

# POLUNSKY BEITEL GREEN

ATTORNEYS AT LAW

**November 15, 2016**

**To Clients and Friends:**

**RE: REQUIREMENTS FOR RENEWAL OF THE MLO TEXAS LICENSE AND OTHER STATE NMLS REQUIREMENTS.**

## **TEXAS RENEWALS**

Texas Department of Savings and Mortgage Lending updates provide several reasons to expedite your license renewal submission as quickly as possible:

- Only approximately 29% of MLO's and 21% of companies have submitted their renewal thus far. These percentages are much lower as compared to the first 10 days of last year's renewal process and could well lead to a bottle neck at the close of the year for processing.
- Almost 8,000 Texas licensees (out of a total of 24,000) have not yet completed their continuing education hours for the year. If you are one of those yet to complete your continuing education requirements, keep in mind that education providers are given up to 7 days to upload course completion information to NMLS and until the continuing education is "banked" in the system you are not allowed to submit your renewal request.
- Companies who have failed to file their Mortgage Call Report(s) or Annual Financial Condition Report are not allowed to submit renewal requests until the report(s) are filed.
- If you have outstanding deficiencies or requirements on your record these will slow down your renewal review, so make sure you have updated your record and provided the complete information requested.

**Take responsibility for your license and renew today!**

If for any reason you find yourself requesting your renewal after Dec 31<sup>st</sup>, **Do Not** continue to originate loans! Your license will have expired and you are not authorized to conduct business. Additionally, be aware that paying through ACH will delay your renewal review and potential approval for up to 7-10 days.

## **OTHER STATE RENEWALS - MU2 FINGERPRINTING**

NMLS has released functionality that allows MU2 control persons (including direct owners, executive officers, individual indirect owners, qualified individuals and non-licensed branch managers) to authorize *Criminal Background Checks* (CBC) through the system. Currently, 26 states are utilizing this functionality. While the requirement to submit a CBC through NMLS

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varies by license type, position held, and agency, certain states will require MU2 control persons to complete a CBC through NMLS as a condition of the license renewal application. You should verify if this is a condition of submitting renewal of your company's license.

Generally, to obtain a CBC through NMLS, the control person must:

- 1) authorize the CBC and schedule an appointment with Fieldprint within NMLS, and;
- 2) keep the appointment and have your fingerprints taken.

If a company holds a license that will require CBC through the NMLS as part of renewal, the appointments should be scheduled now. **This is not a requirement for your Texas license however.**

### **MISSTEPS in CHANGE of SPONSORSHIP**

Changes in sponsorship are frequently delayed by these common failures:

- When changing your mailing or residential address make sure that you change both. Generally, your mailing address should be the same as your residential address. It should **NOT** be your employment address.
- Failure to update your employment history when changing employers. This delays the acceptance of sponsorship. If you do not have an approved sponsorship you are not authorized to originate loans.
- Failure to reflect the location requesting sponsorship of your license in your employment history. (i.e. Showing one location on your employment history, while being sponsored for another location.) If you do not have an approved sponsorship you are not authorized to originate loans.

If you have questions concerning this information, please contact Doug Foster, the firm's Director of Regulatory Affairs at [doug.foster@mortgagelaw.com](mailto:doug.foster@mortgagelaw.com).