

## NMLS Education Services Fees – *Request for Public Comments*

November 4, 2009

On behalf of the Nationwide Mortgage Licensing System and Registry (NMLS)<sup>1</sup>, the State Regulatory Registry LLC<sup>2</sup> invites public comments on proposed changes to selected Education Services Fees.

***Purpose of Education Services Fees*** - *The Education Services Fees* include those fees required to be paid by course providers as part of the NMLS course provider approval process and the course approval process.

### **Background**

The Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (the “SAFE Act”)<sup>3</sup> requires that NMLS review and approve all pre-licensure and continuing education courses that are to be offered to state-licensed mortgage loan originators intended to satisfy SAFE-compliant state laws that require a minimum of 20 hours of pre-licensure education and eight hours of annual continuing education.

The SAFE Act permits NMLS to charge reasonable fees associated with carrying out education services requirements. The education services fees in effect for 2009 were unanimously approved by the State Regulatory Registry LLC Board of Managers on March 24, 2009. Public comment on these fees were sought in May 2009.

In preparation for the operation of educational services in 2010, NMLS has reviewed its operations and determined a fee schedule for the 2010 calendar year, beginning on or about January 4, 2010.

- *2010 Fee Schedule for SAFE Required Education Services*

SRR is seeking public comment on fees identified in the *2010 Fee Schedule for SAFE Required Education Services*. In the Schedule, SRR is proposing that the fee for course approval changes but that the fee for course provider approval does not. The *Fee Schedule* can be found attached to this document. Any change in the fees would go into effect on or about January 4, 2010.

### **Request for Public Comments**

State Regulatory Registry LLC is seeking comments from the public, including course providers and state and national trade associations, on the proposed fees for NMLS education services for 2010.

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<sup>1</sup> Information about the Nationwide Mortgage Licensing System can be found at <http://www.stateregulatoryregister.org/nmls>

<sup>2</sup> SRR owns and operates NMLS and is a wholly owned subsidiary of the Conference of State Bank Supervisors. Information about the State Regulatory Registry LLC can be found at: <http://www.stateregulatoryregistry.org>

<sup>3</sup> The SAFE Act is Public Law 110-289 (PL 110-289) and information can be found at: [http://www.csbs.org/AM/Template.cfm?Section=SAFE\\_Act&Template=/CM/ContentDisplay.cfm&ContentID=18486](http://www.csbs.org/AM/Template.cfm?Section=SAFE_Act&Template=/CM/ContentDisplay.cfm&ContentID=18486)

NATIONWIDE MORTGAGE LICENSING SYSTEM

Comments are requested to be limited to the proposed fees schedule.

All comments will be reviewed by NMLS and the Mortgage Testing and Education Board (MTEB).

Comments can be submitted by email to: [comments@stateregulatoryregistry.org](mailto:comments@stateregulatoryregistry.org)

Comments may also be submitted in physical form to:

State Regulatory Registry  
Attn: Pete Marks  
Education Services Fees - Public Comments  
1155 Connecticut Avenue, NW  
Fifth Floor  
Washington, DC 20036-4306

**Comment submission deadline: December 4, 2009**

Persons submitting comments are requested to include their contact information in the event that NMLS would like to follow-up on the comments submitted.

NMLS expects to publish the final fees by December 15, 2009.

For questions about this Request for Comments, please contact Pete Marks at [pmarks@csbs.org](mailto:pmarks@csbs.org).

# Nationwide Mortgage Licensing System and Registry

## 2010 Fee Schedule For SAFE Required Education Services

**Summary** – In July, 2008 The Housing and Economic Recovery Act (Public Law 110-289) was enacted. Title V of the Law, “Secure and Fair Enforcement for Mortgage Licensing Act of 2008” or S.A.F.E. Mortgage Licensing Act of 2008, established requirements for the licensing of Mortgage Loan Originators (MLOs). The SAFE Act requires MLOs to pass a qualified written test, to complete pre-licensure education courses, and to take annual continuing education courses. It requires NMLS to approve pre-licensure and continuing education courses. The Act permits NMLS to charge reasonable fees in carrying out its requirements.

NMLS has been conducting SAFE required educational services since June, 2009 and is preparing its operations for 2010. The table below lists the current fees for 2009 and the proposed fees for 2010 which apply to educational services.

The “Course Application Fee – Initial” is the only fee which is scheduled to change. This fee is currently fixed at \$300 per course and is less than the cost to approve such courses. Initial system functionality allowed only for a fixed fee for all course applications regardless of the number of course hours. The proposed fee structure includes fixed and variable fee components and is designed to make the application fee structure more equitable and eliminate the losses.

| <b>Education Services -<br/>Process or Transaction Type<br/>and Who Pays the Fee</b> | <b>Current Fees - 2009</b>                            | <b>Proposed Fees - 2010</b>   |
|--|---|---|
| Course Provider Application Fee – Initial<br>Course Provider pays                    | \$400 for each initial application, good for 2 years. | No change.  |
| Course Provider Application Fee – Renewal<br>Course Provider pays                    | \$400 for each initial application, good for 2 years. | No change.  |
| Course Application Fee – Initial<br>Course Provider Pays                             | \$300 for each initial application, good for 1 year.  | \$300 fixed fee plus \$20 per each course hour.<br>Range, 1 – 20 hr courses<br>(\$320 - \$700 per course) |
| Course Application Fee – Renewal<br>Course Provider Pays                             | \$200 for each course renewed, good for 1 year        | No change.  |

**Other Fees** – The SRR Board of Managers, in the normal course of operations, will be evaluating other fees such as test administration fees, education credit-banking fees and NMLS processing fees and expects to determine in the first quarter of 2010 any changes to them which may be necessary.