

Pursuant to the requirements of the Illinois Anti-Predatory Lending Database Program (“APLD”) mortgage loans secured by government property are classified as exempt transactions. However, there appears to be confusion as to the meaning of “Government Property.”

Government property would be a facility which contains government offices or from which a government function takes place. Examples include, but are not limited to, the Thompson Center, Daley Center, Secretary of State Driver’s License facilities, City Hall, court houses, police and fire stations, and federal buildings. All levels of government from local to federal are included.

Residential properties including HUD homes are not classified as government property as no governmental function takes place there. Mortgage loans secured by such properties are subject to all the data entry, counseling, and closing agent requirements set forth by the APLD. Such transaction may be exempt for various reasons such as having been originated by a bank or being purchased by an investor, but the “Government Property” exemption does not apply.