

State Licensed Mortgage Loan Originator Requirements and Standards under the S.A.F.E. Act

On April 22, 2009, Governor Heineman signed LB 328 which implemented the requirements of the S.A.F.E. Mortgage Licensing Act of 2008 in Nebraska. Pursuant to LB 328, all mortgage loan originators must obtain a mortgage loan originator license prior to making a mortgage loan in Nebraska. Any individual who, for compensation or gain, takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan application must be licensed or registered as a Mortgage Loan Originator.

The S.A.F.E. Mortgage Licensing Act of 2008 does not provide any exceptions to licensing for individuals conducting above activities. Real estate brokerage, loan processing and loan underwriting activities are not covered.

All individuals intending to conduct mortgage loan origination activities in Nebraska must obtain a mortgage loan originator license prior to July 31, 2010. The Department is currently working on an implementation plan which will describe the necessary procedures to obtain a license. The Department will post updates on this website as new information becomes available.

Licensing Requirements:

Mortgage Loan Originators must:

- Provide fingerprints for an FBI criminal history background check
- Provide authorization for the **Nationwide Mortgage Licensing System & Registry (NMLS&R)** to obtain a credit report
(<http://www.stateregulatoryregistry.org/NMLS//AM/Template.cfm?Section=Home3>)
- Input and maintain their personal Mortgage Loan Originator record in NMLS&R as their license in each state in which they wish to conduct loan origination activity
- Pass a national mortgage test
- Take 20 hours of pre-licensure education courses approved by NMLS&R. The education must include:
 - 3 hours of federal law and regulation
 - 3 hours of ethics, which must include fraud, consumer protection, and fair lending
 - 2 hours of standards on non-traditional mortgage lending

Licensing Standards:

All state-licensed Mortgage Loan Originators must meet the following standards:

- Never had a loan originator license revoked; and
- Has had no felony convictions;
- Never had a misdemeanor conviction involving fraud, dishonesty, or money any aspect of the business of a mortgage banker, depository institution, or installment loan company; and
- Demonstrates financial responsibility and general fitness; and
- Scores 75% or better on a national test created by NMLS&R. The test will include:
 - Ethics
 - Federal law and regulation
 - State law and regulation
 - Federal and state law and regulation pertaining to fraud, consumer protection, nontraditional mortgages, and fair lending; and
- Takes eight hours of continuing education annually. The education must include:
 - 3 hours of federal law and regulations
 - 2 hours of ethics, which must include fraud, consumer protection, and fair lending
 - 2 hours of standards on non-traditional mortgage lending; and
- Maintain licensure through NMLS&R.