



# Bankers Advisory

## COMPLIANCE MONITOR

May 4, 2016

### *Georgia Modifies Provisions Regarding Banking and Finance*

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Georgia modified multiple provisions relating to banking and finance. These provisions are effective on July 1, 2016.

#### **Mortgage Lenders and Brokers**

The amendments replaced the phrase "Nationwide Mortgage Licensing System and Registry" with "Nation-wide Multistate Licensing System and Registry" in the following code sections:

- 1) Code Section 7-1-1000, relating to definitions relative to mortgage lenders and brokers;
- 2) Code Section 7-1-1001, relating to registration requirements and exemptions for mortgage lenders and brokers;
- 3) Code Section 7-1-1002, relating to transaction of lending business without a license and liability;
- 4) Code Section 7-1-1003.5, relating to Nationwide Mortgage Licensing System and Registry;
- 5) Code Section 7-1-1003.6, relating to privileged or confidential nature of information provided to the Nationwide Mortgage Licensing System and Registry;
- 6) Code Section 7-1-1004, relating to issuance or denial of license for a mortgage broker or lender;
- 7) Code Section 7-1-1004.1, relating to reports of condition by mortgage broker and lender;
- 8) Code Section 7-1-1004.2, relating to ability of mortgage broker and lender licensee to challenge information in the Nationwide Mortgage Licensing System and Registry;
- 9) Code Section 7-1-1005, relating to the renewal and expiration of licenses and registrations of mortgage lenders and brokers;
- 10) Code Section 7-1-1011, relating to annual fees set by department for mortgage loan originator, mortgage broker, and mortgage lender;
- 11) Code Section 7-1-1013, relating to the prohibition of certain acts by licensees and registrants; and
- 12) Code Section 7-1-1016, relating to regulations relevant to advertising by mortgage broker and mortgage lenders.

#### **Prelicensing Education Requirements**

Code Section 7-1-1004 was amended relating to issuance or denial of license for a mortgage broker or lender and prelicensing education requirements. The following rules were added;

- The department is authorized to enact rules and regulations related to the expiration of prelicensing education.
- A licensed mortgage loan originator who subsequently becomes unlicensed shall complete the continuing education requirements for the last year in which the license was held prior to issuance of a new or renewed license or the prelicensing education in the event the prelicensing education has expired pursuant to the rules and regulations of the department.
- An individual meeting the requirements of subsection (e) of Code Section 7-1-1005 may make up any deficiency in continuing education as established by rule or regulation of the department.

View the full text at <http://dbf.georgia.gov/georgia-laws-ocga-title-7>