



NC Mortgage Lender License New Application Checklist (Company)

CHECKLIST SECTIONS

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GENERAL INFORMATION

Who Is Required to Have This License?

Any person (individual, partnership, limited liability company, limited partnership, corporation, association, or other group) engaged in joint business activities, however organized) who closes a mortgage loan, advances funds, offers to advance funds, or makes a commitment to advance funds to a borrower under a mortgage loan for compensation or gain. Licensed lenders may also broker mortgage loans by accepting or offering to accept or soliciting or offering to solicit, applications for residential mortgage loans, negotiating terms or conditions, issuing mortgage loan commitments or interest rate guarantee agreements, or engaging in table funding, whether such acts are done through contact by telephone, electronic means, mail, or in person with borrowers or potential borrowers. In addition, licensed lenders may also service residential mortgage loans; a separate servicer license is not required; however, the additional activity requires approval by our agency. Furthermore, applicants may request authorization to conduct reverse mortgage lending activity during the initial lender application process, or after, being approved as a lender by the Commissioner of Banks by updating the NMLS business activities; a separate reverse mortgage lender license is not required, however, the additional activity requires approval by our agency (see N.C. General Statutes § [53-244.030\(20\),\(22\)](#), and § [53-244.030\(11\)](#), and § [53-255 et.al.](#)).

The North Carolina Secure and Fair Enforcement Mortgage Licensing Act ("NC SAFE Act") defines "make a residential mortgage loan" as follows: to advance funds, to offer to advance funds, to make a commitment to advance funds to a borrower under a mortgage loan, or to fund a residential mortgage loan. "Residential mortgage loan or mortgage loan" means any loan made or represented to be made to a natural person or persons primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling located within this State or residential real estate upon which is constructed or intended to be constructed a dwelling (see N.C. General Statutes § [53-244.030\(18\)](#) and § [53-244.030\(30\)](#)).

Who Does Not Need This License?

- Any agency of the federal government or any state or municipal government granting mortgage loans under specific authority of the laws of any state or the United States.

- Any employee of a licensee whose responsibilities are limited to clerical and administrative tasks for his or her employer and who does not solicit borrowers, accept applications, or negotiate the terms of loans on behalf of the employer.
- Any person authorized to engage in business as a bank, a credit union, savings institution or a farm credit system, under the laws of the United States, this State, or any other state, upon filing and confirmation of a [claim of exemption](#) with the Office of the Commissioner of Banks.
- A subsidiary owned and controlled by a bank or savings institution and regulated by a federal banking agency, upon filing and confirmation of a [claim of exemption](#).
- Any officer or employee of bank, credit union, savings institution, a farm credit system, or subsidiary of bank, or a savings institution.
- Any licensed real estate agent or broker who is performing those activities subject to the regulation of the North Carolina Real Estate Commission. Notwithstanding the above, an exempt person does not include a real estate agent or broker who receives compensation of any kind in connection with the referral, placement, or origination of a mortgage loan.
- Any person who, as seller, receives in one calendar year no more than five mortgages, deeds of trust, or other security instruments on real estate as security for a purchase money obligation.

Activities Authorized Under This License

This license authorizes the following activities:

- First mortgage brokering and lending
- Second mortgage brokering and lending
- High cost home loans – Brokering and lending
- Home equity lines of credit – brokering and lending
- Manufactured housing financing – brokering and lending
- Third party mortgage loan processing
- Third party mortgage loan underwriting
- Lead generation
- Reverse mortgage lending (requires additional review & authorization by agency, fee and bond – refer to N.C. General Statute § [53-255, et. al.](#)).
- Servicing activities (requires additional review & authorization by agency – enter additional activities in the MU1 Business Activities section of the NMLS; enter a Qualifying Individual with 3 years of servicing experience; upload an escrow/trust statement and servicer fee schedule information on NCCOB Online: <https://www.nccob.gov/online/Login.aspx>)

See the [Business Activities Definitions](#) for more information on the activities listed above.

Pre-Requisites for License Applications

- Liquidity: Minimum of \$1,000,000 upon licensure and thereafter, on a continual basis which may include a warehouse line of credit of one million dollars (\$1,000,000), or other evidence of funding capacity to conduct mortgage originations as documented by an unqualified audited statement of financial condition.
- Net Worth: Minimum \$100,000 upon licensure and thereafter, on a continual basis as documented by an unqualified audited statement of financial condition.
- Surety Bond: Electronic surety bond for a mortgage lender - minimum \$150,000.

- Experience: Qualifying Individual shall have at least three years of experience in residential mortgage lending. If the company will perform a servicing-type business activity, the QI shall have at least three years of experience in residential mortgage servicing.
- Location: Upon licensure and thereafter, the principal office shall not be in a home or residence (see N.C. General Statute § [53-244.030 \(26\)](#)).
- License Cost: \$1,250.00 plus the NMLS processing fee for Lender License application, credit report and criminal background check fees. If the licensee will perform reverse mortgage lending business activities, an invoice will be entered into the NMLS by the North Carolina Office of the Commissioner of Banks in the amount of \$500 pursuant to N.C. General Statute § [53-255, et. al.](#). **Fees are non-refundable.**
- See the checklist below for a complete list of requirements and documentation.

Additional Information:

Applications not completed within 30 days of an initial deficiency notification will be deemed withdrawn by applicant and placed in a Withdrawn-Application Abandoned Status.

Each Control Person, including the Qualifying Individual, must be separately identified, and included in the Control Person section of the NMLS. "Control" means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person that (i) is a director, general partner, or executive officer; (ii) directly or indirectly has the right to vote ten percent (10%) or more of a class of voting security or has the power to sell or direct the sale of ten percent (10%) or more of a class of voting securities; (iii) in the case of a limited liability company, is a managing member; or (iv) in the case of a partnership, has the right to receive upon dissolution, or has contributed, ten percent (10%) or more of the capital, is presumed to control the company (see N.C. General Statute § [53-244.030\(7\)](#)).

If a third party is assisting you with your application, an authorization form ([form #NCCOB-001](#)) must be completed and uploaded to your [login](#) on our website to allow us to communicate with the third party. Login credentials can be requested on the site within one business day of application submission.

The Lender's Mortgage Loan Originators (MLOs), or MLO applicants in a temporary authority to operate status, must be W2 employees of the mortgage lender and must have sponsorship requested by the company and accepted by our agency prior to originating a residential mortgage loan ([see MLO checklist](#)). If MLOs work at branch locations, the branch(es) must also be licensed in North Carolina before an MLO's sponsorship can be accepted ([see branch checklist](#)). Branch Managers may only manage one location and must be a licensed MLO (not with temporary authority).

The NC SAFE Act refers to MLOs as employees which is defined in the Act as an individual who has an employment relationship and who is treated as a common law employee for purposes of compliance with federal income tax laws and whose income is reported on IRS Form W-2 (see N.C. General Statutes § [53-244.030\(10\)](#), § [53-244.040\(a\)](#), § [53-244.100](#)) and North Carolina Administrative Code [04 NCAC 03M .0403\(c\)](#). Additionally, mortgage loan originators shall not be employed simultaneously by more than one mortgage lender, mortgage broker, or mortgage origination support registrant registered under Article 19B of Chapter 53 of the North Carolina General Statutes (see NC General Statute § [53-244.100\(b\)](#)).

What to Expect After Becoming Licensed:

North Carolina issues **paper licenses** for this license type; they can be printed by the licensee the business day following license approval at: <https://www.nccob.gov/online/Login.aspx>. The requirements for the display of licenses is in NC General Statute § [53-244.106](#). Login credentials can be requested on the site within one business day of application submission. Licenses expire annually on December 31st. **Renewal of licenses** can be requested through the NMLS November 1st through December 31st (late renewal/reinstatement period January 1st through the end of February).

Annual assessments are invoiced and are payable through the NMLS every September for the prior year of licensure. Information can be viewed in North Carolina General Statute § [53-244.100A](#). If your lender license has also been approved for any servicing business activities and if your company is not required to file an expanded Mortgage Call Report through the NMLS, we will request servicing data from you via a license item prior to the assessment calculation.

Audited annual financial statements are to be uploaded to the NMLS Financial Statement Summary screen no later than 90 days from the company's fiscal year-end to show the company is continuously meeting the liquidity and net worth requirements set forth in § [53-244.104\(a\)\(1\)](#).

In addition to the Mortgage Call Report (MCR) data in the NMLS, North Carolina has **specific loan-level reporting** that is required to be uploaded to our system on a quarterly basis upon licensure (with the same due-date schedule as NMLS MCRs). Lenders may request a login ID one business day after license application is made and access our website to view the reporting requirements guide and data specifications. The same website login will be used after licensure to upload the required reports (see N.C. General Statute § [53-244.108](#), § [53-244.118\(a\)](#), § [53-244.115\(d\)](#) and N.C. Administrative Code [04 NCAC 03M .0401\(c\)](#)).

- North Carolina Office of the Commissioner of Banks System Login: <https://www.nccob.gov/online/>

Review your **electronic surety bond** annually to determine if an increase is required based upon the company's prior calendar-year North Carolina loan volume. Any increased surety bond required under N.C. General Statute § [53-244.103\(b\)](#) is to be filed on or before May 31.

Changes to your license record is through the NMLS. Click [here](#) to see North Carolina's Mortgage Lender Amendment and Advance Change Notice Checklist.

Visit our website for [more information](#) on mortgage FAQs, form and fees information, our bulletin board, and other information to include **regular examinations**, including information on:

- Exam notifications, scheduling, location, types, frequency, examination tips, and survey
- Common exam recommendations and violations
- Record retention and file stacking order
- Record destruction

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in [Document Upload Descriptions and Examples](#).
- Only upload documents relevant to the company application.
- Only upload documents where there is a selectable document category. If inappropriate documents are uploaded that should not be, you will be contacted by your regulator and asked to remove them from NMLS.

- Do not upload the same company documents multiple times. Generally, unless the document is state-specific, if the document has already been uploaded for another state, a new upload is not required unless changes have been made.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Surety Bonds), be sure to indicate the applicable state.

Helpful Resources

- [Company Form \(MU1\) Filing Instructions](#)
- [Document Upload Descriptions and Examples](#)
- [Individual Form \(MU2\) Filing Quick Guide](#)
- [Financial Statements Quick Guide](#)
- [Payment Options Quick Guide](#)
- [License Status Definitions Quick Guide](#)

Agency Contact Information

Contact the North Carolina Office of the Commissioner of Banks non-depository mortgage licensing staff by phone at (919) 733-3016 or send your questions via email to Company@nccob.gov for additional assistance. The checklist below instructs submission of documents to be uploaded to the NMLS or the NCCOB website. If needed for other reasons, our mailing address is below.

For U.S. Postal Service:
 North Carolina Office of the Commissioner of Banks
 Non-Depository Mortgage Licensing Team
 4309 Mail Service Center
 Raleigh, NC 27699-4309

For Overnight Delivery:
 North Carolina Office of the Commissioner of Banks
 Non-Depository Mortgage Licensing Team
 316 West Edenton Street
 Raleigh, NC 27603

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.

Complete	NC Mortgage Lender License	Submitted via...
<input type="checkbox"/>	NC Lender License/Registration Fee: \$1,250.00 NMLS Initial Processing Fee: \$100	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report for Control Persons and Qualifying Individual: \$15 per person.	NMLS (Filing submission)
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual (Control Persons and Qualifying Individual): \$36.25 per person.	NMLS (Filing submission)
<input type="checkbox"/>	Reverse Mortgage Lender Fee: \$500.00. If the Lender indicates (in MU1 of NMLS) that Reverse Mortgage Lending will be a business activity in North Carolina, our agency will review the request to perform the business activity in our state and will place an agency fee invoice in the NMLS pursuant to § 53-255, et. al. . The initial fee is \$500.00 and annual renewal is \$250.00.	NMLS (An agency Fee Invoice will be entered into the NMLS as a license item if your company requests to make reverse mortgages; payment is through the NMLS)

REQUIREMENTS COMPLETED IN NMLS		
Complete	NC Mortgage Lender License	Submitted via...
<input type="checkbox"/>	Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license/registration through NMLS.	NMLS
<input type="checkbox"/>	<p>Financial Statements: Upload an unqualified <u>audited</u> statement of financial condition prepared in accordance with Generally Accepted Accounting Principles dated within 90 days of your fiscal year end. Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto. If applicant is a start-up company, only an audited initial statement of condition is required.</p> <p>Pursuant to § 53-244.104 the financial statement must illustrate a company net worth of \$100,000 including evidence of liquidity of one million dollars (\$1,000,000), which may include a warehouse line of credit of one million dollars (\$1,000,000) or other evidence of funding capacity to conduct mortgage originations as documented by an unqualified audited statement of financial condition.</p> <p>Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the Financial Statements Quick Guide for instructions.</p> <p>Note for annual renewal/annual review of financials after licensure: Liquidity/funding capacity of \$1,000,000 and net worth of \$100,000 must be held upon licensure and maintained thereafter on a continuous basis. An audited, unqualified financial statement is to be uploaded annually to the NMLS within 90 days of the company's fiscal year-end and will be reviewed by our staff for compliance prior to license renewal.</p>	<p>NMLS</p> <p>Upload Financial Statement in NMLS: under the applicable period in the <i>Financial Statement Summary</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Other Trade Name: If operating under a name that is different from the applicant's legal name, that name ("Trade Name", "Assumed Name" or "DBA") must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). North Carolina does not limit the number of other trade names.</p> <p>If operating under an "Other Trade Name", upload an executed copy of a North Carolina Assumed Name Certification regarding ability to do business under that trade name from a North Carolina Register of Deeds office as required under N.C. General Statute Chapter 66, Article 14A.</p> <p>This document should be named <i>North Carolina-Mortgage Broker License Trade Name – Assumed Name</i>.</p>	<p>NMLS</p> <p>Upload in NMLS: under the Document Type Trade Name/Assumed Name Registration Certificates in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	Resident/Registered Agent: The Resident/Registered Agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1) and must match the information currently on record with the North Carolina Department of the Secretary of State .	NMLS

<input type="checkbox"/>	<p>Primary Contact Employees: The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Primary Company Contact. 2. Primary Consumer Complaint Contact. 	NMLS
<input type="checkbox"/>	<p>Non-Primary Contact Employees: North Carolina requires that an individual(s) be identified as a Non-Primary Contact for the following areas. These contacts must be listed in the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Licensing 2. Consumer Complaint (Public) 3. Exam Delivery 4. Consumer Complaint (Regulator) 5. Legal 6. Pre-Exam Contact 	NMLS
<input type="checkbox"/>	<p>Bank Account: Bank account information must be completed for the company's Letter/Line of Credit, Operating, and/or Trust Primary accounts in the <i>Bank Account</i> section of the Company Form (MU1).</p>	NMLS
<input type="checkbox"/>	<p>Disclosure Questions: Provide a complete and detailed explanation and document upload for each "Yes" response to Disclosure Questions made by the company or related control persons (MU2).</p> <p>See the Company Disclosure Explanations Quick Guide for instructions.</p>	<p>Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).</p>

<div data-bbox="138 814 180 852" data-label="Image"> </div>	<p>Qualifying Individual: North Carolina General Statute § 53-244.030(27) defines a Qualifying individual: "Qualifying individual" means a person who meets the experience and other requirements of N.C. General Statute § 53-244.050(b) and who agrees to be primarily responsible for the operations of a licensed mortgage broker or mortgage lender or mortgage servicer.</p> <p>This individual must be listed in the <i>Qualifying Individual</i> section of Company Form (MU1).</p> <p>Each licensee is required to have a Qualifying Individual (QI) with:</p> <ul style="list-style-type: none"> • Three years of residential mortgage lending or mortgage brokering experience (see North Carolina Administrative Code 04 NCAC 03M.0204 and, • Meets the educational* and testing** requirements pursuant to North Carolina General Statute § 53-244.050(b). <p>*Have satisfactorily completed, within the three years immediately preceding the date of application, the mortgage lending prelicensing education as detailed under North Carolina General Statute § 53-244.070; and</p> <p>**Have a valid (unexpired and with passing results) test that satisfies one of the following three conditions:</p> <ol style="list-style-type: none"> 1. Passing results on both the National and North Carolina State components of the SAFE Test, or 2. Passing results on both the National and Stand-alone UST components of the SAFE Test, or 3. Passing results on the National Test Component with Uniform State Content <p>Follow the instructions in the View Testing Information Quick Guide to confirm test results have been posted to your record and indicate "Pass" and that the test has not expired.</p> <p>Note: The Qualifying Individual is not required to hold a Mortgage Loan Originator (MLO) license; however, prelicensing education expires after three (3) years if not licensed as an MLO.</p> <p>This individual must be listed in the <i>Qualifying Individual</i> section of Company Form (MU1).</p>	<p>NMLS</p>
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<input type="checkbox"/>	<p>Control Person (MU2) Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by the applicable control person before it is able to be submitted along with the Company Form (MU1). Enter all control persons for the mortgage lender.</p> <p>Control is defined in North Carolina General Statute § 53-244-30(7): "Control" means the power, directly or indirectly, to direct the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any person that (i) is a director, general partner, or executive officer; (ii) directly or indirectly has the right to vote ten percent (10%) or more of a class of voting security or has the power to sell or direct the sale of ten percent (10%) or more of a class of voting securities; (iii) in the case of a limited liability company, is a managing member; or (iv) in the case of a partnership, has the right to receive upon dissolution, or has contributed, ten percent (10%) or more of the capital, is presumed to control the company.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Credit Report: Control Persons and the Qualifying Individual are required to authorize a credit report through NMLS. Individuals will be required to complete an Identity Verification Process (IDV) along with an individual attestation before a license request for your company can be filed through NMLS. This authorization is made when the Individual Form (MU2) is submitted as part of the Company Form (MU1).</p> <p>Note: You may review the requirements of financial responsibility pursuant to N.C. General Statute § 53-244.060(4).</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: The following Individuals listed as <u>control persons</u> and the <u>Qualifying Individual</u>, as specified below, on the Company Form (MU1) are required to authorize a FBI criminal background check (CBC) through NMLS.</p> <ul style="list-style-type: none"> • <i>Qualifying Individual(s)</i> • <i>Direct Owners</i> • <i>Indirect Owners</i> • <i>Executive Officers</i> • <i>Other individuals, such as Directors, or others as defined as a control person in North Carolina General Statute § 53-244-30(7).</i> <p>After authorizing a FBI criminal background check through the submission of the Company Form (MU1) and Individual Form (MU2), you must schedule an appointment to be fingerprinted if new prints are required.</p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>	<p>NMLS</p>

<div data-bbox="138 451 178 493" data-label="Image"></div>	<p>Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount of \$150,000 furnished and submitted by a surety company authorized to conduct business in North Carolina.</p> <p>See the ESB Adoption Table and the ESB for NMLS Licensees page of the NMLS Recourse Center for more information.</p> <p>Note: Surety bonds submitted via the <i>Document Uploads</i> section will not satisfy this requirement.</p> <p>Note: Subsequent increased bond amounts are based upon the licensee’s annual North Carolina loan volume. Any increased surety bond required under N.C. General Statute § 53-244.103(b) shall be filed on or before May 31 immediately following the 12-month period ending December 31.</p> <p>Note: If the company has requested an approval for making reverse mortgages, a license item will be entered into the company’s NMLS record to obtain an additional paper bond specifically for reverse mortgages. Refer to the example bond form on our website pursuant to N.C. General Statute § 53-255, et. al.</p>	<p>Lender Surety Bond: Only in electronic format through the NMLS</p> <p>Reverse Mortgage Surety Bond (if applicable): Upload a copy to the NMLS Document Uploads and provide a paper original to NCCOB</p>
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REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS		
Complete	NC Mortgage Lender License	Submitted via...
<input type="checkbox"/>	<p>AML/BSA Policy: Upload the most recent version of Anti-Money Laundering (AML) / Bank Secrecy Act (BSA) Policy and the most recent Independent Review of the AML/BSA Program.</p> <p><u>AML/BSA Policy</u></p> <p>This document should be named <i>AML/BSA Policy [approval date mm-dd-yyyy]</i>.</p> <p><u>Independent Review of AML/BSA Program</u></p> <p>This document should be named <i>AML/BSA Policy Independent Review [review date mm-dd-yyyy]</i>.</p> <p>The BSA/AML Program must contain:</p> <ul style="list-style-type: none"> • Policies and procedures, as required by the Financial Crimes Enforcement Network (FinCEN) under 31 CFR 1010 and 1029, to include Suspicious Activity Report (SAR) general filing procedures, timeframe of filing and retention period of SARs; • Mortgage fraud red flag identifiers as applicable to the business activities (see FinCEN Advisory: FIN-2012-A009, dated August 16, 2012, regarding Suspicious Activity Related to Mortgage Loan Fraud); • Identification (name and title of) the Compliance Officer; • Information on the required independent testing and specify the timeframe in which the testing will be conducted; and, • Reflect the training timeframe of new hires as well as ongoing training for all employees. 	<p>Upload in NMLS: under the Document Type <u>AML/BSA Policy</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

<input type="checkbox"/>	<p>Business Plan: Upload a business plan outlining the following information:</p> <ul style="list-style-type: none"> • Marketing strategies (how will you market your business and products in North Carolina; how will you generate business, etc.); and, • Products (i.e. conventional, VA, FHA, USDA; fixed, ARMs, reverse mortgages (reverse lending requires additional fee/bond/approval), etc.); and, • Target markets (i.e. consumers in certain counties, property types, etc.); and, • Operating structure the applicant intends to employ (i.e. does your company have branches and/or operations centers? At which location(s) will North Carolina residential mortgage loans be originated? Does your company have offshore operations? etc.); and, • Business activities that will be conducted in North Carolina (i.e. 1st and/or 2nd mortgage brokering, mortgage lending, lead generation, 3rd party processing or underwriting, any servicing activities (servicing requires additional review/approval by our staff, such as review of the QI experience in servicing to ensure 3 years of experience, and a fee schedule screen completed by your company on our system), etc.); and, • Mortgage activities (i.e. origination, processing, underwriting, closing/funding, any servicing, etc.). <p>This document should be named <i>[Company Legal Name] Business Plan</i>.</p> <p>Note: If the existing uploaded business plan already includes the above information, an additional document does not need to be uploaded. A company should only upload a single business plan. If state-specific material is required, this information should be added to the existing uploaded business plan.</p>	<p>Upload in NMLS: under the Document Type <u>Business Plan</u> in the <u>Document Uploads</u> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Certificate of Authority: Upload a North Carolina Secretary of State-issued and approved document, dated not more than 60 days prior to the filing of the application through NMLS that demonstrates authorization to do business in the State if the business was formed outside of North Carolina. This form is required for foreign applicants (businesses formed in a state <u>other than</u> NC).</p> <p>Certificate of Existence/Good Standing: Upload a State-issued and approved document (typically by the Secretary of State's office), dated not more than 60 days prior to the filing of the application through NMLS that demonstrates authorization to do business in the applicant's state of formation. This form is required for <u>both</u> foreign and domestic businesses (formed outside of-foreign, or in-domestic NC).</p> <p>This document should be named <i>[[State prefix] Certificate of Authority AND/OR [State prefix] Certificate of Good Standing]</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Certificate of Authority/Good Standing Certificate</u> in the <u>Document Uploads</u> section of the Company Form (MU1).</p>

<div data-bbox="142 982 181 1024" data-label="Image"></div>	<p>Formation Documents: Determine classification of applicant’s legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto including a list of any name changes.</p> <p>Sole Proprietor</p> <ul style="list-style-type: none"> No documentation required to be uploaded. <p>Unincorporated Association:</p> <ul style="list-style-type: none"> By-Laws or constitution (including all amendments). <p>General Partnership:</p> <ul style="list-style-type: none"> Partnership Agreement (including all amendments). <p>Limited Liability Partnership:</p> <ul style="list-style-type: none"> Certificate of Limited Liability Partnership; and Partnership Agreement (including all amendments). <p>Limited Partnership:</p> <ul style="list-style-type: none"> Certificate of Limited Partnership; and Partnership Agreement (including all amendments). <p>Limited Liability Limited Partnership:</p> <ul style="list-style-type: none"> Certificate of Limited Liability Limited Partnership; and Partnership Agreement (including all amendments). <p>Limited Liability Company (“LLC”):</p> <ul style="list-style-type: none"> Articles of Organization (including all amendments); Operating Agreement (including all amendments); and IRS Form 2553 or IRS Form 8832 if S-corp treatment elected; and LLC resolution if authority not in operating agreement. <p>Corporation:</p> <ul style="list-style-type: none"> Articles of Incorporation (including all amendments); By-laws (including all amendments), if applicable; Shareholder Agreement (including all amendments), if applicable; IRS Form 2553 if S-corp treatment elected; and Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable. <p>Not for Profit Corporation (May not require a mortgage broker license; you may contact our staff prior to application submission for clarification).</p> <ul style="list-style-type: none"> Documents requested of a Corporation; and Proof of nonprofit status <ul style="list-style-type: none"> Internal Revenue Service (“IRS”) 501(c)(3) designation letter; or statement from a State taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity’s net earnings may lawfully benefit any private shareholder or individual; or entity's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate. <p>Trust (Statutory)</p> <ul style="list-style-type: none"> Certificate of Trust; and Governing instrument (all amendments). 	<p>Upload in NMLS: under the Document Type <u>Formation Document</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p> <p>This document should be named <i>Formation Documentation [Date of Creation (MM-DD-YYYY)]</i>.</p>
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<input type="checkbox"/>	<p>Management Chart: Submit a Management chart displaying the applicant's</p> <ul style="list-style-type: none"> • Divisions; • Officers/Directors (names and titles); • Managers (names and titles); and • Staff positions (number of staff in each position) <p>This document should be named <i>[Company Legal Name] Management Chart</i>.</p> <p>Note: The positions listed on the document should correspond to the business activities listed in the Business Plan and the MU1 of the NMLS.</p> <p>Note: If the existing uploaded management chart already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.</p>	<p>Upload in NMLS: under the Document Type <u>Management Chart</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Mortgage Servicing Agreement: Submit a copy of any written (fully executed) agreement or contract related to mortgage servicing rights based on business activities in North Carolina, including:</p> <ul style="list-style-type: none"> • Servicing Agreements; • Sub-Servicing Agreements <p>These documents should be named <i>[Servicing Company Name] Mortgage Servicing Agreement or Mortgage Sub-Servicing Agreement</i></p>	<p>Upload in NMLS: under the Document Type <u>Mortgage Servicing Agreement</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
<input type="checkbox"/>	<p>Organizational Chart/Ownership Description: Submit a flowchart showing (or a description which includes) the percentage of ownership of:</p> <ul style="list-style-type: none"> • Direct Owners (total direct ownership percentage must equate to 100% on the chart for review); • Indirect Owners (including all parent companies or individuals going back to an individual or publicly traded company equating to 100% of ownership on the chart for review); and • Subsidiaries and Affiliates of the applicant. <p>This document should be named <i>[Company Legal Name] Organizational Chart – Description</i>.</p> <p>Note: If the existing uploaded Organizational Chart/Description already includes the above information, an additional document does not need to be uploaded. A company should only upload a single management chart.</p> <p>Identify which entities/individuals have voting rights of $\geq 10\%$, and if Trusts have ownership/indirect ownership, provide copies of the Trust Agreements.</p> <p>Note: Subsidiaries and Affiliates are also to be listed in the MU1 of the NMLS.</p>	<p>Upload in NMLS: under the Document Type <u>Organizational Chart/Description</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>

<input type="checkbox"/>	<p>Warehouse Line of Credit Documentation: Submit the following documentation related to a Warehouse Line of Credit:</p> <ul style="list-style-type: none"> • A fully-executed Warehouse Line of Credit Agreement \geq \$1,000,000; including addendums and exhibits • If the warehouse line has or is expiring, also upload a letter of continuation. <p>Note: Evidence of liquidity of one million dollars (\$1,000,000) may include a warehouse line of credit of one million dollars (\$1,000,000) or other evidence of funding capacity to conduct mortgage originations as documented by an unqualified audited statement of financial condition.</p> <p>This document should be named WLOC Agreement or WLOC Continuation Letter - Provider Name].</p>	<p>Upload in NMLS: under the Document Type <u>Warehouse Line of Credit Documentation</u> in the <i>Document Uploads</i> section of the Company Form (MU1).</p>
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<div data-bbox="142 835 181 877"><input type="checkbox"/></div>	<p>Lease Agreement: Upload a copy of the lease agreement for the principal office location that, at a minimum:</p> <ul style="list-style-type: none">• clearly states the parties to the lease;• clearly states the terms of the lease;• describes the leased premises; and,• is signed by a company official and landlord. <p>If the lease is a sublease, provide written approval from the master lessor that they are aware of and agree to the property being subleased (consent to sublease), along with a copy of the executed master lease.</p> <p>The lease, sub-lease, or lease assignment must be in the name of the applying licensee (i.e. business/company name) as the tenant.</p> <p>If the mortgage lender owns the building instead of leases the location, deed documentation can be provided in lieu of the lease to show the owner as the mortgage lender business.</p> <p>Note: "Principal office" means a principal place of business that shall consist of at least one enclosed room or building of stationary construction in which negotiations of mortgage loan transactions may be conducted and carried on in privacy and in which all of the books, records, and files pertaining to mortgage loan transactions relating to borrowers in this State are maintained. A principal office shall not be located at an individual's home or residence. (see N.C. General Statute § 53-244.030 (26)).</p>	<p>Upload in NMLS: under the Document Type <u>Company Staffing and Internal Policies</u> in the <u>Document Uploads</u> section of the Company Form (MU1).</p>
INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS		

<input type="checkbox"/>	<p>Credit Report Explanations: Submit a line by line, detailed letter of explanation of all derogatory credit accounts along with proof of payoffs, payment arrangements and evidence of payments made, or evidence of any formal dispute filed (documents must be dated). Accounts to address include, but are not limited to: non-medical collections items, charge offs, accounts currently past due, accounts with serious delinquencies in the last 3 years, repossessions, etc.</p> <p>Note: Items regarding bankruptcy, foreclosure actions, outstanding judgments or liens, or delinquent child support payments should be addressed in the <i>Disclosure Explanations</i> section of your <u>Individual</u> Form (MU2).</p> <p>Note: You may review the requirements of financial responsibility pursuant to N.C. General Statute § 53-244.060(4).</p> <p>This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the <u>Individual Form</u> (MU2).</p>
<input type="checkbox"/>	<p>Verification of Experience: Provide a license specific resume for the Qualifying Individual with detailed job descriptions and/or duties performed evidencing experience in the industry the company is applying for a license. Detailed job descriptions and duties with all employers need to be incorporated into a resume to demonstrate experience related to the specific state license being applied for. North Carolina State specific requirements include:</p> <ul style="list-style-type: none"> • more than half of the individual's employment income was derived from employment in the mortgage lending or mortgage brokerage industry (and mortgage servicing if the lender will also service or master service, or submit a secondary QI for the servicing activity); and • that individual had actual responsibility for job functions in each area of study included in a prelicensing education program. <p>See North Carolina General Statutes § 53-244.030(27) and § 53-244.050(b) and N.C. Administrative Code 04 NCAC 03M.0204.</p> <p>Note: Resume data must match up to the employment history on the Individual Form (MU2).</p> <p>This document should be named <i>[QI Resume - Verification of Experience] – License Name</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Verification of Experience</u> in the <i>Document Uploads</i> section of the <u>Individual Form</u> (MU2).</p>

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	NC Mortgage Lender License	Submitted via...
<input type="checkbox"/>	<p>Other Agreement(s): Provide copies of fully executed agreements if you:</p> <ul style="list-style-type: none"> • use a marketing company; • use a document storage company; • use a lead generator or are a lead generator; or, • use a third-party processing/underwriting company or your company 	<p>Upload Agreements to NCCOB Website: Please upload executed agreement(s) to our agency's website at https://www.nccob.gov/</p>

	provides third-party processing/underwriting services to other companies in additional to your loan brokering business activities.	online/Login.aspx . Login credentials can be requested on the site within one business day of application submission.
<div><div></div><div></div></div>	<p>BOOKS AND RECORDS: Licensees are required to maintain their books and records for North Carolina residential mortgage loans at a designated location within the State. If, however, the company wishes store such records out-of-state, it is required to submit a written request to the NC Commissioner of Banks. The written request can be completed on our system at the following link: https://www.nccob.gov/online/. <i>Please note that you cannot access this automated request form until one business day after application through the NMLS.</i></p> <p>Note: The request should contain all elements of N. C. Administrative Code 04 NCAC 03M .0502 (see also below) and list the specific street address where records will be stored (match to NMLS MU1 Books and Records screen address). If the licensee uses a third party for record storage, please provide the street address and a copy of the executed agreement (if applicable, agreement uploads can be done in the system when completing the request form).</p> <p>04 NCAC 03M .0502 FORM AND LOCATION OF RECORDS</p> <p>(a) The records may be maintained in any form that is convertible into legible, tangible documents by the licensee.</p> <p>(b) All records required by this Section shall be prepared in accordance with generally accepted accounting principles, where applicable.</p> <p>(c) All records required to be maintained shall be secured against unauthorized access and damage in a location within the State accessible to the Commissioner. However, a licensee or registrant that maintains a centralized out-of-state storage facility for the records from multiple states may request the Commissioner to approve its storage of such records in such out-of-state location. The requests shall be approved provided that:</p> <div><div>(1)</div><div>the Commissioner determines that the proposed storage will ensure that the records are secured against unauthorized access and damage; and</div></div> <div><div>(2)</div><div>the licensee or registrant agrees in writing to make available at its expense for inspection and copying upon request by the Commissioner copies of all requested records in a form that satisfies the requirements of Paragraph (a) of this Rule.</div></div> <p>(d) If the Commissioner has reason to believe that records are not or will not be secured against unauthorized access or damage, the Commissioner shall summarily revoke any approval granted under Paragraph (c) of this Rule.</p> <p>(e) A licensee or registrant shall notify the Commissioner of any change in the location of its books and records within 15 days following such change.</p>	<p>Complete a Books and Records Request to NCCOB's Website: Login credentials can be requested on the site within one business day of application submission: https://www.nccob.gov/online/Login.aspx. Click on Books & Records and complete the online request form as prompted.</p>
<div><div></div><div></div></div>	<p>Branch Manager Agreement: Submit an executed Prohibited Branch Arrangement Attestation Form (MLA19) through our agency website login. <i>Please note that you cannot access this automated request form until one business day after application through the NMLS.</i> This online form is to be completed by a control person of the company as acknowledgement for current branch applications or any future branches.</p>	<p>Complete a Branch Attestation on NCCOB's Website: Login credentials can be requested on the site within one business day</p>

		<p>of application submission: https://www.nccob.gov/online/Login.aspx. Click on Branch Attestation and complete the online form as prompted – to be completed by a control person of the company as acknowledgement for current or future branches.</p>
<input type="checkbox"/>	<p>ESCROW/TRUST ACCOUNT: If the Lender will also Service, provide a copy of the last bank statement for applicant’s escrow account with an FDIC-insured institution through which borrower payments are processed.</p> <p>Note: Not applicable for Master Servicer only.</p>	<p>Upload Account statement to NCCOB Website/Company Documents: Please upload escrow/trust account statement to our agency’s website at https://www.nccob.gov/online/Login.aspx. Login credentials can be requested on the site within one business day of application submission. After logging in, click on Company Documents to upload the statement, titled Escrow or Trust Account Statement.</p>
<input type="checkbox"/>	<p>SCHEDULE OF THE RANGE OF COSTS AND FEES: If the Lender also services or is a master servicer, enter the schedule of the range of costs and fees charged to borrowers for the company’s servicing-related activities. For master servicers, enter sub-servicer company name and NMLS ID. Provide the requested information at NCCOB’s website at: https://www.nccob.gov/online/Login.aspx.</p>	<p>Upload Account statement to NCCOB Website: Please upload escrow/trust account statement to our agency’s website at https://www.nccob.gov/online/Login.aspx. Login credentials can be requested on the site within one business day of application submission. After logging in, click on Servicer Fee Schedule and enter the range of fees that may be</p>

		charged. If master servicing, enter the sub-servicer company information at the top of the form.
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The regulator will review the filing and all required documents and communicate with you through the NMLS. To review your status or see detailed communication from the regulator, click on the Composite View tab and then click on View License/Registration in NMLS; see [License Status Quick Guide](#) for instruction.