



Description



TENNESSEE MORTGAGE LICENSE

Who is required to have this license?

If you are one or a combination of the following:

- **Mortgage Broker:** Any person who for compensation or other gain, paid directly or indirectly, or in expectation of compensation or other gain, solicits, places, negotiates or originates mortgage loans for others, or offers to solicit, place, negotiate or originate mortgage loans for others or who closes mortgage loans that may be in the mortgage loan broker's own name with funds provided by others and which loans are thereafter assigned to the person providing the funding of the loans; regardless of whether the acts are done directly or indirectly, through contact by telephone, by electronic means, by mail or in person with the borrowers or potential borrowers.
- **Mortgage Lender:** Any person who makes a residential mortgage loan or holds himself or herself out as able to make a residential mortgage loan. **Note:** This license does not authorize the making of reverse mortgages. (Please e-mail: askmortgage.licensing@tn.gov)
- **Mortgage Servicer:** Any person who in the regular course of business assumes responsibility for servicing and accepting payments for a mortgage loan.

Who does not need this license?

- Any depository institution
- Any subsidiary of a depository institution that is owned and controlled by the depository institution and regulated by a federal banking agency.
- Any institution regulated by the Farm Credit Administration
- Any individual who makes a residential mortgage loan to, or offers or negotiates terms of a residential mortgage loan with or on behalf of, an immediate family member of the individual.
- An individual who makes a residential mortgage loan, or simply offers or negotiates terms of a residential mortgage loan, when the loan is secured by a dwelling that served as the individual's residence; and
- A licensed attorney who negotiates the terms of a residential mortgage loan on behalf of a client as an ancillary matter to the attorney's representation of the client unless the attorney is compensated by a mortgage lender, a mortgage loan broker, a mortgage loan originator, or by any agent of such mortgage lender, mortgage loan broker, or mortgage loan originator.
- Registrants authorized to make residential mortgage loans under the Tennessee Industrial Loan and Thrift Companies Act are not required to obtain a mortgage lender license for the company.

Pre-requisites for license applications [General Requirements]

- Net worth \$25,000 for headquarters plus an additional \$25,000 for each branch located in Tennessee
- Bond amount - \$90,000 (Broker), \$200,000 (Lender, Servicer) Licensees who choose to broker **and** lend and/or service loans are only required to carry the higher bond amount of \$200,000.
- Criminal fingerprinting-based background checks for certain individuals.
<http://tn.gov/tdfi/compliance/mortgage/index.shtml>
- Experience of at least 1 year in the mortgage industry
- Sufficient financial responsibility and character
- Credit Report – to be determined
- Testing – to be determined
- Education – to be determined

WHO TO CONTACT – Send your questions via e-mail to askmortgage.licensing@tn.gov or by phone at 615-253-6714.

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