



GA Mortgage Branch Approval New Application Checklist (Branch)

CHECKLIST SECTIONS

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GENERAL INFORMATION

Who is required to have this approval?

Each licensee who intends to operate and maintain an additional office **in Georgia** shall file an application with the Department of Banking and Finance requesting approval to open an additional office. Each location must be separately approved and will require a filing of Form MU3 through the NMLS. Branches located outside the State of Georgia do not require the Department's approval.

A location, including a personal residence, shall be considered a branch for purposes of the Georgia Residential Mortgage Act (GRMA) if any of the following conditions are met:

- The location address is printed on or contained in letterheads, business cards, announcements, advertisements, solicitations for business, flyers, brochures, or the like;
- Georgia consumers are received at the location or are directed to deliver any information by any means to the location;
- Loan files, applications (approved, denied, pending and pre-qualification) and any other books and records required by Georgia Residential Mortgage Act or department rules are located at the location;
- The location is used to meet the licensing standards in [O.C.G.A. § 7-1-1003.1](#) and [Department Rule 80-11-1-.03](#);
or
- The licensee directly or indirectly reimburses for rent, utility bills or other expenses incurred for use of a location as a branch.

This application is not required for mortgage brokers/processors and lenders qualifying as a Registrant. "**Registrant**" means any person required to register pursuant to [O.C.G.A. §§ 7-1-1001 and 7-1-1003.2](#). Any wholly-owned subsidiary of any bank holding company is considered a **REGISTRANT**. Registrants are NOT required to have their branches, inside or outside of Georgia, approved by the Department.

What do I need to know before I apply?

A **branch manager** must be designated and approved for each licensed location in Georgia. The branch manager is an individual who supervises daily activities in Georgia of a of a mortgage broker/processor or mortgage lender licensee, whether at a main or branch location, and regardless of job title. An MU2 must also be completed in NMLS on the Branch Manager with this application.

No individual may serve as the branch manager of more than one location of a licensee. This restriction is in place to ensure that the branch manager can effectively manage the branch location and adequately supervise the daily functions performed by the employees at the location.

Mortgage Loan Originator (MLO) Requirement: Branch Managers are required to be licensed as [Georgia Mortgage Loan Originators](#). [See [Department Rule 80-11-1-.04\(2\)](#)].

Net Branching: Net Branching is not acceptable and net branches will not be approved. Refer to the [Department's FAQs](#) on this subject for further information. Also, see Department [Rule 80-11-1-.03 Place of Business Requirements; Definitions](#).

Child Support: The GRMA also provides grounds for denial of any application for a mortgage license involving persons who have been found to be in noncompliance with an order for child support, such action is sufficient grounds for refusal of a license. [See O.C.G.A. §7-1-1017(a)(2)].

Secure E-mail Communications from the Department: The Department utilizes a secure electronic mail system to protect the integrity and confidentiality of confidential e-mail communication you receive from us. Be sure to read the following resource on our website to ensure that you do not miss important communications concerning clarification or additional information needed regarding control persons associated with the application. https://dbf.georgia.gov/sites/dbf.georgia.gov/files/related_files/document/Ironport_CiscoDBFSecureEmailInstructions.pdf.

Activities Authorized Under This Approval

This approval grants the licensee to perform the business activities authorized for the type of mortgage company license held in Georgia. Among those activities may be the following:

- First mortgage brokering
- Second mortgage brokering
- First mortgage lending
- Second mortgage lending
- First mortgage servicing
- Third party first mortgage servicing
- Subordinate lien mortgage servicing
- Third part subordinate lien mortgage servicing
- Master servicing
- Mortgage loan purchasing
- Foreclosure consulting/foreclosure rescue
- Home equity lending/lines of credit
- Reverse mortgage brokering
- Reverse mortgage lending
- Reverse mortgage servicing
- High cost home loans
- Third party mortgage loan underwriting
- Lead generation
- Short sale
- Manufactured housing financing
- Mortgage loan modifications
- Third party mortgage loan processing

Georgia does not issue a separate license or license certificate for each mortgage branch.

Pre-Requisites Applications

- A branch application should only be submitted by a company that also holds or is applying for a Georgia Mortgage Broker/Processor or Mortgage Lender License.

Helpful Resources

- [Branch Form \(MU3\) Filing Quick Guide](#)
- [Document Upload Descriptions and Examples](#)
- [Payment Options Quick Guide](#)
- [License Status Definitions Quick Guide](#)

Agency Contact Information

Contact NDFI Division licensing staff by phone at (770) 986-1136 or send your questions via email to dbfmort@dbf.state.ga.us for additional assistance.

*Georgia Department of Banking & Finance
NDFI Division
2990 Brandywine Road, Suite 200
Atlanta, GA 30341-5565*

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE LICENSE FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

LICENSE FEES - Fees collected through NMLS are not REFUNDABLE or TRANSFERABLE.

Complete	GA Mortgage Branch Approval	Submitted via...
<input type="checkbox"/>	GA Application Fee: \$330 NMLS Processing Fees: \$20	NMLS (Filing submission)
<input type="checkbox"/>	Credit Report for Control Persons: \$15 per control person.	NMLS (Filing submission)
<input type="checkbox"/>	FBI Criminal Background Check for MU2 Individual: \$36.25 per person.	NMLS (Filing submission)

REQUIREMENTS COMPLETED IN NMLS

Complete	GA Mortgage Branch Approval	Submitted via...
<input type="checkbox"/>	Submission of Branch Form (MU3): Complete and submit the Branch Form (MU3) in NMLS. This form serves as the application for the license through NMLS.	NMLS
<input type="checkbox"/>	Other Trade Name/DBA: If the branch will operate under a name that is different from the company's legal name, that name ("Trade Name" or "DBA") must be listed under the <i>Other Trade Names</i> section of the Branch Form (MU3). Applicants and licensees must include ALL Other Trade Names identified on a Branch Form on the Company Form of the Company Form (MU1).	NMLS
<input type="checkbox"/>	Branch Manager: A branch manager must be designated and approved for each licensed location in Georgia. The Branch Manager must have a completed Individual Form (MU2) filed at the same time as the Branch Form (MU3).	NMLS
<input type="checkbox"/>	Branch Manager (MU2) Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by the applicable branch manager before it is able to be submitted along with the Branch Form (MU3).	NMLS
<input type="checkbox"/>	Disclosure Questions: Provide a complete and detailed explanation and document upload for each "Yes" response to Disclosure Questions made by the company or related control persons (MU2). See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Individual Form (MU2).
<input type="checkbox"/>	Credit Report: Branch managers 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 can be filed through NMLS.	NMLS

REQUIREMENTS COMPLETED IN NMLS

<input type="checkbox"/>	<p>MU2 Individual FBI Criminal Background Check Requirements: Branch managers indicated on the Branch Form (MU3) are required to authorize an FBI criminal background check (CBC) through NMLS. Non-financial crime misdemeanors should not be problematic. Convicted felons, including those that have pled guilty to a felony even if the felony charges were ultimately reduced, who do not provide documentation of the remedy provided for in O.C.G.A. § 7-1-1004(d)(2) (e.g. a pardon) will not be licensed.</p> <p>After authorizing an FBI criminal background check, <u>you must schedule an appointment to be fingerprinted if new prints are required.</u></p> <p>See the Criminal Background Check section of the NMLS Resource Center for more information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal background check, you DO NOT have to schedule an appointment. NMLS will automatically submit the fingerprints on file.</p>	<p>NMLS</p>
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INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS

<input type="checkbox"/>	<p>Credit Report Explanations: Submit a line by line, detailed letter of explanation of all derogatory credit accounts along with proof of payoffs, payment arrangements and evidence of payments made, or evidence of any formal dispute filed (documents must be dated). Accounts to address include, but are not limited to: collections items, charge offs, accounts currently past due, accounts with serious delinquencies in the last 3 years, repossessions, loan modifications, etc.</p> <p>Note: Items regarding bankruptcy, foreclosure actions, outstanding judgments or liens, or delinquent child support payments should be addressed in the <i>Disclosure Explanations</i> section of your Individual Form (MU2).</p> <p>This document should be named <i>Credit Report Explanations – Sub Name – Document Creation Date.</i></p>	<p>Upload in NMLS: under the Document Type Credit Report Explanations in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>
<input type="checkbox"/>	<p>State Background Check Authorization: Branch managers are required to upload an executed original copy of the <i>Background Check Authorization Form</i> consenting to a criminal history record check on the proposed control persons. This authorization remains effective as long the individual is employed in the mortgage industry.</p> <p>Click here to access the Georgia Background Authorization form.</p> <p>Note: This is separate from the NMLS federal background check for the submission of the Individual Form (MU2).</p> <p>This document should be named <i>[State Abbreviation] – BC Authorization.</i></p>	<p>Upload in NMLS: under the Document Type State Background Check Authorization in the <i>Document Uploads</i> section of the Individual Form (MU2).</p>

BRANCH (MU3) DOCUMENTS UPLOADED IN NMLS

Complete	GA Mortgage Branch Approval	Submitted via...
<input type="checkbox"/>	<p>Branch Manager Agreement: Upload a copy of the agreement between the licensee and branch manager, in compliance with applicable state and federal law.</p> <p>This document should be named <i>Branch Manager Agreement – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Branch Written Agreement</u> in the <i>Document Uploads</i> section of the Branch Form (MU3).</p>
<input type="checkbox"/>	<p>Branch Lease: Upload a copy of the signed leasing agreement between the property owner and the branch authorizing it to work out of the physical location.</p> <p>Lease agreements that are not between the property owner and the licensee require explanation.</p> <p>This document should be named <i>Branch Lease – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Branch Written Agreement</u> in the <i>Document Uploads</i> section of the Branch Form (MU3).</p>
<input type="checkbox"/>	<p>Branch Office Questionnaire: Answers to the Mortgage Branch Office Questionnaire should be typed. If additional answer space is required, please include additional pages and attach to this application.</p> <p>Click to download document.</p> <p>This document should be named <i>GA Branch Office Questionnaire – Document Creation Date</i>.</p>	<p>Upload in NMLS: under the Document Type <u>Branch Written Agreement</u> in the <i>Document Uploads</i> section of the Branch Form (MU3).</p>

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS - *These items must be completed outside of NMLS and submitted directly to the regulator.*

No items are required to be submitted outside of NMLS at this time.