



New Application Checklist Jurisdiction-Specific Requirements



SOUTH CAROLINA MORTGAGE LENDER/SERVICER LICENSE

Instructions

1. Each branch location desiring to conduct business under this license authority, must be separately authorized and will require the filing of a MU3 form through NMLS.
2. Each individual originating mortgages needs to be separately authorized and will require the filing of a MU4 form through NMLS. After the MU4 is submitted, the company must submit a sponsorship request to the regulator before the individual MU4 license will be approved. A quick guide entitled "Create a Company Sponsorship" at the following link will help walk you through this process: [NMLS Quick Guides](#).
3. Each licensee is required to have a Managing Principal/Qualifying Individual with three (3) years of experience in financial services or financial services related business. Use the Managing Principal/Qualifying Individual (QI) section of the NMLS MU1 form to identify the QI. The MU2 form will then be generated requiring completion of biographical information for the QI.
4. Each Control Person must be separately identified and included in the Direct Owners and Executive Officers section of the NMLS MU1 form. A Control Person is any person(s) who: (i) is a qualifying individual/managing principal (as defined in the SC Code Section §37-22-110(27)), director, general partner or executive officer; (ii) directly or indirectly has the right to vote 10% or more of a class of a voting security or has the power to sell or direct the sale of 10% or more of a class of voting securities, (iii) in the case of an LLC, is the managing member, or (iv) in the case of a partnership, has the right to receive upon dissolution, or has contributed, 10% or more of the capital. A MU2 form will then be generated requiring completion of biographical information for each Control Person.
5. The Resident/Registered Agent section of the MU1 form should be completed with the information currently on record with the South Carolina Secretary of State.
6. Mortgage Lender/Servicer must separately file for each Other Trade Name license. For South Carolina BFI, a company may not have more than six (6) trade names or d/b/a designations.
7. Financial Statements should be submitted through the Filing Tab in NMLS prior to the submission of your MU1 filing. For additional help, see the Financial Statement Information page and quick guide posted on the NMLS website here:
<http://mortgage.nationwidelicencingsystem.org/slr/common/fs/Pages/default.aspx>
Please provide a financial statement prepared in accordance with the Generally Accepted Accounting Principles (GAAP) dated within ninety (90) days of your fiscal year end. Financial statements should include a Balance Sheet, Income Statement, Statement of Cash Flows and all relevant notes thereto. If the applicant is a start-up company, only an initial Statement of Condition is required.
8. Total License costs: \$1,100.00 including the NMLS processing fee. The \$1,100.00 fee does not include the actual cost of obtaining credit reports or national and state fingerprint-based criminal history record checks.
9. All fees are collected through NMLS and **ARE NOT REFUNDABLE**.
10. The regulator will review the filing along with all required documents and communicate with you through NMLS. To review your status in NMLS, click the Tasks tab and click Work List.

11. Jurisdiction-specific requirements as identified on the checklist below must be received with this checklist within seven (7) business days of the electronic submission of your application through the NMLS at the following:

For Overnight Delivery:

South Carolina State Board of Financial Institutions
Consumer Finance Division
1205 Pendleton Street, Suite 306
Columbia, SC 29201

NMLS Unique ID Number: _____

Applicant Legal Name: _____

ATTACHED	NOT APPLICABLE	ITEM
<input type="checkbox"/>	<input type="checkbox"/>	<p>SURETY BOND. Provide an original Mortgage Lender Special Deposit bond in the amount of:</p> <p>(a) if dollar volume of mortgage loans from \$0 to \$49,999,999 surety bond of \$50,000;</p> <p>(b) if dollar volume of mortgage loans from \$50,000,000 to \$249,999,999, surety bond of \$100,000;</p> <p>(c) if dollar volume of mortgage loans greater than \$250,000,000 surety bond of \$150,000.</p> <p>All bonds issued must be by a surety company that is authorized to conduct business in South Carolina. The name of the principal insured on the bond must match exactly the Full Legal Name of the applicant. Other Trade Names #2 through #6 will be required to submit a separate bond for each other trade name, per S.C. Code §37-22-140 (F). <u>A license will be terminated without a satisfactory bond. Only the bond form listed below will be accepted.</u></p> <p>Click to download surety bond form. Surety Bond example</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>SECRETARY OF STATE DOCUMENTATION. Provide a <u>certified copy</u> of:</p> <ul style="list-style-type: none"> • Articles of Incorporation (if a corporation), or • The Articles of Organization and Operating Agreement (if a limited liability company), or • The Partnership Agreement (if a partnership of any form);
<input type="checkbox"/>	<input type="checkbox"/>	<p>A CERTIFICATE OF AUTHORITY/CERTIFICATE OF GOOD STANDING FROM LENDERS STATE OF INCORPORATION. Provide certificate dated not more than sixty (60) days prior to the filing of an application through NMLS.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>SOUTH CAROLINA SECRETARY OF STATE. If the applicant was organized or formed outside of South Carolina, submit certified proof of authorization to do business in this state.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>AUTHORIZATION FOR BACKGROUND CHECK AND RELEASE. Control Persons and the Managing Principal (QI) must provide an executed original copy of the release form. Click to download release form.</p>

<input type="checkbox"/>	<input type="checkbox"/>	<p>ACCESS TO CREDIT. Control persons and the Managing Principal (QI) 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.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>FINGERPRINTS FOR STATE AND FBI CRIMINAL RECORDS CHECKS. Control Persons and Managing Principals (QI) who have not submitted a MU4 filing with SC-BFI are required to have both FBI and State criminal record checks. Download the Livescan application and see the instruction sheet for either in-state or out of state licensees (see below). Please insert the NMLS ID number in the OCA field on the fingerprint card. The total fee for the South Carolina and FBI criminal records check is \$54.25. This fee must be paid to and sent directly to the vendor, L-1 enrollment Services. <u>Do not send fees or fingerprint cards to NMLS or SC-BFI.</u></p> <p>Click to download Livescan application (FBI and State)</p> <p>Click to download in-state instructions (FBI and State)</p> <p>Click to download out of state instructions (FBI and State)</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>FINGERPRINTS FOR STATE CRIMINAL RECORDS CHECK. A Managing Principal (QI) who submits a MU4 filing through SC-BFI will be prompted by NMLS for a FBI criminal background check. Therefore, only a State criminal background check needs to be submitted. See the appropriate instruction sheet for either in-state or out of state licensees. Please insert the NMLS ID number in the OCA field on the fingerprint card. The total fee for the South Carolina criminal records check is \$35.00. This fee must be paid to and sent directly to the vendor, L-1 enrollment Services. <u>Do not send fees or fingerprint cards to NMLS or SC-BFI.</u></p> <p>Click to download Livescan application (State)</p> <p>Click to download in-state instructions (State)</p> <p>Click to download out of state instructions (State)</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>PRE-LICENSURE EDUCATION AND CONTINUING EDUCATION CERTIFICATION. The Designated Managing Principal (QI) must submit proof of completion of required education requirements to NMLS for certification. All education must be done through NMLS approved providers.</p> <p>http://mortgage.nationwidelicensingsystem.org/profreq/education/Pages/default.aspx</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>NATIONAL AND STATE TESTS. The Designated Managing Principal (QI) must pass qualified written tests that are administered by an approved test provider. Testing is scheduled through NMLS.</p> <p>http://mortgage.nationwidelicensingsystem.org/profreq/testing/Pages/default.aspx</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>DISCLOSURE QUESTIONS. Provide written details for any “Yes” answers to any of the disclosure questions in NMLS for the Mortgage Lender, Control Person or Managing Principal (QI). Attach any applicable orders and supporting documents.</p>

<input type="checkbox"/>	<input type="checkbox"/>	<p>CERTIFICATION FOR MANAGING PRINCIPAL/QUALIFYING INDIVIDUAL/BRANCH MANAGER. <u>Important and Mandatory.</u> Please see attached PDF document below that must be signed and properly executed by company and managing principal and/or branch manager. The original signed document must be submitted to our department in order to finalize approval process.</p> <p>Click to download Designated Managing Principal/Qualifying Individual</p> <p>Click to download Designated Branch Manager</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>OTHER TRADE NAMES. A company may not have more than six (6) Other Trade Names (d/b/a designations). <u>Each Other Trade Name (d/b/a designation) must have a separate license.</u> A company may apply for additional licenses for each Other Trade Name (d/b/a designation) by selecting the Mortgage Lender/Service License Other Trade Name in the NMLS. Each Other Trade Name license will cost an additional \$1,100.00 including the NMLS processing fee. A separate bond will be required for each Other Trade Name license. A branch Other Trade Name license will be required for each branch using a d/b/a designation. **Branch Other Trade Name licenses should be applied for in the same order as the company's Other Trade Name license. i.e. the company and the branch must have the same d/b/a name and OTN #.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>LENDER/BROKER NOTIFICATION. Please see attached PDF document below that must be signed and properly executed by the company's president or authorized MU2 control person. The original signed document must be submitted to our department in order to finalize approval process.</p> <p>Click to download Mortgage Lender Notification Acting as a Mortgage Broker</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>ORGANIZATION CHART. Provide a detailed chart showing the management structure of the company. The chart should include names, titles and job descriptions of each position. If the company is owned by another entity provide a chart showing the ownership structure.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>BUSINESS PLAN. Provide a detailed business plan for the company's operations in South Carolina that explains underwriting, approval, and funding procedures. Also include any warehouse line of credit restrictions and loan servicing.</p>

WHO TO CONTACT – Contact South Carolina State Board of Financial Institutions/Consumer Finance Division licensing staff by phone at 803-734-2020 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.