West Virginia Division of Financial Institutions (WV-DFI)
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 West Virginia Division of Financial Institutions.

CE requirements are as follows:
- 3 hours of Federal law;
- 2 hours of Ethics;
- 2 hours of lending standards for non-traditional mortgage products;
- 2 hours of WV state-specific defined electives

Total CE: 9 Hours

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

Required Learning Objectives:
- Emphasize the compliance issues related to the use of social media by the company and mortgage loan originators and issues that could arise and lead to violations of law. New for 2020 CE courses
- Describe the Tangible Net Benefit requirements and demonstrate proper completion of the WV statutorily required form.
- Know the late payment penalty maximum charge of $30.00 and describe the requirement that this be disclosed correctly on all loan disclosures.
- Explain the loan-to-value limitation of 100%, unless program is specifically exempted by statute.
- Know that no application fees may be collected. Explain that third party pass through fees may be collected for the actual amount of the service provided.
- Recite fee limitations.
- Explain that no instrument evidencing or securing a primary or subordinate loan may contain a requirement that the final installment be greater than any other installment (balloon).
- Discuss the records that must be maintained per 106CSR5 of the Legislative Rules.
- Illustrate the requirement that an MLOs NMLS unique identifier is displayed on all advertising, including social media.
- Explain the restriction on use of the term “banker”.
• Discuss the explanation and documentation required if a non-local appraiser (greater than 75 miles) is used.
• Examine the determination of ability to repay (or exemption from the requirement). If debt-to-income ratio exceeds 50%, a written assessment containing certain information must be signed by the lender or lender’s representative and the borrower. Note that this requirement stands even if the mortgage loan is a “no doc” or “low doc” product.
• Describe the requirements regarding the good funds settlement act.

Required Topics:
• Disclosures and Advertising
• Conditions and Limitations of Certain Mortgage Transactions
• Residential Mortgage Loans
• Licensing Maintenance & Renewal

References:
Code of State Rules, Title 106, Series 5 – Rule Pertaining to Residential Mortgage Lenders, Brokers and Loan Originators
West Virginia Code Chapter 31, Article 17
West Virginia Code Chapter 31, Article 17A
West Virginia Code Chapter 39A, Article 1
West Virginia Code Chapter 46A, Article 1
West Virginia Code Chapter 46A, Article 2
West Virginia Code Chapter 46A, Article 3
West Virginia Code Chapter 46A, Article 6
West Virginia Code Chapter 46A, Article 6C
West Virginia Code Chapter 46A, Article 6K
West Virginia Code Chapter 46A, Article 7
West Virginia Code Chapter 47, Article 6
West Virginia Code Chapter 31A, See §31A-4-2

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.