



GA Mortgage Loan Originator License New Application Checklist (Individual)

CHECKLIST SECTIONS

- [General Information](#)
- [Prerequisites](#)
- [License Fees](#)
- [Requirements Completed in NMLS](#)
- [Required Document Uploads in NMLS](#)

GENERAL INFORMATION

Who Is Required to Have This License?

Pursuant to the Georgia Residential Mortgage Act (GRMA), located in the Official Code of Georgia Annotated (O.C.G.A.) § 7-1-1000 et. seq.), it is prohibited for any person to transact business in the state of Georgia directly or indirectly as a mortgage loan originator (“MLO”) unless the individual is licensed by the Georgia Department of Banking and Finance (“Department”), or qualifies for an exemption.

O.C.G.A. § 7-1-1000(22) defines "**mortgage loan originator**" as an individual who for compensation or gain or in the expectation of compensation or gain takes a residential mortgage loan application or offers or negotiates terms of a residential mortgage loan. GRMA further defines a "**residential mortgage loan**" as any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling, as defined in Section 103(v) of the Truth in Lending Act, or residential real estate upon which is constructed or intended to be constructed a dwelling.

Laws governing the residential mortgage industry are primarily found in the GRMA, O.C.G.A. § 7-1-1000 et. seq. Access to the entire Georgia Code is provided by LexisNexis from the Georgia General Assembly's website. [Go to the O.C.G.A.](#)

Rules governing the residential mortgage industry are primarily located in [Chapter 80-11](#). Certain application, investigation, supervision, examination and other fees are also found in [Chapter 80-5](#).

What do I need to know before I apply?

The Department investigates each MLO applicant to determine whether the applicant “has demonstrated financial responsibility, character, and general fitness such as to command the confidence of the community and warrant a determination that the applicant will operate honestly, fairly, and efficiently” in his or her transaction of mortgage activity among other requirements in O.C.G.A. § 7-1-1004(d) and Department Rule 80-11-5-.01. The application process may require the applicant to submit additional information or documentation in support of his or her application. Because of the confidential nature of license applications, the Department will *only* communicate about an applicant's file to the applicant directly. Some information about the application process, however, may be available to an MLO's sponsoring company through NMLS functionality.

Financial Responsibility: The Department assesses financial responsibility by reviewing the MLO applicant's overall credit report and disclosure question responses. Judgments, child support in arrears, and other factors could result in the denial of licensure. Tax liens, charge-offs or collection accounts, and foreclosures or short sales with a deficiency may also negatively affect an MLO licensing decision unless a payment plan is in place and at least three (3) consecutive

payments have been made prior to the application. (Accepted payment plans may be checked at renewal for continuation.) Collections items, charge offs, accounts currently past due, accounts with serious delinquencies, repossessions, loan modifications, etc. require explanation.

Child Support: The GRMA 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 [See O.C.G.A. §7-1-1017(a)(2)].

Company Sponsorship: A sponsorship request from your employer must be submitted as part of your application. Your sponsor must be a licensed or registered Georgia mortgage broker or lender with the requisite surety bond coverage. See O.C.G.A. §7-1-1003.2 and Department Rule 80-11-5-.01. In addition, sponsorship is a continuing requirement of licensure. Georgia does not utilize an Approved-Inactive status. Refer to the [Requirements Completed in NMLS](#) section below for more information on sponsorship and the application process. **Note, license requests without sponsors are incomplete applications and subject to administrative withdrawal.**

Criminal Background Check: The Department verifies the criminal background of each applicant for a mortgage license. Applicants must complete the FBI criminal background check authorization and fingerprinting process per NMLS instructions. In addition, you must provide consent to the Department to access your background check using the *GA Verification of Lawful Presence Affidavit & Consent Form*. Privacy Rights are included with the instructions to the form. Please note, a criminal history increases the difficulty of making a favorable decision on an application. **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.** O.C.G.A. § 7-1-1004 provides no time limit on felony convictions that prohibit licensure. Omissions in either the Individual Form (MU4) or communications with the Department regarding criminal history are deemed to be a serious misrepresentation to the Department and can be the basis of a denial regardless of the nature or outcome of the arrest. **Note, applicants that fail to complete the criminal background check process, including authorization and fingerprinting, have not completed the application process and are subject to administrative withdrawal.**

Verification of Lawful Presence: Pursuant to O.C.G.A. § 50-36-1, the Department is required to verify the lawful presence of every individual submitting a new application. Legal permanent residents, qualified aliens and non-immigrants are required to reverify their lawful presence annually at renewal once licensed. For the Department to verify an applicant's lawful presence, the applicant must complete the *GA Verification of Lawful Presence Affidavit & Consent Form*, including the required documentation per the form's instructions. Please note that if the individual applicant is not a United States citizen, this Department may be required by O.C.G.A. §50-36-1 to verify their immigration status through the Federal Systematic Alien Verification of Entitlement (SAVE) program.

Jurisdiction Specific Documents: The Department now requires each MLO applicant to upload to NMLS only one form as part of his or her application (at the same time as his or her Individual Form (MU4) submission through NMLS). Without the completed form, an application is deemed incomplete and subject to withdrawal (including documents with blanks, missing signatures, missing notarization, missing photograph, or missing secure and verifiable document).

Click [here](#) to download the *GA Verification of Lawful Presence Affidavit & Consent Instructions and Form*

NOTE: Applicants that fail to complete and upload a GA Verification of Lawful Presence Affidavit & Consent Form will be considered incomplete and subject to administrative withdrawal. Incomplete applications may be administratively withdrawn by the Department within 5 business days of submission if the application is incomplete.

License Certificates

The Department provides license certificates required by O.C.G.A. § 7-1-1006 to approved licensees electronically through its website. Licensees will receive instructions and log-in information to access the license certificate webpage via e-mail from (noreply@dbf.state.ga.us) once the certificate is available on our website. If your license application is approved, and you do not receive an e-mail from the Department within 2-3 business days, please check your SPAM folder before contacting the Department. The Department will not send the email until your certificate is available on our website.

Helpful Resources

- [Individual Form \(MU4\) Filing Quick Guide](#)
- [License Status Definitions Quick Guide](#)
- [Disclosure Explanations - Document Upload Quick Guide](#)
- [State-Specific Education Chart](#)
- [Individual Test Enrollment Quick Guide](#)
- [Course Enrollment Quick Guide](#)

Agency Contact Information

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

*Department of Banking and Finance
State of Georgia*

<https://dbf.georgia.gov/>

THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL 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.

PREREQUISITES - These items must be completed prior to the submission of your Individual Form (MU4).

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...
<input type="checkbox"/>	<p>Pre-licensure Education: Prior to submission of the application, complete at least 20 hours of NMLS-approved pre-licensure education (PE) courses.</p> <p>Note: Must be completed during the 3 years immediately preceding the date of application.</p> <p>Follow the instructions in the Course Completion Records Quick Guide to confirm that PE has been posted to your record and the PE Total indicates “Compliant.”</p> <p>Note: For reapplications, Georgia requires completion of CE in the last year the license was in an approved status. O.C.G.A. § 7-1-1004(e)(5). Pre-licensure education will expire after three years without a valid mortgage loan originator license or federal registration. Rule 80-11-5-.04.</p>	NMLS
<input type="checkbox"/>	<p>Testing: Passing results on the National Test Component with Uniform State Content are required.</p> <p>Note: Unexpired passing results on both the National and Georgia State components of the SAFE Test, or the National and Stand-alone UST components of the SAFE Test will also be accepted.</p> <p>Follow the instructions in the View Testing Information Quick Guide to confirm test results have been posted to your record and indicate “Pass.”</p>	NMLS

LICENSE FEES – Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...
<input type="checkbox"/>	<p>NMLS Initial Processing Fee: \$30</p> <p>GA Application and License Fee: \$100</p> <p>Credit Report: \$15</p> <p>FBI Criminal Background Check: \$36.25</p>	NMLS (Filing Submission)

REQUIREMENTS COMPLETED IN NMLS - These items must be completed during or after the submission of your Individual Form (MU4).

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...

REQUIREMENTS COMPLETED IN NMLS - *These items must be completed during or after the submission of your Individual Form (MU4).*

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...
<input type="checkbox"/>	<p>Submission of Individual Form (MU4): Complete and submit the Individual Form (MU4) in NMLS. This form and the GA Verification of Lawful Presence Affidavit & Consent (jurisdictional document) submitted via NMLS serve as the application for the license.</p> <p>Note: Department communications with applicants are primarily via email or NMLS. Please ensure that your email address provided on your MU4 and your NMLS account are valid. NMLS notifications (including notifications of license items are sent to your NMLS account e-mail address).</p>	NMLS
<input type="checkbox"/>	<p>Criminal Background Check: Authorization for an FBI criminal history background check to be completed in 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. O.C.G.A. § 7-1-1004 provides no time limit on felony convictions that prohibit licensure.</p> <p>After you authorize the FBI criminal history background check through the Individual Form (MU4), you must schedule an appointment to be fingerprinted.</p> <p>See the Completing the Criminal Background Check Process Quick Guide for information.</p> <p>Note: If you are able to 'Use Existing Prints' to process the FBI criminal history background check, you DO NOT have to schedule an appointment. NMLS will submit the fingerprints already on file and the background check will begin to process automatically.</p>	NMLS
<input type="checkbox"/>	<p>Credit Report: Authorization for a credit report must be completed. Upon initial authorization, you are required to complete an Identity Verification Process (IDV) within the Individual Form (MU4). See the Individual (MU4) Credit Report Quick Guide for instructions on completing the IDV.</p> <p>Note: The same credit report can be used for any existing or additional licenses for up to 30 days.</p>	NMLS

REQUIREMENTS COMPLETED IN NMLS - These items must be completed during or after the submission of your Individual Form (MU4).

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...
<input type="checkbox"/>	<p>Company Sponsorship: A sponsorship request from your employer must be submitted. Your sponsor must be a licensed or registered Georgia mortgage broker or lender with the requisite surety bond coverage. GA will review and accept, reject, or mark deficient the sponsorship request.</p> <p>Note:</p> <ul style="list-style-type: none"> The Mortgage Loan Originator will be covered under their sponsoring company’s surety bond. If the applicant is not currently employed by a mortgage company that meets the requirements, the application will be subject to withdrawal as incomplete. A mortgage loan originator shall not be sponsored simultaneously by more than one mortgage broker, or mortgage lender licensed or registered under the Georgia Residential Mortgage Act. 	NMLS
<input type="checkbox"/>	<p>Disclosure Questions: For each “Yes” response, provide an explanation and, if applicable, a supporting document. See the Individual Disclosure Explanations Quick Guide and the Disclosure Explanations - Document Upload Quick Guide for instructions.</p>	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Individual Form (MU4)
<input type="checkbox"/>	<p>Employment History: The business address listed in the <i>Employment History</i> section of the Individual Form (MU4) must match the address of the registered location in the Company relationship.</p>	NMLS

REQUIRED DOCUMENT UPLOADS IN NMLS

<input checked="" type="checkbox"/>	GA Mortgage Loan Originator License	Submitted via...
<input type="checkbox"/>	<p>GA Jurisdictional Document:</p> <p>Click here to download the <i>GA Verification of Lawful Presence Affidavit & Consent Instructions and Form</i></p> <p>Upload the form in NMLS</p> <p>See Individual Document Uploads Quick Guide for instructions.</p> <p>NOTE: Applicants that fail to complete and upload a GA Verification of Lawful Presence Affidavit & Consent Form will be considered incomplete and subject to administrative withdrawal. This document is required regardless if it has been submitted for a prior or current application.</p>	<p>Upload (the 2-page form) in NMLS under Document Type Legal Name/Status Documentation in the <i>Document Uploads</i> section.</p> <p>→ Do not upload instructions and privacy rights.</p>

<input type="checkbox"/>	<p>Credit Report Explanations: Any credit report filed with this Department containing tax liens, judgments, unpaid child support, bankruptcies, and/or charged off accounts will likely cause the processing of the application to be delayed or possibly cause the application to be denied. Outstanding derogatory credit issues or bankruptcies, which have not been discharged, will require satisfactory explanation.</p> <p>Note: Documentation must include:</p> <ul style="list-style-type: none"> • Proof the debt has been paid; • Proof that a payment plan has been established and that three current payments have been made; or • Proof that the debt is not yours and has been disputed with the creditor as well as Transunion. <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 <u>Credit Report Explanations</u> in the <i>Document Uploads</i> section of the Individual Form (MU4).</p>
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No items are required to be submitted outside of NMLS for this license. Jurisdictional Documentation must be uploaded to NMLS at time of submission.