



DEPARTMENT OF BANKING AND CONSUMER FINANCE

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MISSISSIPPI S.A.F.E. MORTGAGE LICENSING ACT OF 2009

LICENSE REQUIREMENTS FOR MISSISSIPPI SMALL LOAN LENDERS

MCFA Annual Convention July 22, 2009

- The Secure and Fair Enforcement for Mortgage Licensing Act (“SAFE Act”) is a federal act that was signed into law on July 30, 2008, which requires all states to have a licensing system in place for mortgage loan originators by July 31, 2009. State laws must meet the minimum standards for loan originators as set forth in the SAFE Act.
- The Mississippi Mortgage Consumer Protection Law was amended during the 2009 Legislative Session (SB 2983) to comply with the federal SAFE Act. These amendments will be effective on 7/31/09. The title of the law was also changed to the Mississippi S.A.F.E. Mortgage Licensing Act of 2009 (MS SAFE Act).
- The Nationwide Mortgage Licensing System and Registry (NMLSR) is a licensing system developed by CSBS and AARMR for the mortgage industry. This system is designed to help regulate and improve supervision of the industry by streamlining the licensing process. Mortgage companies and loan originators must be licensed through the NMLSR; however, the Department of Banking and Consumer Finance will have regulatory authority over mortgage companies and loan originators.
- Mississippi small loan lenders have been exempt from licensing under the current Mississippi Mortgage Consumer Protection Law. However, with the passage of the federal SAFE Act, small loan lenders are no longer exempt. **Pursuant to a recent opinion issued by the Mississippi Attorney General, small loan lenders must obtain a mortgage license under the MS SAFE Act by July 31, 2010.**
- The MS SAFE Act requires licensees to use the Uniform Residential Loan Application (Form 1003).
- **DBCf recommends that small loan lenders start the licensing process beginning January 2010. A reminder notice regarding licensing will be sent to you later this year.**
- For more information, please visit our website at www.dbcf.state.ms.us or contact Taft Webb, Consumer Division Director, at twebb@dbcf.state.ms.us

MORTGAGE LICENSE REQUIREMENTS

Mortgage Lender License (principal place of business)

\$750.00 License Fee

\$100.00 NMLSR Processing Fee

\$150,000.00 Surety Bond

Fingerprints – required for principal officers/qualifying individuals and any owner of 10% or more; fingerprint cards must be sent to DBCF

Principal Officer must have at least two (2) years experience AND be licensed as a loan originator

\$475.00 Renewal Fee

\$100.00 Annual NMLSR Processing Fee

Mortgage Branch license (branch locations)

\$100.00 License Fee

\$ 20.00 NMLSR Fee

Each branch must have a least one (1) licensed loan originator

\$25.00 Renewal Fee

\$20.00 Annual NMLSR Processing Fee

Loan Originator License

\$100.00 License Fee

\$ 30.00 NMLSR Fee

Fingerprint cards must be sent to DBCF

Pre-testing requirement – available by 1/1/10

Pre-education requirement (20 hours)

\$50.00 renewal fee along with 12 hours of approved continuing education

\$30.00 Annual NMLS Processing Fee

- **License applications must be submitted through the NMLSR.**
- **Education providers must be approved by NMLSR.**