



BRAD LITTLE
Governor

PATRICIA PERKINS
Director

DATE: March 12, 2020

TO: Idaho Mortgage Broker/Lender, Mortgage Loan Originators, Regulated Lender, Title Lender, Payday Lender and Collection Agency Licensees and Registrants

FROM: K.C. Schaler, Supervising Examiner

RE: Temporary Regulatory Guidance Regarding Working from Home Due to Coronavirus/COVID-19 Concerns or Quarantines

Due to the Coronavirus/COVID-19 outbreak and related concerns pertaining to person-to-person or community spread of the virus, the Department of Finance is offering the following guidance for licensees, registrants, and their employees and their ability to work temporarily from their residence, even if the residence is not a licensed or registered Idaho branch location.

This Temporary Guidance is issued with the intent to offer licensees the ability to take precautions deemed necessary to avoid the risk of exposure or to comply with requirements of voluntary or mandated quarantines and is effective through June 30, 2020, unless otherwise modified or withdrawn.

The Department will not take an enforcement action against a licensee or registrant for unlicensed activity as long as licensable activities conducted from the employee's residence meet the following requirements:

1. Data security requirements include provisions for the employee to access the company's secure origination system from any out-of-office device the MLO uses through the use of a VPN or other system that requires passwords or an identification authentication. The company is responsible to maintain any updates or other requirements in order to keep information and devices secure;
2. Neither the employee nor the company is to do any act that would indicate or tend to indicate that the employee is conducting business from an unlicensed location. Such acts include but are not limited to:
 - a. Advertising in any form, including business cards and social media, the unlicensed residence address or landline telephone or facsimile number associated to the unlicensed residence;

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- b. Meeting consumers at, or having consumers come, to an employee's unlicensed residence;
 - c. Holding out in any manner, directly or indirectly, by the employee or company licensee, the residence address that would suggest or convey to a consumer that the residence is a licensed location for conducting licensable activities;
3. Employees and companies must exercise due diligence in the safeguarding of company and customer data, information and records, whether in paper or electronic format, and to protect them against unauthorized or accidental access, use, modification, duplication, destruction or disclosure.

Questions regarding this Temporary Guidance may be directed to finance@finance.idaho.gov, or to (208) 332-8000.