



Department of Business Regulation

Banking Division

1511 Pontiac Avenue, Bldg. 68-1
Cranston, Rhode Island 02920

Banking Bulletin 2020-1

INTERIM REGULATORY GUIDANCE

DATE: March 13, 2020

TO: Rhode Island Licensed Mortgage Loan Originators, Lenders, Loan Brokers and Exempt Company Registrants

FROM: Elizabeth Kelleher Dwyer, Superintendent of Banking

RE: Interim Regulatory Guidance – Temporarily Working from Home

Purpose

On March 9, 2020, Governor Gina Raimondo signed a declaration creating a State of Emergency in Rhode Island, allowing the State to access additional resources to supplement its response to COVID-19. Because the Rhode Island Department of Health has confirmed positive test results of cases in Rhode Island, licensed mortgage origination companies may wish to take precautions to further avoid the risk of exposure by having employees work at home. This includes mortgage loan originators, who are otherwise required to only work from licensed locations.

This Interim Guidance expresses the Rhode Island Department of Business Regulation's (the "Department") intent to temporarily allow licensed mortgage loan originators to work from home, whether located in the State of Rhode Island or another state, even if the home is not a licensed branch.

This Interim Guidance does not amend the provisions of R.I. Gen. Laws §19-14 *et seq.* This specifically includes all state and federal data security requirements as set forth in Rhode Island General Laws. All other provisions of Rhode Island General Laws remain in place. This Interim Guidance is effective through **April 30, 2020** but is also subject to change or withdrawal.

The Department's Guidance – Effective through April 30, 2020

If the data security provisions set forth below are met, the Department will not take administrative or other punitive action against a licensed mortgage loan originator or the sponsoring licensed company if the mortgage loan originator conducts activities requiring licensure from home.

Data security provisions:

- 1) The licensed mortgage loan originator must be able to access the company's secure origination system (including a cloud-based system) directly from any out of-office device the mortgage loan originator uses (laptop, phone, desktop computer, tablet, etc.) using a virtual private network (VPN) or similar system that requires passwords or other forms of authentication to access.
- 2) All security updates, patches, or other alterations to the device's security must be maintained.
- 3) The licensed mortgage loan originator must not keep any physical business records at any location other than the licensed main office.

While it is up to the company and the MLO to decide whether consumers go to MLO **licensed** branch homes, if MLOs work from an **unlicensed** branch home, they must **not** have consumers come to the home.

Prepared by: Sara Cabral, State Chief Bank Examiner, Division of Banking. Contact Sara at sara.cabral@dbr.ri.gov if you have questions.

Statutes and rules relied upon: R. I. Gen. Laws Chapters 19-14, 14.1, and 14.2