



TEXAS  
MORTGAGE  
BANKERS  
ASSOCIATION



**TMBPAC**  
TEXAS MORTGAGE BANKERS  
POLITICAL ACTION COMMITTEE

# TMBPAC 2023

CORPORATE FUNDRAISING CAMPAIGN



***THE RACE IS ON!***



LEADING TEXAS REAL ESTATE FINANCE PROFESSIONALS SINCE 1917

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**TMBPAC Corporate Fundraising Campaign**

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*Who doesn't love a little friendly competition?* A competitive spirit is what makes each of us great at what we do and keeps our industry vibrant! The TMBA is proud to recognize those individuals and member companies who "WIN" each year, by actively supporting the state PAC.

The TMBPAC attempts to raise funds for support of legislative efforts in a variety of different ways throughout the calendar year. While direct solicitation of TMBA members at association events is effective and helps us make tremendous strides toward our annual goal, we just aren't able to reach each and every member. The "Race" is the TMBA's annual corporate campaign drive and it gives you the opportunity to actively create awareness for the TMBPAC and promote participation from within your own company.

***How does the Race work?***

Participating TMBA member companies hold an internal TMBPAC fundraiser that encourages 100% employee participation from the top down, to win the title of "#1 Company". The TMBA will recognize the top participating companies at the annual convention luncheon, as well as via email blasts to the TMBA membership and added to the PAC webpage. It's a great way to show your fellow TMBA members that you value and support the efforts of the PAC and that you are willing to take a stand for the future of our industry!

Tips, guidelines and templates for running a successful company campaign will be provided by the TMBPAC Committee.

*"Great organizations demand a high level of commitment by the people involved."*  
- Bill Gates

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# On your mark, get set. . .

**Step 1:** Designate a PAC Chairperson within your company responsible for organizing internal fundraising efforts, provide ways to contribute and communicating the campaign progress to the TMBPAC Committee Chair. This individual can appoint their own team members to assist in explaining WHY investing in the PAC is so VERY important and reaching out to branch managers to encourage 100% participation within their branches.

**Step 2:** Establish recommended contribution levels, set the company goal (either a dollar amount based on recommended levels OR a % participation goal), fundraising timeline, and determine the plan for continuous contact. How will we keep the challenge at the forefront? – email blast schedules, follow up calls, etc. No minimums and no amount is too small.

**Step 3:** Send out a letter from the CEO or President, stressing the importance of the PAC and encouraging participation. The letter should contain examples of successful legislative efforts by the TMBA in past sessions as well as the types of challenges we will be facing in the coming year. The letter needs to effectively communicate your own views on the importance of supporting the PAC but it MUST clearly state that all contributions are strictly VOLUNTARY. *See page 7.*

**Step 4:** Kick off your campaign – generate excitement, raise money! Your kick-off can be a Day 1 “Breakfast of Champions” held at your corporate location, or simply a “Great Start” email that launches the fundraiser. Either way, use the opportunity to educate the group (some talking points are provided), communicate the recommended contribution levels, and explain the ways to contribute.



**GO!**

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## **2023 Legislation Actions – TMBA’s efforts to protect and further the interests of mortgage lenders:**

- Advocated to amend HB 4635 (related to organized crime) before passage. The amendment corrected the definition of “unlawful debt,” which, as filed, could have resulted in racketeering and felony prosecution of violators for mere technical and inadvertent violations of the Finance Code. After intense opposition by the TMBA and other groups, this new law was revised to track the federal RICO statute definition and avoid unjust prosecution of minor violations.
- Clarified the penalty provisions of a new law that requires mortgage servicers provide borrowers/file a release of lien in the real property records within specific time periods after payoff. As a result, violations of these new requirements will not result in harsher penalties.
- Supported the passage of HB 207, which excludes certain conveyances of homestead property from the definition of a “pretend sale.” The final version of HB 207 included amendments proposed by the TMBA to clarify homestead property may also be disclaimed or abandoned per existing law, preserving the validity of certain transactions made before the new law was enacted.
- A bill was passed to authorize and establish procedures for remote online notarization of “wet ink” signatures (RIN)). TMBA collaborated with title company colleagues to ensure that the new law maintains the safeguards in our online notary statute and to ensure that definitions used in the amendments adopted language consistent with definitions in other law.
- Supported the passage of HB 2127 which prohibits local governments from passing ordinances governed by the Finance Code. Accordingly, municipalities will not be able to attempt to regulate mortgage origination, impose Community Reinvestment standards, or impose foreclosure moratoriums.
- Opposed several bills that did not pass (as of today’s date) related to the restriction of foreign ownership of Texas real estate. Real Estate Industry trade associations, including the lender trade associations, were aligned in opposing all but one of these bills because of concern that the bills violated both the US and Texas Constitution relating to equal protection of law, the federal Fair Housing Act, and the Equal Credit Opportunity Act.
- Opposed HB 2632 related to the advertising of reverse mortgages. As written, the bill purported to curtail deceptive advertising for reverse mortgages, but would have imposed an unworkable and completely subjective standard for what would be considered deceptive or misleading. The bill did not move.

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## *In Short . . .*

### ***Answers to some common questions:***

**Q: Who can contribute to the TMBPAC?**

Anyone can contribute to the TMBPAC but the contributions must be voluntary and only TMBA member company stockholders, employees and their family members may be directly solicited. The PAC can only accept contributions from individuals, sole proprietorships, and partnerships – no corporate funds of any kind can be accepted.

**Q: How often can I contribute and what types of contributions does the PAC accept?**

You can contribute to the TMBPAC as often as you prefer. Although one-time contributions are always appreciated, we encourage you to set up a schedule of regular monthly or quarterly contributions as a means of maximizing your contribution potential. Your company appointed TMBPAC Director can help you decide the best plan for you. We can accept checks, cash and credit card contributions.

**Q: How will my contribution be used?**

100% of your TMBPAC dollars go directly to candidates. These funds help give the TMBA an effective voice in Austin by providing support to those elected candidates who understand our challenges and are committed to protecting our industry.

**Q: I make contributions to my company PAC and to MORPAC – doesn't that count?**

Your contributions to your company PAC and/or to the National MBA's PAC (MORPAC) are extremely important but significantly different. The legislative initiatives of each PAC differ in focus and in scope. Your MORPAC dollars are federal contributions and will not support legislation specific to the state in which you live and work. You are encouraged to divide the funds that you have set aside for your annual PAC contributions among the PACs according to your specific interests - for example, if you have allocated \$100 to contribute to political action committees in 2021, please consider giving \$50 to MORPAC and \$50 to TMBPAC.

**Q: Why can my contribution not be taken out of my association dues and/or various event sponsorships?**

PAC contributions MUST come from the individual NOT from a company or corporation. Since the TMBA dues are corporate dues, as are the event sponsorships, no portion of those funds can be directed to the TMBPAC.

**Q: Is the TMBPAC affiliated with one political party over another?**

All of the TMBPAC contributions are non-partisan.

**Q: How does the TMBPAC determine which candidates it will support?**

The TMBPAC focuses on support of those candidates involved in key Texas Senate and House leaders as well as any committees that oversee legislation dealing with issues of the mortgage industry. TMBPAC does not make contributions to federal elected officials or local (mayor, county judge, commissioner, etc.) office holders.

**Q: Are my contributions tax deductible?**

No. Contributions to the TMBPAC are NOT tax deductible as either a business expense or as a charitable contribution.

**Q: Can one PAC contribute to another PAC?**

Yes, in some cases. A Federal PAC can contribute to a Texas State PAC and a Texas State PAC can contribute to another Texas State PAC.

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# THE RACE IS ON!

## TMBPAC Corporate Campaign Worksheet

**2023 TMBPAC Goal: \$115,000**

**“Company Name” Goal is (\$\_\_\_\_\_ ) or ( \_\_\_\_%) Participation**

Company Name: \_\_\_\_\_

PAC Chairperson: \_\_\_\_\_

Fundraising Timeline: From \_\_\_\_\_ to \_\_\_\_\_

### TMBPAC Committee Contacts

Co-Chairs: Joanna Shelton ([joanna.shelton@swfunding.com](mailto:joanna.shelton@swfunding.com))

Brandi Chambers ([bchambers@benchmark.us](mailto:bchambers@benchmark.us))

Corporate Campaign:

Pam Jenkins ([pam.jenkins@primisbank.com](mailto:pam.jenkins@primisbank.com))

Kate Couture ([kate.couture@loanpeople.com](mailto:kate.couture@loanpeople.com))

Michelle Stout ([mstout@benchmark.us](mailto:mstout@benchmark.us))

TMBA Contact: [Kerry Hall \(khall@texasmba.org\)](mailto:Kerry.Hall@texasmba.org)

### Recommended Contribution Levels

Owner	\$1,000 - \$2,500
Executive Level:	\$500 - \$1,000
VPs & Branch Managers:	\$250 - \$500
Loan Originators:	\$250 - \$1,000
Operations Managers:	\$100 - \$250
Operations Staff:	\$25 - \$50

## Ways to contribute:

- ✓ One time individual contribution via cash or check payable to “TMBPAC”
- ✓ Personal credit card contributions can be made online at [www.texasmba.org](http://www.texasmba.org) and clicking on “MY TMBA” link and log in to your profile or select “TMBPAC” link for online form.
- ✓ Payroll deduction (after tax)

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# SAMPLE OF TMBPAC CORPORATE CAMPAIGNS

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## NO RAFFLES/CONTESTS OR AUCTIONS ALLOWED.

**IMPORTANT:** In order to comply with political campaign laws, TMBPAC must report an accurate record of who contributes and the amount they contribute.

Expenses for fundraisers must also be tracked and reported. Gifts or “takeaways” for a corporate campaign fundraiser can only be donated by an Individual who works for the company. The amount expended by the person must be reported as an “in-kind contribution.” The value of food and beverages provided for a fundraising event must also be reported as an “in-kind contribution” by the person who provides the food or beverages.

Raffles, lotteries, or contests in which a person must pay something for a chance to win violate Texas gambling laws, and CANNOT be used for PAC fundraising activities.

For each event where cash is contributed, there must be a sign-in sheet that lists the name of each individual contributor, the date, and the amount of the contribution. For in-kind contributions, the in-kind contribution form listing the individual providing the food, beverages, services, or gifts, the date, and the amount must be submitted with copies of receipts. The sign-in sheets and the in-kind contribution forms should be sent to TMBPAC and a copy kept for your records.

See pages 8-12 for examples of sign-in sheet, corporate campaigns and other TMBPAC marketing ideas.

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## **Sample PAC Letter for Corporate Fundraiser**

To: Entire Staff or Executive, Managers and Production

RE: TMBPAC - Corporate Fundraising Initiative

During this past session of the Texas legislature, we witnessed several dynamic changes take place in our industry. The TMBA, with the help of our association counsel John Fleming, followed or worked on over 250 different bills. We expect the next session to be equally as dynamic and challenging.

The TMBPAC's strength lies in our collective involvement. **All of us** - from administrative staff to directors and executive officers-**have a stake in the future** viability and competitiveness of our industry. That future is determined largely by the legislature and we must all get involved to support and defend our positions against a growing list of competing interests.

Today we are kicking off our own 2020 TMBPAC Race and we need your support to help us become the “#1 Mortgage Company”.

I have made my own personal contribution to the PAC and hope each of you will do the same. All donations are strictly voluntary, but my goal is to have every member of our organization participate in this important program.

Why should you make a donation to the TMBPAC?

1. Because every dollar counts, so give what you can.
2. Because other industry groups such as realtors, mortgage brokers and consumer advocacy groups are raising millions of dollars to make sure their voices are heard on these issues.
3. Because YOUR FUTURE depends on it.

This may be one of the best investments you will make this year.

Sincerely,

President, CEO or other executive

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For all corporate campaign events where cash contributions are accepted, there **MUST** be a sign-in sheet listing contributors name, date contributed and amount. Please return a copy of the sign-in sheet to the TMBA office and retain a copy for your records.

*Please see below for example sign-in sheet.*

## **Sample Sign-in Sheet for Corporate Fundraiser**

### **Corporate fundraiser event idea:**

*Cutest Pet Contest* – Containers will be in the break room with pet photos attached. Please be sure to sign-in with your name (please print), date, and amount contributing. Colleagues can vote with spare change. At the end of the week, the pet with the most money in the jar wins. The winning pet will receive a bag of treats and the title of “Guardian’s Cutest Pet – Plano.” You do not have to contribute to the PAC in order to enter your pet.

TMBPAC FUNDRAISING EVENT   Guardian Mortgage Company		
<i>Cutest Pet Contest</i>		
Name (Please PRINT)	Date	Contribution Amount
<i>Jane Doe</i>	<i>9/1/2021</i>	<i>\$10.00</i>

**NOTE:** If you donated food, beverage, or a gift or prize in connection with this event, you must report the amount you spent as an in-kind contribution. Please see the campaign director to for an in-kind contribution form.

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and amount. Please return a copy of the sign-in sheet to the TMBA office and retain a copy for your records.



## PROTECT YOUR FUTURE, INVEST IN TMBPAC

PLANO TMBPAC Education Week

July 16 -20, 2021

**If your career is dependent upon the survival and growth of the mortgage lending industry, then this is YOUR challenge.**

1. **Cutest Pet Contest** – Containers will be in the break room with pet photos attached. Colleagues can vote with spare change. At the end of the week, the pet with the most money in the jar wins. The winning pet will receive a bag of treats and the title of “Guardian’s Cutest Pet 2021 - Plano”
2. **Dollar\$ for Denim** – Dress casual ALL week for \$10.00 (shorts included – appropriate length for the office). Turn in your \$10.00 PAC donation on Monday to XXXXX to dress casual all week. BONUS WEEK is included with your donation.....you may also dress casually the week of August 30<sup>th</sup>!
3. **Breakfast of Champions** – Kick off the day right! Breakfast will be available Tues. AND Thurs. Jar will be out for minimum \$3.00 donation per colleague.
4. **Relax the Back** – Thursday, July 19<sup>th</sup> sign up for a 10 minute chair massage – minimum donation of \$5.00

**Goals are 100% employee participation and \$3,000 raised for TMBPAC!!**

**NOTE:** For each event that cash is accepted, the corporate campaign director must make sure there is a sign-in sheet to keep track of who contributes and how much. Also, the amount expended for food, beverages, and gifts must be reported as in-kind contribution and the name of the individual providing the food, beverages, or gifts must be identified. In the examples above:

**Cutest Pet.** The person providing the bag of treats must report the amount spent on the treats.

**Breakfast of Champions.** The individual providing the food and beverages and value of the food and beverages must be reported as in-kind contribution.

**Relax the Back.** The person who pays for the masseuse should report the amount as in-kind contribution.

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*Below are sample “PAC Facts” that Guardian Mortgage Company sends weekly to their employees to help encourage them to contribute to TMBPAC...*



## PROTECT YOUR FUTURE, INVEST IN TMBPAC

TMBPAC Facts

June 16 -20, 2021

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**MONDAY** – Welcome to TMBPAC Education Week! We hope you will learn more this week about what the PAC is and why it’s so important to our industry. You’ll be receiving a “PAC FACT” each day.

**Don’t forget to turn in \$5.00 to dress casual ALL week and voting is open for your favorite Guardian pet – photos are in the kitchen!**

**PAC FACT #1** - By strict definition, a political action committee “PAC” is a group of persons that has as a principal purpose accepting political contributions or making political expenditures. Less formally defined, a PAC is a committee of individuals, sponsored by a “group” that raises voluntary contributions to support political candidates who in turn support the views of the group’s members. The activities of a PAC are regulated by state and federal campaign finance laws.

*“The ultimate folly is to think that something crucial to our welfare is being taken care of for you.” – Robert Brault*

**TUESDAY** – Participation in TMBPAC week means you are making an INVESTMENT in YOUR FUTURE, you are not making a donation to a distant cause. Think of your contribution to the industry PAC in the same way that you view your contributions to your own retirement accounts – as an investment in YOUR OWN future.

**PAC FACT #2** - The TMBPAC is a non-partisan, general-purpose committee, meaning that it is not affiliated with any political party and its purpose is to support candidates that demonstrate their support of the philosophies shared by the community of mortgage bankers throughout the state.

*“I must do something” always solves more problems than “Something must be done.”- Author Unknown*

**WEDNESDAY** - The willingness to participate is just as important as the amount you can contribute. EVERY dollar is appreciated – not just large contributions (although they love those too 😊).

**PAC FACT #3** - The Texas Mortgage Bankers Association (“TMBA”) is a voluntary trade association comprised of more than 1,000 corporate and individual members engaged in various facets of mortgage lending activities throughout the state of Texas. Founded in 1917, the TMBA is the country’s oldest and largest state MBA.

Guardian Mortgage Company is working with the TMBA on advocacy concerning the unfair limitations placed on Texas residents with regard to the current Texas equity [Texas 50(a)(6)] legislation.

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These examples could include examples like the following:

- (1) Not being able to proceed with refinancing at the current low rates due to the 12-month seasoning on the loan
- (2) Not being able to proceed with refinancing at the current low rates because their property value had dropped. Despite the fact that they are not seeking cash from equity on this refinance, since it was previously a TX 50 loan, they cannot proceed with a refinance.
- (3) Not being able to proceed with refinancing at the current low rates on a new cash-out refinance because part or their large acreage has an agricultural exemption, which has not been re-plated separately from the homestead.

**A few reminders for you with the HARP program and the unique TX 50 law details:**

1. You can refinance an existing TX 50 loan on the HARP program, but the borrower cannot receive money at closing.
2. Once the loan is a TX 50, the balance is capped for any future refinance to no more than 80% of the home value.
3. Even if the HARP loan program allows the loan balance to exceed 80% of the home value, State of Texas prohibits the balance from exceeding 80% at closing.

State law will always trump the loan program rule and guidelines.

*“Great organizations demand a high level of commitment by the people involved.” — Bill Gates*

**THURSDAY - PAC FACT #4** - During this last session of the Texas legislature, we witnessed several dynamic changes take place in our industry. The TMBA, with the help of our association counsel John Fleming, worked on roughly 140 different bills. We expect the next session to be equally as dynamic and challenging. There are several statewide races that could affect the composition and leadership in the legislature and we anticipate that 150 or more bills will be filed in upcoming months that will either directly or indirectly impact mortgage lending.

**Start your day right! McDonald’s breakfast provided today for a \$2.00 donation to the PAC**

*“I alone cannot change the world, but I can cast a stone across the waters to create many ripples.” — Mother Teresa*

**FRIDAY** - The TMBPAC’s strength lies in our collective involvement. **All of us** - from administrative staff to directors and executive officers- **have a stake in the future** viability and competitiveness of our industry. That future is determined largely by the legislature and we must all get involved to support and defend our positions against a growing list of competing interests.

**WINNER of Guardian’s Cutest Pet 2013 will be named this afternoon!!**

**PAC FACT #5** - 100% of your TMBPAC dollars go directly to candidates. These funds help give the TMBA an effective voice in Austin by providing support to those elected candidates who understand our challenges and are committed to protecting our industry. Contributions to the TMBPAC are NOT tax deductible as either a business expense or as a charitable contribution.

*“Alone we can do so little; together we can do so much.”—Helen Keller*

**NOTE:** In order to comply with political campaign laws, TMBPAC must report an accurate record of who contributes and the amount they contribute. For each event, there must be a sign-in sheet listing the individual name, the date of the contribution, and the amount. Please return a copy of the sign-in sheet to the TMBA office and retain a copy for your file.

Expenses for fundraisers must also be tracked and reported. Gifts or “takeaways” for a corporate campaign fundraiser can only be donated by an individual who works for the company. The amount expended by the person must be reported as an “in-kind contribution.” The value of food and beverages provided for a fundraising event must also be reported as an “in-kind contribution” by the person who provides the food or beverages. Please complete and send TMBPAC the in-kind contribution form with receipts.

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