

**STANDARDS OF CONDUCT
FOR APPROVED COURSE PROVIDERS¹**

Approved February 4, 2010

**By the
Mortgage Testing and Education Board**

acting on behalf of

**State Regulatory Registry LLC (SRR)
and
Nationwide Mortgage Licensing System and Registry (NMLS)**

It is the intent of NMLS² to have all Approved Course Providers promote themselves and their course offerings in accordance with the highest ethical standards. As such, NMLS approval status is granted with the understanding that Course Providers will maintain the Standards of Conduct listed below. Violation of any of these provisions could result in sanctions or disciplinary action up to and including loss of NMLS approval status as provided by the Administrative Action Procedures for S.A.F.E.³ Education Requirements.

1. Business and Marketing Standards:

- A. All advertising and marketing must be truthful and be void of any misleading statements, promises, or guarantees. A course may not be promoted in such a way as to guarantee or imply that an individual will pass a test after completing the course.
- B. All advertising and marketing must clearly state the identity of the course provider and must include the course provider's address, telephone number, and NMLS Provider ID number.

1

Administrative Action Procedures – Amended and effective 12/15/2011. Amended and effective 4/13/2011. Amended and effective 5/27/2010. Adopted and effective 02/04/2010.

2

NMLS is the Nationwide Mortgage Licensing System & Registry.

3

The S.A.F.E. Act is the Secure and Fair Enforcement for Mortgage Licensing Act of 2008, Title V of Public Law 110-289

- C. Course Providers may use the words “NMLS Approved” in marketing and advertising materials only if they have been approved by NMLS as a course provider, have one or more NMLS approved courses, and have received an NMLS Provider ID number.
- D. Courses may be marketed and promoted using the words “NMLS Approved” only if the course provider has been approved by the NMLS, the course or courses have been evaluated and approved by NMLS, and the course or courses have been assigned course ID number(s).
- E. The word “accredited” must not be used in any marketing or promotional material.
- F. Approved Course Providers may offer courses approved by NMLS. A course provider cannot offer another course provider’s NMLS-approved course without approval from NMLS.
- G. The phrases “SAFE Approved,” “SAFE Act Compliant,” or any similarly worded phrases must not be used in connection with the offering of any NMLS approved course.
- H. Course Providers may use the “NMLS Approved” course logo to market or promote their courses only after their provider and course applications have been approved. The “NMLS Approved” logo may only be used to promote a course that has been approved by NMLS and issued an NMLS course ID number. The logo must not appear in conjunction with any course that has not been approved by NMLS.
- I. The Nationwide Mortgage Licensing System, Nationwide Mortgage Licensing System and Registry, NMLS, NMLS-R, NMLS Approved, and the NMLS Approved logo are all trademarks of the State Regulatory Registry LLC. The use of the term “NMLS” or any derivative thereof may not be used in any web URL, brand, title, or company name. The State Regulatory Registry LLC will enforce and defend any use of its trademarks which is inconsistent with these business standards.

2. Consumer Protection and Service Standards:

- A. Approved Course Providers will provide students with ready access to the organization’s course cancellation and refund policies.
- B. Approved Course Providers will complete credit banking within seven (7) calendar days after the end of the course completion date.
- C. Credit banking may only be completed after the student has completed the entire number of hours for which the course was approved.
- D. Credits may only be banked for students who have actually completed a course. It is a violation of the Standards of Conduct S.A.F.E Education Requirements and will be considered fraud if an Approved Course Provider reports credits completed for a student who has not completed a course.

- E. Classroom courses are to be delivered in a physical environment that is appropriate for adult education needs in accordance with *NMLS Policy on Criteria for Granting Approval for a Course to Become NMLS Approved*.
- F. Course Providers are to ensure that instructors are knowledgeable in the course subject matter as a result of either relevant academic and/or professional experience in accordance with *NMLS Policy on Criteria for Granting Approval to Become an NMLS Approved Course Provider*.
- G. Course Providers must ensure that they have successfully met any and all conditions associated with a course approval prior to offering the course.
- H. Once a course is approved by NMLS, except for routine maintenance associated with updating content to reflect changes to Federal or State laws, content may not be changed without the express approval of NMLS.
- I. Course Providers must operate in accordance with all applicable Federal and State laws and regulations including but not limited to the Americans with Disabilities Act (ADA), and state Post-Secondary Higher Education Commission approval standards (where applicable).

3. Ethical Standards:

- A. Approved Course Providers are prohibited from committing fraud or misrepresentation in the application or maintenance of their NMLS approval status.
- B. Approved Course Providers are prohibited from engaging in any unlawful, misleading, or deceptive sales or marketing activities and are prohibited from committing a felony or other crime of moral turpitude under federal or state law in a matter related to their course offerings.
- C. Approved Course Providers are prohibited from having their employees, agents, or other representatives take the SAFE Mortgage Loan Originator (MLO) Test for the purpose of learning about the test or any of its content. Course Providers are prohibited from receiving information from persons who have taken a SAFE MLO Test for the purpose of learning about or using the test or any of its contents. The SAFE MLO Test may only be taken for the purpose of acquiring an MLO license. The taking of the SAFE MLO Test for any other reason is a violation of these Standards of Conduct and may result in disciplinary actions up to and including the loss of NMLS Approval status.
- D. Because NMLS does not publicize any specific information pertaining to the content of the SAFE MLO Test other than the Content Outlines, Approved Course Providers are prohibited from communicating with customers or prospective customers that they have special knowledge regarding the content or other non-public characteristics of the SAFE MLO Test.