

# E-transaction Consent Disclosure

*This electronic transaction disclosure, consent and agreement (collectively, the “E-transaction Consent”) contains important information that you are entitled to receive before you consent to receive electronic records. **Please read this E-transaction consent carefully and download, save and/or print a copy for your files.***

## Part 1: Overview

Bank of America (“Bank,” “we,” “us,” “our”) may occasionally be required by law to provide you, the signer(s) of this E-transaction Consent (“you” or “your”) with certain written notices or disclosures (including those embedded within an agreement or other document). This E-transaction Consent:

- (i) Discloses certain information to you that we are required to provide before obtaining your consent to receive such legally required notices and disclosures by electronic means,
- (ii) Obtains your consent to electronically receive such legally required notices and disclosures (i.e., “Required Information”) in a manner that reasonably demonstrates your ability to access and retain the Required Information, and
- (iii) Elicits your agreement to use electronic signatures (“e-signatures”) on documents we need to process a short sale, deed in lieu or real estate owned (REO) transaction with you.

## Part 2: Types of Required Information Provided by Electronic Means; Accessing and Retaining Information

Solely in conjunction with the processing (but not the settlement) of any short sale, deed in lieu or REO transaction in which you participate with us, we will provide or make Required Information available to you in either HTML or PDF formats, or both. To access Required Information, you will need the following hardware and software:

- **Operating systems:** Windows 2000, Windows XP, Windows Vista, Mac OS X.
- **Browsers:** Final release versions of Internet Explorer 6.0 or above (Windows only); Mozilla Firefox 2.0 or above (Windows and Mac); Safari 3.0 or above (Mac only)
- **PDF reader:** Adobe Reader or similar software may be required to view and print PDF files.
- **Screen resolution:** 800 x 600 minimum.
- **Enabled security settings:** Allow per-session cookies.

Prerelease (beta) versions of operating systems and browsers are not supported. You may download the most current versions of any software identified above by going to [microsoft.com](http://microsoft.com), [apple.com](http://apple.com), [mozilla.org](http://mozilla.org) or [adobe.com](http://adobe.com).

To retain Required Information, you will need a printer (for printed copies) or a working hard drive or other storage device (to store electronic copies). As indicated above, we encourage you to download, print and/or save this E-transaction Consent and any Required Information.

These technical requirements are subject to change. If they change, you will be provided with an updated version of this E-transaction Consent and asked to provide us with your consent in a manner that reasonably demonstrates your ability to receive notices and disclosures under the new technical requirements.

## Part 3: How to Obtain Paper Copies of Required Information

You may request a free paper copy of Required Information we have electronically provided or made available to you at any time by contacting us as set out below.

Additionally, you may download and print any Required Information we send you through any Bank system.

### Our Option to Send Paper

Your consent does not mean that we must provide the Required Information electronically. We may, at our option, deliver Required Information and other communications to you on paper should we choose to do so. We may also require that certain communications from you be delivered to us on paper at a specified address.

# E-transaction Consent Disclosure

## Part 4: Withdrawing Your Consent

If, after you have consented to receive the Required Information electronically, you decide that you wish to receive the Required Information in paper format only, you may withdraw your previously provided consent by either of the following means:

- Decline to sign any document containing Required Information during any e-signature signing session.
- Contact us as set out below.

If you withdraw your consent to receive Required Information by electronic means, your short sale, deed in lieu or REO transaction may take longer to process.

## Part 5: Informing Us of Your Current Email Address

You are responsible for providing us with a working individual email address to which we can send Required Information and for ensuring that it is kept current in our files. Please inform us each time you change your email address by contacting us as set out below.

## Part 6: How to Contact Bank of America

You may contact us to:

- Request paper copies of Required Information,
- Withdraw your prior consent to receive Required Information electronically, and
- Inform us of your current email address.

In each instance, you may contact us by sending an email to your assigned short sale or deed in lieu specialist. If you are an REO buyer, you may send an email to the listing agent, who will then contact the REO asset manager on your behalf. In the body of the request, state your email address, full name, U.S. Postal address and telephone number.

## Part 7: Declaration, Consent and Agreement

Under penalties of perjury, I declare that I have examined all required/requested documentation by Bank of America to process a short sale, a deed in lieu or an REO transaction and have agreed to use the electronic signature method on all required documents where indicated. Furthermore, to the best of my knowledge and belief, all documentation is true, correct and complete.

## Part 8: Use of Electronic Records & Signatures

If you are a real estate agent or other authorized third party who has downloaded and/or uploaded certain electronic documents (each an "Electronic Record" or, when associated in a file or folder with other Electronic Records, a "File") from and/or to Equator in connection with a short sale, deed-in lieu or REO transaction, you represent, warrant, and covenant to us by your electronic signature below that:

1. You have implemented and maintain storage, retrieval and back-up systems for Electronic Records and Files (each, a "System");
2. At all times relevant to these Terms, any Electronic Records and Files you supply, generate and/or have electronically signed meet all applicable legal standards;
3. Each System has been designed and, at all times relevant to these Terms, implemented and maintained so as to:
  - 3.1 Ensure the accuracy, security, integrity, and confidentiality of Electronic Records and Files, including through the use of various audit logging methods and stamps or markings issued by any electronic signing platform or other vendor ("Platform Vendor"), all as may be prescribed by the Bank from time to time;

# E-transaction Consent Disclosure

- 3.2 Protect against any anticipated threats or hazards to the security or integrity of Electronic Records and Files;
- 3.3 Protect against unauthorized access to or use of Electronic Records and Files (including through these use of any authentication methods we may prescribe from time to time, such as unique email addresses, user-specific credentials, knowledge-based authentication and other means of identity verification); and
4. By your electronic signature below, you represent, warrant and covenant to us that (a) you have obtained and shall maintain all licenses necessary to perform your responsibilities as a real estate agent or other authorized third party relative to the Electronic Records and Files, (b) you have entered or shall enter into a contract with a Platform Vendor into the platform of which you upload to and/or download from Electronic Records or Files, whether or not other electronic signatures are generated on such platform, and (c) such contract shall obligate the Platform Vendor to the provisions of this Part 8, except for this paragraph 4.

## BY CLICKING OR CHECKING "I CONSENT AND AGREE" BELOW, I:

1. Acknowledge that I have read and understand this E-transaction Consent,
2. Acknowledge that I can (a) print on paper or electronically save this E-transaction Consent for my future reference, or (b) e-mail it to an address where I am able to so print or save it,
3. Consent to receive the Required Information by the electronic means described above,
4. Acknowledge that I am reasonably demonstrating that I can access the Required Information in the form described above,
5. Agree to the use of electronic signatures, such as my act of clicking, checking or otherwise manifesting my assent in the processing of electronic records (including those in which the Required Information is embedded) in conjunction with short sale, deed in lieu and REO transactions, and
6. Affirm that I have (a) established an exclusive email address used to authenticate access to, (b) created a password or passcode with, and (c) had my identity validated by knowledge-based authentication through, the e-signature system on which I am electronically signing this E-transaction Consent.

☐ I consent and agree      ☐ I decline

\_\_\_\_\_  
Signature

☐ I consent and agree      ☐ I decline

\_\_\_\_\_  
Signature

☐ I consent and agree      ☐ I decline

\_\_\_\_\_  
Signature

☐ I consent and agree      ☐ I decline

\_\_\_\_\_  
Signature

☐ I consent and agree      ☐ I decline

\_\_\_\_\_  
Signature