behalf of the lender, servicer or investor. MERS is not responsible for keeping mortgage records—the servicer maintains the legal system of record.

How does MERS benefit borrowers?

MERS as original mortgagee eliminates breaks in the chain of title, resulting in less work and lower fees paid by the lender—fees that would ultimately be passed down to the homeowner. MERS provides access to data on the MERS® System free of charge to homeowners, county officials, and regulatory officials (subject to privacy restrictions). Homeowners can access the data on their mortgage loans registered on the MERS® System at www.mersinc.org or toll-free at 1-888-679-6377.

Does MERS hide the mortgage note owner?

Transfer of ownership of the promissory note is not a recordable transaction. However, the Truth In Lending Act (TILA) requires that borrowers be notified of ownership changes. RESPA regulations also provide for notice of servicing changes.