



## DESCRIPTION



# NORTH CAROLINA MORTGAGE SERVICER LICENSE

### Who is required to have this license?

Any person (individual, partnership, limited liability company, limited partnership, corporation, association, or other group engaged, whether for compensation or gain from another or on one's own behalf, in the business of receiving any scheduled periodic payments from a borrower pursuant to the terms of any residential mortgage loan, including amounts for escrow accounts, and making the payments of principal and interest and such other payments with respect to the amounts received from the borrower as may be required pursuant to the terms of the residential mortgage loan, the residential mortgage loan servicing documents, or servicing contract, or otherwise to meet the definition of the term "servicer" in 12 U.S.C. § 2605(i)(2) with respect to residential mortgage loans.

The NC SAFE Licensing Act defines a mortgage loan as a loan made to a natural person or persons primarily for personal, family, or household use, primarily secured by either a mortgage or a deed of trust on residential real property located in North Carolina.

### 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 upon the filing and confirmation of a claim of exemption with the Office of the Commissioner of Banks.
- 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.

### What are the pre-requisites for license applications?

Surety Bond Amount: \$150,000

Experience: Qualifying Individual shall have at least three years of experience in residential mortgage lending or servicing.

**WHO TO CONTACT** – Contact the NC Mortgage Licensing Division staff by phone at (919) 733-0589 or send your questions via e-mail to [mortgage@nccob.gov](mailto:mortgage@nccob.gov) for additional assistance.

YOU ARE NOT AUTHORIZED TO ENGAGE IN MORTGAGE SERVICING, LENDING, BROKERING, OR ORIGINATION ACTIVITIES IN THE STATE OF NORTH CAROLINA UNTIL YOU HAVE RECEIVED A LICENSE APPROVAL THROUGH THE NMLS.