

THE CHAIRPERSON

John Berrigan
Director General
Directorate-General for Financial Stability,
Financial Services and Capital Markets Union (FISMA)
European Commission
Rue de Spa 2
1049 Brussels
Belgium



Floor 24-27, Tour Europlaza
20 Avenue André Prothin
92400 Courbevoie, France

T: +33 186 526 831
E: JoseManuel.Campa@eba.europa.eu
<https://eba.europa.eu>

EBA-2022-D-3991

23 June 2022

Subject: European Commission request to European Banking Authority (EBA) for technical advice on the review of Directive 2014/17/EU¹ (Mortgage Credit Directive)

Dear Mr Berrigan,

We are referring to the European Commission request for technical advice on the review of the Mortgage Credit Directive (MCD) from 21 December 2021, and specifically on the several issues highlighted in the MCD report on the review/evaluation study published by the EU Commission² and that had also been identified by the EBA in its work. In the request, the European Commission invited the European Banking Authority to deliver its advice on this matter by 30 June 2022.

It is our pleasure to provide you today with the Opinion and annexed report prepared by the EBA, which set out the findings and advice of the EBA in response to the European Commission's request. The Opinion, together with its annexed report, outline the issues identified in the implementation of the MCD and proposals on how to address them. In particular, the specific topics relate to (i) the scope of MCD, including tying/bundling practices and provisions on foreign currency loans, (ii) the impact of digitalisation on peer-to-peer lending platforms, information disclosure at pre-contractual and advertising stages, creditworthiness assessment and robo-advice, (iii) ways to facilitate the cross-border provision for mortgages, (iv) ways to contribute to financial stability, (v) lessons learnt from Covid-19, (vi) sustainability, including green mortgages and properties at risk due to climate change, and (vii) other issues related to the application of the MCD.

¹ Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 Text with EEA relevance

² [REPORT FROM COMMISSION MCD-29.11.20 \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022R0291)

The EBA remains at the disposal of the European Commission for any follow-up on the matters outlined in the Opinion and its annexed report and any further guidance that may be needed in this respect.

Yours sincerely,

José Manuel Campa

CC:

Alexandra Jour-Schröder, DG FISMA, Deputy Director-General, European Commission

Marcel Haag, DG FISMA, Director Directorate B, Horizontal Policies

Eric Ducoulombier, DG FISMA, Head of Unit B3, Retail Financial Services

Encl: EBA Opinion and annexed report on EBA's response to the EC Call for advice on the review of the MCD