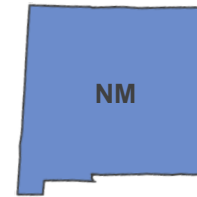




Description



NEW MEXICO MORTGAGE LOAN ORIGINATOR LICENSE

Who is required to have this license?

Any natural person who: (a) for compensation or gain, or in the expectation of compensation or gain, directly or indirectly takes a residential mortgage loan application or negotiates or offers to negotiate the terms of a residential mortgage loan; and (b) is employed or associated with not more than one mortgage loan company licensee regulated by the Division.

Any processor or underwriter who is an independent contractor.

Who does not need this license?

(1) registered mortgage loan originators when acting for an entity that meets the definition of mortgage loan originator and is an employee of:

- (a) a depository institution;
- (b) a subsidiary that is:
 - 1) owned and controlled by a depository institution; and
 - 2) regulated by a federal banking agency; or
- (c) an institution regulated by the farm credit administration;

(2) an individual who offers or negotiates terms of a residential mortgage loan with or on behalf of an immediate family member of the individual;

(3) an individual who offers or negotiates terms of a real property sale financed in whole or in part by the seller and secured by the seller's real property; or

(4) a licensed attorney who negotiates the terms of a residential mortgage loan on behalf of a client as an ancillary matter to the attorney's representation of the client, unless the attorney is compensated by a lender, a mortgage loan company or other mortgage loan originator or by any agent of such lender, mortgage loan company or other mortgage loan originator.

(5) an individual engaged solely as a loan processor or underwriter who performs clerical or support duties as an employee at the direction of and subject to the supervision and instruction of a person licensed, or exempt from licensing, pursuant to the Mortgage Loan Company Act.

Pre-requisites for license applications?

- **Education** - 20 hours of pre-licensing education which will include 3 hours of New Mexico specific education.
- **Testing** - A National and State test that will require a 75% or better score to pass.

- **Background Check w/ Finger Prints** - Each applicant must submit a set of finger prints for a background check.
- **Credit Report** - Each applicant will have a credit report pulled through the Nationwide Licensing system to establish the financial responsibility of the applicant.
- **Surety Bond** - Each applicant must obtain a surety bond, except that an applicant may use the surety bond of the mortgage loan company they are working for if they are a W-2 employee and sponsored by that mortgage loan company through the Nationwide Mortgage Licensing System.

A surety bond in the amount of \$50,000 will be required for first year as a licensed mortgage loan originator. After the first year, the surety bond will be based on the total dollar amount of mortgage loans originated annually in New Mexico by the licensee and will be based on the following scale:

\$0 - \$3,000,000 = \$50,000 surety bond

Greater than \$3,000,000 but less than \$10,000,000 = \$100,000 surety bond

Greater than \$10,000,000 = \$150,000 surety bond

WHO TO CONTACT – Contact Jackie Dalmy, mortgage licensing staff, by phone at 505-476-4908 or send your questions via e-mail to Jackie.dalmy@state.nm.us for additional assistance.

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