Oregon Department of Consumer and Business Services (OR-DCBS)
Continuing Education (CE) Notice

Purpose
The purpose of this notice is to inform NMLS approved course providers of the required topics
to be covered in the 2-hour state specific Continuing Education (CE) requirement which must be
met as a condition for maintaining a mortgage loan originator (MLO) license with the Oregon
Department of Consumer and Business Services.

CE requirements are as follows:
- 3 hours of Federal law;
- 2 hours of Ethics;
- 2 hours of non-traditional mortgage lending;
- 1 hour of general electives;
- 2 hours of Oregon state-specific defined electives

Total CE: 10 Hours

OR-DCBS has established the following required learning objectives and topics list for the
2 hours of state-specific CE:

Required Learning Objectives:
- Discuss the use of assumed business names as set forth in OAR 441-860-0025.
- Identify the limitations on the use of certifications or professional designations for
  mortgage loan originators included in OAR 441-870-0081.
- Know that providing financial advice related to a security, such as advice to take a loan
  against a retirement account for a down payment, requires additional licensure as a
  broker-dealer or investment advisor representative.
- Explain the requirement for reverse mortgages in which lender must send a notice on
  property taxes unless the loan includes a reserve account for taxes. (Change from HB
  2562 from 2017 to be codified in ORS 86A.196.)
- Know Oregon’s definition of residential mortgage loan, and how it differs from TILA
- Describe when a company may allow a MLO to originate Oregon loans.
- Explain Oregon’s restriction on originating for more than one mortgage banker/broker.
- Recognize the licensee’s obligations for keeping the NMLS record up-to-date and
  responding to deficiencies timely.
- Discuss Oregon’s rate-lock disclosure form.
- Identify the disclosures that are required to be provided in a language other than English.
- Describe the limitations on negative amortization loans.
- Discuss the special disclosure for reverse mortgage loans.
- Know that MLO is required to sign initial and final loan applications.
• Explain the requirements for handling of client funds, including determining when funds are considered trust funds, refunds of funds as well as manner of deposit and disbursement of trust funds.
• Know the requirement to keep copies of correspondence with applicants.
• Demonstrate the advertising requirements and prohibitions.
• Explain the definition of dishonest, fraudulent, unfair and unethical practices and prohibited activities for loan originators.

**Required Topics:**

- Licensing Renewal and Operation of Mortgage Brokers, Mortgage Bankers, and Mortgage Loan Originators
- Records, Financial Statements and Reports
- Escrow and Trust Accounts
- Disclosures and Advertising
- Conditions and Limitations of Certain Mortgage Transactions
- Residential Mortgage Loans
- Investigation of Violations and Unsafe Practices
- Prohibited Acts

**References:**

- Statutes:
  - The Oregon Mortgage Lending Law and Oregon SAFE Act (ORS Chapter 86A)
  - The Oregon Securities Law (ORS Chapter 59)
  - Licensing - OAR Chapter 441, Div. 860
  - License Cancellation - OAR Chapter 441, Div. 885
  - Loan Originators - OAR Chapter 441, Div. 880
  - Custody of Client Funds - OAR Chapter 441, Div. 875
  - Public Records, Fees, Opinion Requests, Rulemaking - OAR Chapter 441, Div. 850
  - Records and Reports Requirements - OAR Chapter 441, Div. 865
  - Dishonest, Fraudulent, Unfair and Unethical Practices - OAR Chapter 441, Div. 870

Specifically:

- Licensing:
  - ORS 86A.100(3)-(8), 86A.103, 86A.200(4) and (8), 86A.203
  - ORS 86A.183 and OAR 441-880-0315
  - ORS 86A.178(2)
- Loan application and disclosure requirements:
  - OAR 441-860-0060(1)(c)
  - ORS 86A.198
- ORS 86A.195
- ORS 86A.196
- OAR 441-860-0060(1)(a)

• Requirements for handling of client funds: ORS 86A.157; OAR 441-850-0005(28), 441-875-0030, and 441-875-0040.

• Record keeping requirements: ORS 86A.112; OAR 441-850-0035 and OAR 441-865-0010 through 441-865-0090.
  - Requirement to keep copies of correspondent with applicants: OAR 441-865-0060(1)(d)

• Advertising requirements and prohibition: ORS 86A.163, 86A.196, 86A.198, 86A.236(8); 86A.239(1); OAR 441-865-0030 and OAR 441-870-0080

• Definition of dishonest, fraudulent, unfair and unethical practices and prohibited activities for loan originators: ORS 86A.115, 86A.183 and 86A.236; OAR 441-870-0010 – 441-870-0081

• Securities licensing requirement: ORS 59.015, 59.165, and 59.345.

**NMLS Approving Authority**

In accordance with the SAFE Act, NMLS is the approval authority for courses that are intended to satisfy the PE & CE requirement for an MLO to be licensed by a state-agency. Courses intending to satisfy these requirements must also meet NMLS course approval standards as detailed in the *Functional Specification for All NMLS Approved Courses*.

**Legislative Updates**

Course providers are responsible for keeping abreast of changes made to the applicable statutes, regulations and rules.