## **2001 Mortgage Broker Regulation Matrix**

Notes on individual states follow the table

|               | REG | EXEMPTIONS | LIC-EDU | LIC-EXP | LIC-EXAM | LIC-CONT-EDU | NET WORTH | BOND | MAN-LIC | MAN-EDU | MAN-EXP | MAN-EXAM | MAN-CONT-EDU | BRANCH-BOND | BRANCH-INSTATE | BRANCH-MAN-LIC | BRANCH-MAN-EDU | BRANCH-MAN-EXP | BRANCH-MAN-EXAM | BRANCH-MAN-CONT-<br>EDU | EMP-REG | EMP-EXP | EMP-EDU | EMP-EXAM | EMP-CONT-EDU | 2001 CODE |
|---------------|-----|------------|---------|---------|----------|--------------|-----------|------|---------|---------|---------|----------|--------------|-------------|----------------|----------------|----------------|----------------|-----------------|-------------------------|---------|---------|---------|----------|--------------|-----------|
| Alabama       | 0   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 0         |
| Alaska        | 0   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 0         |
| Arizona       | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 1       | 1       | 1        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 6         |
| Arkansas      | 1   | 0          | 0       | 0       | 0        | 0            | 2         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 5         |
| California    | 1   | 0          | 1       | 1       | 1        | 1            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 1       | 1        | 1            | 10        |
| Colorado      | 0   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 0         |
| Connecticut   | 1   | 1          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 4         |
| DC            | 1   | 0          | 0       | 0       | 0        | 0            | 1         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 4         |
| Delaware      | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Florida       | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 2       | 1       | 1       | 1        | 1            | 0           | 0              | 2              | 1              | 0              | 1               | 1                       | 1       | 0       | 1       | 1        | 1            | 16        |
| Georgia       | 1   | 0          | 1       |         | 0        | 0            | 2         | !    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 1              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 6         |
| Hawaii        | 1   | 0          | 0       |         | 0        | 0            | 0         | 1    | 1       | 0       | 1       | 0        | 0            | 0           | 1              | 1              | 0              | 1              | 0               | 0                       | 1       | 0       | 0       | 0        | 0            | 8         |
| Idaho         | 1   | 0          | 0       | 0       | 0        | 0            | 1         | 1    | 0       | 0       | 1       | 0        | 0            | 1           | 0              | 0              | 0              | 1              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 6         |
| Illinois      | 1   | 0          | 2       | !       | 0        | 0            | 2         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 1            | 8         |
| Indiana       | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 1       | 1       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 1       | 0        | 1            | 8         |
| Iowa          | 1   | 1          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Kansas        | 1   | 1          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 0       | 0        | 1            | 6         |
| Kentucky      | 1   | 0          | 1       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 4         |
| Louisiana     | 1   | 0          | 0       | 0       | 0        | 0            | 2         | !    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 1       | 0        | 1            | 7         |
| Maine         | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 2         |
| Maryland      | 1   | 0          | 0       | 1       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 1                       | 0       | 0       | 0       | 0        | 1            | 6         |
| Massachusetts | 1   | 0          | 2       | 2       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 1              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 4         |
| Michigan      | 1   | 0          | 0       | 0       | 0        | 0            | 1         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Minnesota     | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 1         |
| Mississippi   | 1   | 0          | 0       | 1       | 0        | 1            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 0       | 0        | 1            | 8         |
| Missouri      | 1   | 0          | 0       | 0       | 0        | 0            | 2         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 4         |

|                | REG | EXEMPTIONS | LIC-EDU | LIC-EXP | LIC-EXAM | LIC-CONT-EDU | NET WORTH | BOND | MAN-LIC | MAN-EDU | MAN-EXP | MAN-EXAM | MAN-CONT-EDU | BRANCH-BOND | BRANCH-INSTATE | BRANCH-MAN-LIC | BRANCH-MAN-EDU | BRANCH-MAN-EXP | BRANCH-MAN-EXAM | BRANCH-MAN-CONT.<br>EDU | EMP-REG | EMP-EXP | EMP-EDU | EMP-EXAM | EMP-CONT-EDU | 2001 CODE |
|----------------|-----|------------|---------|---------|----------|--------------|-----------|------|---------|---------|---------|----------|--------------|-------------|----------------|----------------|----------------|----------------|-----------------|-------------------------|---------|---------|---------|----------|--------------|-----------|
| Montana        | 0   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 0         |
| Nebraska       | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Nevada         | 1   | 0          | 0       | 0       | 0        | 2            | 2         | 0    | 0       | 1       |         | 0        | 1            | 0           | 1              | 0              | 1              |                | 0               | 1                       | 1       | 0       | 0       | 0        | 1            | 12        |
| New Hampshire  | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 2         |
| New Jersey     | 1   | 0          | 0       | 0       | 0        | 0            | 2         | 3    | 2       | 0       | 0       | 1        | 0            | 0           | 0              | 2              | 0              | 0              | 1               | 0                       | 1       | 0       | 0       | 0        | 0            | 13        |
| New Mexico     | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| New York       | 1   | 0          | 1       | l       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 2         |
| North Carolina | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| North Dakota   | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Ohio           | 1   | 1          | 0       | 1       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 6         |
| Oklahoma       | 1   | 0          | 0       | 1       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 2         |
| Oregon         | 1   | 0          | 0       | 1       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 1           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 5         |
| Pennsylvania   | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 3    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 5         |
| Rhode Island   | 1   | 1          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 0       | 1       | 0        | 0            | 1           | 0              | 0              | 0              | 1              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 6         |
| South Carolina | 1   | 0          | 2       | 2       | 0        | 2            | 0         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 7         |
| South Dakota   | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 1         |
| Tennessee      | 1   | 0          | 0       | 0       | 0        | 0            | 3         | 3    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 7         |
| Texas          | 1   | 0          | 1       |         | 0        | 1            | 3         |      | 0       | 0       | 0       | 0        | 0            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 1       | 1       |         | 0        | 1            | 10        |
| Utah           | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 0       | 0        | 0            | 4         |
| Vermont        | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 1    | 0       | 0       | 0       | 0        | 0            | 1           | 0              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 0       | 0        | 0            | 4         |
| Virginia       | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 3         |
| Washington     | 1   | 0          | 0       | 0       | 0        | 0            | 0         | 2    | 0       | 0       | 1       | 1        | 1            | 0           | 1              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 7         |
| West Virginia  | 1   | 1          | 0       | 0       | 0        | 0            | 1         | 2    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 5         |
| Wisconsin      | 1   | 0          | 0       | 0       | 0        | 0            | 3         | 1    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 1       | 0       | 0       | 0        | 0            | 6         |
| Wyoming        | 0   | 0          | 0       | 0       | 0        | 0            | 0         | 0    | 0       | 0       | 0       | 0        | 0            | 0           | 0              | 0              | 0              | 0              | 0               | 0                       | 0       | 0       | 0       | 0        | 0            | 0         |
| Summary        | 46  | 6          | 4       | 6       | 1        | 7            | 27        | 60   | 6       | 1       | 6       | 4        | 3            | 4           | 13             | 5              | 1              | 5              | 2               | 3                       | 13      | 0       | 4       | 2        | 10           |           |

## **Notes on Individual States (2001)**

| California | An applicant may substitute two years of education for two years of experience; however, an applicant must also meet prelicensing education requirements.  |
|------------|--|
| D.C.       | Bond required ranges anywhere from \$12,500 to \$200,000, depending on the total dollar amount of loans brokered in the previous year.   |
| Florida    | Each firm must have a qualified principal broker that meets specific requirements.   |
| Georgia    | Licensee must maintain a bond in the amount of \$50,000 OR maintain a verifiable tangible net worth of \$25,000. If the applicant for a mortgage broker license or a renewal of such license does not have a physical place of business in Georgia, a license or renewal may only be issued if the applicant's home state does not require that in order to be licensed a mortgage broker must have a physical place of business in such home state. The applicant or person in charge of the applicant's operations must complete a minimum of 40 course hours of prescribed courses from a department approved provider of mortgage training courses OR complete two years of verifiable experience working full time for a licensed mortgage broker or lender.  |
| Hawaii     | Every person licensed as a mortgage broker shall deposit with the commissioner, prior to doing business, a bond in the amount of \$50,000, executed by the mortgage broker as principal and a surety company authorized to do business in the state as a surety; provided that a mortgage broker who does not engage in mortgage servicing or collecting may apply to the commissioner for a lower bond requirement of \$15,000 on the application form prescribed by the commissioner.  |
| Idaho      | Each applicant must have a "Qualified Person in Charge" that meets the experience requirement. (This person does not have to be an owner, officer, member, partner or director.) Each person in charge of an office must meet experience requirements, as well.  |
| Illinois   | The applicant must file proof satisfactory to the commissioner that the applicant, the members thereof if the applicant is a partnership or association, the members or managers thereof that retain any authority or responsibility under the operating agreement if the applicant is a limited liability company, or the officers thereof if the applicant is a corporation have three years experience preceding application in real estate finance. Instead of this requirement, the applicant and the applicant's officers or members, as applicable, may satisfactorily complete a program of education in real estate finance and fair lending, as approved by the commissioner, prior to receiving the initial license. In lieu of maintaining an office in Illinois, a licensee may obtain a bond in the amount of \$100,000 and maintain a net worth of \$100,000. |
| Indiana    | Each licensed loan broker is required to have at least one licensed loan originator. Therefore, a sole proprietor may obtain a "firm" license and if the sole proprietor wishes to engage in loan origination activities, he must also obtain a loan originator license.   |
| Kansas     | An applicant or registrant with a bona fide office must maintain a bond for \$50,000. An applicant or registrant without a bona fide office must maintain both a \$100,000 bond and a net worth of \$50,000. Although there are no education or experience requirements at the firm level, anyone conducting mortgage broker activities for a firm must be registered and meet requirements for continuing education.  |
| Louisiana  | The licensee must maintain a bond in the amount of \$50,000 or a net worth of \$50,000. * A licensee may only conduct mortgage lending activities through a natural person that is licensed as a mortgage broker, mortgage lender, or loan originator. Therefore, the pre-licensing education, examination, and continuing education requirements apply to a sole proprietor and to any loan originator  |

|                | employed by a licensed mortgage broker or mortgage lender. Examinations may have been required beginning in 2001, but it appears that the language requiring examinations was repealed (although in 2005 it is added again).   |
|----------------|--|
| Maryland       | All "covered" employees, defined as the manager of each branch office maintained by a licensee and all employees who have the authority to accept loan applications and as part of their official duties directly contact borrowers to negotiate or advise regarding loan terms, must satisfy the continuing education requirements during each licensing period.  |
| Michigan       | An applicant who receives funds from a prospective borrower prior to the closing of the mortgage loan must maintain a net worth of \$25,000.   |
| Minnesota      | Although there are no net worth requirements, an applicant must provide proof of financial solvency.   |
| Mississippi    | In lieu of documentation of two years' experience in mortgage lending by an applicant, documentation of passage of an examination covering mortgage lending, approved by the department.   |
| Nevada         | An applicant must have two years of verifiable experience in lending money for real estate or mortgages and knowledge of generally accepted accounting practices and bookkeeping procedures evidenced by verifiable experience in working in these areas or must have an appropriate educational training, or both. Net worth amount depends on amount licensee holds in trust or escrow accounts and ranges from \$25,000 to \$250,000. Continuing education is required of the qualified employee and/or any owner or officer conducting business on behalf of the licensee in Nevada.   |
| New Jersey     | The bond requirement ranges from \$50,000 to \$150,000.  |
| New Mexico     | Although New Mexico appears to have minimal restrictions, it probably has even less restrictiveness then displayed here. Until a later date, nearly all mortgage brokers were exempt from the registration requirement because of specific language in the statute.  |
| New York       | An applicant must have two years of credit analysis or underwriting experience with an exempt organization, mortgage banker, mortgage broker or relevant business experience or have a relevant educational background suitable to meet the requirement.   |
| Pennsylvania   | Although a \$100,000 penal bond is required, mortgage brokers who can demonstrate to the satisfaction of the department that they do not accept advance fees are exempt from the requirement.  |
| South Carolina | An applicant must maintain a \$10,000 bond or \$10,000 in cash/securities. An applicant must have at least two years' experience working as an originator under the supervision of a mortgage loan broker before his initial license is issued OR have the equivalent of six or more semester hours of satisfactorily completed course work in real estate finance, real estate law, or the like counting toward the successful completion of a degree that is baccalaureate level or more advanced with a major or minor in finance, accounting, business administration, real estate finance economics, or similar baccalaureate or more advanced degree approved by the administrator or the administrator's designee from an accredited college or university. |
| South Dakota   | Prior to 1997, South Dakota licensed mortgage brokers as real estate brokers. As real estate brokers, licensees were subject to much stricter regulations.   |
| Tennessee      | An applicant must maintain a net worth of \$25,000 for each office in Tennessee.   |
| Texas          | Each mortgage broker (regardless of how incorporated) must maintain a \$50,000 bond or net assets of at least \$25,000. Each applicant must have three years of experience in the mortgage lending field OR a bachelor's degree in an area relating to finance,  |

|               | banking, or business administration from an accredited college or university AND have 18 months of experience in the mortgage or lending field. Each applicant for a loan officer license must meet one of several requirements including experience and/or education.  |
|---------------|---|
| Washington    | Either the applicant or one of its principals, who may be designated by the applicant, have at least two years of experience in the residential mortgage loan industry or have completed the educational requirements established by rule of the director. A licensee must maintain a bond between \$20,000 and \$60,000, depending upon the average number of loan originators per month that were employed by the licensee during the 12 months before submitting an application for licensure. |
| West Virginia | Each licensee must obtain a bond in the amount of \$25,000 from the banking commissioner or \$100,000 if the broker participates in table-funded residential mortgage loans. AND IF the broker accepts money from prospective borrowers prior to closing, a \$15,000 bond from the secretary of state must be obtained.   |
| Wisconsin     | May be overstated; a licensee with a bona fide office may either maintain a bond in the amount of \$10,000 or may maintain a net worth of \$100,000. However, a licensee with no bona fide office must maintain a net worth of \$250,000 and a bond in the amount of \$120,000.   |