CHECKLIST SECTIONS

- General Information
- License Fees
- Requirements Completed in NMLS
- Requirements/Documents Uploaded in NMLS
- Requirements Submitted Outside of NMLS

GENERAL INFORMATION

Who Is Required to Have This License?

The license is required for any company or person who engages in the business of making residential mortgage loans, to include loan processing and underwriting or servicing residential mortgage loans, for California borrowers. A California Residential Mortgage Lending Act (CRMLA) license is an alternative to the licenses under the California Financing Law (CFL) or the California Department of Real Estate Law (DRE). The CRMLA license is not a broker license; however, a licensed CRMLA lender is authorized to provide brokerage services to its borrowers.

The California Residential Mortgage Lending Act is contained in <u>Division 20 (commencing with Section 50000)</u> of the California Financial Code and the regulations are contained in <u>Subchapter 11.5 of Chapter 3, Title 10</u> of the California Code of Regulations.

Activities Authorized Under This License

A California Residential Mortgage Lending Act license authorizes the following activities:

- Make federally related mortgage loans
- Make construction loans
- Service residential mortgage loans
- Purchase and sell federally related mortgage loans
- Provide loan processing and underwriting services
- o Provide brokerage services to institutional lenders
- See the Business Activities Definitions for a full list

License Delivery

CA-DFPI issues paper licenses for the main office designated on the Company Form MU1. The license will be mailed to the attention of the individual designated as the primary company contact in NMLS.

Pre-Requisites for Submission of Company Form (MU1)

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS must be uploaded before or at the time of electronic submission of the application through NMLS. **All documents** required to be mailed to the Department must be received within 5 business days of the electronic submission of the application in NMLS. Refer to the checklist for documents that must be uploaded and/or mailed.

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in Document Upload Descriptions and Examples.
- Only upload documents relevant to the company application.
- Only upload documents where there is a selectable document category. If inappropriate documents
 are uploaded that should not be, you will be contacted by your regulator and asked to remove them
 from NMLS.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Business Plan, Surety Bond, etc.), be sure to indicate the applicable state.

Helpful Resources

- Company Form (MU1) Filing Instructions
- <u>Document Upload Descriptions and Examples</u>
- Individual Form (MU2) Filing Quick Guide
- Financial Statements Quick Guide
- Payment Options Quick Guide
- License Status Definitions Quick Guide

Agency Contact Information

Send your questions via email to CRMLA.Licensing@DFPI.ca.gov or call (916)576-8543 for additional assistance.

For U.S. Postal Service and Overnight Delivery:

Department of Financial Protection and Innovation CRMLA Licensing Unit 320 West 4th Street, Suite 750 Los Angeles, CA 90013

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THE APPLICANT/LICENSEE IS FULLY RESPONSIBLE FOR ALL 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.		
NMLS ID Number		
Legal Name		

LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.			
Complete	ete CA-DFPI Residential Mortgage Lending Act License Submitted via		
	CA-DFPI Investigation Fee: \$100 CA-DFPI Application Fee: \$900 NMLS Initial Processing Fee: \$100	NMLS Filing submission.	

REQUIREMENTS COMPLETED IN NMLS		
Complete	CA-DFPI Residential Mortgage Lending Act License	Submitted via
	Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license. Note: The attestation of the Company Form (MU1) and all amendments to the MU1 must be completed by a duly authorized individual who has submitted a Form MU2 or has been delegated to attest to the filing by an individual who has submitted a Form MU2. MU2 individuals include an owner, officer, or control person of the company.	NMLS
	Resident/Registered Agent: The Resident/Registered Agent must be listed under the Resident/Registered Agent section of the Company Form (MU1) and must match the information currently on record with California Secretary of State.	NMLS
	Primary Contact Employees: The following individuals must be entered in the Contact Employees section of the Company Form (MU1). 1. Primary Company Contact 2. Primary Consumer Complaint Contact	NMLS
	Books and Records: Indicate the location where the company maintains its California books and records in the Business Address field of the Books and Record Information section of the Company Form (MU1). Notate in the Books and Records Comment section the NMLS a detailed description of the Record Keeping Plan and software used.	NMLS

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Qualifying Individual: The company must designate an individual who shall supervise and periodically review the activities of the branch managers. This individual shall inspect each business office of the licensee to ensure that the written procedures are enforced. If the applicant does not have any branch offices, the individual shall directly supervise and review the activities of the mortgage loan originators. The individual shall be identified on the company application form as a Qualifying Individual. The Qualifying Individual is a person in charge and responsible for the actions of the licensee. This individual must be listed in the Qualifying Individual section of Company Form (MU1).	NMLS
Control Person (MU2) Attestation: The Individual Form (MU2) must accompany the Company Form (MU1). Each natural person identified as a Control Person or Qualifying Individual for the applicant, must complete the Individual Form (MU2). Note: Natural persons who indirectly own 25% or greater of the applicant meet the definition of Control Person and must file an Individual Form (MU2) in NMLS. In addition to disclosing these people in the Indirect Owners section of the Company Form, list these persons as Control Persons in the Direct Owners and Executive Officers section of the Company Form with the title of Indirect Owner. The California Department of Financial Protection and Innovation requires each person who directly or indirectly owns or controls 10% or more of the applicant to be disclosed in the Direct Owners and Executive Officers or Indirect Owners section of the Company Form (MU1).	NMLS

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NMLS ID Number	
Legal Name	

REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS			
Complete	CA-DFPI Residential Mortgage Lending Act License	Submitted via	
	AML/BSA Policy (Relevant to Lender Authority): Upload the company's Anti-Money Laundering (AML) / Bank Secrecy Act (BSA) Policy. The AML/BSA policy must include procedures for annual testing by an independent third party or personnel of the company, none of whom are the AML Compliance Person, nor do they perform the AML functions being tested. This document should be named [Internally Approved Date mm-dd-yyyy].	Upload in NMLS: under the Document Type AML/BSA Policy in the Document Uploads section of the Company Form (MU1).	
	Business Plan: Upload a business plan outlining the following information: The type of license applied for – CRMLA lender, servicer or lender and servicer – stated clearly at the top of the business plan	Upload in NMLS under the Document Type Business Plan in the Document Uploads	
	 Describe in sufficient detail the business to be conducted by the applicant under this license. 	section of the Company Form (MU1).	
	 Operating structure applicant intends to employ. 		
	Marketing strategies		
	Products/Services		
	Target markets		
	Credit decision		
	Flow of funds structure		
	Loan processing/underwriting		
	Sale of loan		
	 Affiliate and/or subsidiary relationships 		
	Sub-servicer contract		
	This document should be titled [State prefix] [Company Legal] Name Business Plan.		
	Other Business: Upload a detailed description of the activities the applicant intends to engage in that are not specified in the Business Activities section of the Company Form (MU1).	Upload in NMLS under the Document Type Business Plan in the	
	If the applicant does not intend to engage in any other business, please upload a statement to that effect. This document should be titled [State prefix] Other Business Activities.	Document Uploads section of the Company Form MU1.	

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Other Trade Name: If operating under a name that is different from the applicant's legal name (Fictitious Business Name, Trade Name, Assumed Name, Forced Name or DBA): • List each name under the Other Trade Names section of the Company Form (MU1) • Upload a copy of the Fictitious Business Name Statement bearing the seal of the Country Clerk for each name to be used in California. In California, a company is not authorized to use a fictitious business name if a forced/assumed name is issued by the California Secretary of State. The California Department of Financial Protection and Innovation does not limit the number of other trade names. Refer to Section 17900 of the Business and Professions Code for the requirements of filing this statement. This document should be titled [State prefix] Lender or Servicer or Lender and Servicer Fictitious Business Name/Trade Name/Assumed Name/DBA.	Upload in NMLS under the Document Type Trade Name/Assumed Name Registration Certificates in the Document Uploads section of the Company Form (MU1).
Financial Statements: Upload audited financial statements as of the company's most recent fiscal year-end, or a more recent date, with an unqualified opinion prepared by an independent Certified Public Accountant in accordance with Generally Accepted Accounting Principles. Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto. The audited financial statements must illustrate a company net worth of \$250,000 computed in accordance with Generally Accepted Accounting Principles. Note: Financial statements are uploaded separately under the Filing tab and Financial Statement submenu link.	Upload in NMLS: See the Financial Statements Quick Guide for instructions.
 Certificate of Authority/Good Standing Certificate (ALL APPLICANTS): Upload and mail an original Certificate of Authority/Certificate of Good Standing from the California Secretary of State that reflects the following: The applicant's legal name Dated not more than sixty (60) days prior to the filing of the application through NMLS. The certificate must demonstrate the applicant is authorized to transact business in the State of California This requirement applies to all applicants (corporations, limited liability companies, limited partnerships, and trusts). This document should be titled [State prefix] Certificate of Authority or [State prefix] Certificate of Good Standing. 	Mail to CA-DFPI: This item must be mailed to the Department. Upload in NMLS under the Document Type Certificate of Authority/Good Standing Certificate in the Document Uploads section of the Company Form (MU1).
Certificate of Authority/Good Standing Certificate (FOREIGN ENTITY): Upload and mail an original Certificate of Good Standing from the Secretary of State of the state of incorporation or formation that reflects the following: • The applicant's legal name	Mail to CA-DFPI: This item must be mailed to the Department. Upload in NMLS under

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 Dated not more than sixty (60) days prior to the filing of the application through NMLS. The certificate must demonstrate the applicant is authorized to transact business in the state of incorporation or formation. This requirement applies to all applicants (corporations, limited liability companies, limited partnerships, and trusts). This document should be titled [State prefix] Certificate of Authority or [State prefix] Certificate of Good Standing. 	the Document Type Certificate of Authority/Good Standing Certificate in the Document Uploads section of the Company Form (MU1).
Approvals and Designation: Upload evidence of federal agency approval for the applicant to engage in business as a lender or servicer of federally related mortgage loans. The federal agency approval must be one of the following: FHA, VA, Fannie Mae, Freddie Mac, Ginnie Mae, or Farmers Home Administration. Federal agency approval is not required for the applicant to engage in business as an independent contractor to solely perform loan processing and underwriting activities.	Upload in NMLS under the Document Type Approvals and Designation in the Document Uploads section of the Company Form (MU1).
 Fidelity Bond: Upload the fidelity bond currently in effect that reflects the following: The name of the principal insured on the bond must exactly match the applicant's full legal name, or if issued by California Secretary of State the Assumed/Forced Name The address on the bond should reflect the applicant's current address If applicable, include power of attorney (POA) The bond must contain coverage for employee dishonesty The full policy must be uploaded. This document should be titled <i>Fidelity Bond</i>. 	Upload in NMLS under Fidelity Bond in the Document Uploads section of the Company Form (MU1).
Formation Documents: Determine classification of applicant's legal status and submit a State certified copy of the requested applicable documentation detailed below. Original formation documents and all subsequent amendments, thereto, include a list of any name changes. This document should be titled [State prefix] Formation Documentation [Date of Creation (MM-DD-YYYY)]. Sole Proprietor: • No CA-DFPI specific documentation required. Unincorporated Association: • By-Laws or constitution (including all amendments) General Partnership: • Partnership Agreement (including all amendments) Limited Liability Partnership: • Certificate of Limited Liability Partnership; and • Partnership Agreement (including all amendments) Limited Partnership:	Upload in NMLS under Formation Document in the Document Uploads section of the Company Form (MU1).

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- Certificate of Limited Partnership; and
- Partnership Agreement (including all amendments)

Limited Liability Limited Partnership:

- Certificate of Limited Liability Limited Partnership; and
- Partnership Agreement (including all amendments)

Limited Liability Company (LLC):

- Articles of Organization (including all amendments);
- Operating Agreement (including all amendments);
- IRS Form 2553 or IRS Form 8832 if S-Corp treatment elected; and
- LLC resolution if authority not in operating agreement

Corporation:

- Articles of Incorporation (including all amendments);
- By-laws (including all amendments), if applicable.
- Shareholder Agreement (including all amendments), if applicable;
- IRS Form 2553 if S-Corp treatment elected; and
- Corporate resolution if authority to complete application not in By-Laws or Shareholder Agreement, as amended, as applicable

Not for Profit Corporation:

- Documents requested of a corporation (see above); and
- Proof of nonprofit status
 - o Internal Revenue Service ("IRS") 501(c)(3) designation letter; or
 - statement from a state taxing body or the State attorney general certifying that: (i) the entity is a nonprofit organization operating within the State; and (ii) no part of the entity's net earnings may lawfully benefit any private shareholder or individual; or
 - entity's certificate of incorporation or similar document if it clearly establishes the nonprofit status of the applicant; or
 - Any of the three preceding items described, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

Trust (Statutory):

- · Certificate of Trust; and
- Governing instrument (all amendments)

Management Chart: Upload a management chart displaying the applicant's divisions, directors, officers, and managers (name and title). The chart must also identify compliance reporting and internal audit structure. The named individuals should match those disclosed in the Direct Owners and Executive Officers section of the Company Form (MU1).

The chart should identify the lowest level of management.

This document should be titled [State prefix] [Company Legal Name] Management Chart.

Upload in NMLS under *Management Chart* in the *Document Uploads* section of the Company Form (MU1).

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Organizational Chart/Description: Upload an organizational chart that shows and includes a description of the percentage of ownership of: • Direct Owners (with 10% or more ownership) • Indirect Owners (with 10% or more ownership) • Subsidiaries and Affiliates of the applicant The total direct ownership and indirect ownership percentages must equate to 100%. This document should be titled [State prefix] [Company Legal Name] Organizational Chart – Description.	Upload in NMLS under Organizational Chart/Description in the Document Uploads section of the Company Form (MU1).
Disclosure Questions: Provide a complete and detailed explanation and upload supporting documentation for each <i>yes</i> response to any Disclosure Question. If a <i>yes</i> response applies to multiple incidents, each incident must have its own explanation and document upload. See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the Disclosure Explanations section of the Company Form (MU1).
 Statement of Compliance with California Homeowners Bill of Rights (CA-HBOR): Provide a written statement confirming the following: The company is aware of all CA-HBOR requirements. The company acknowledges that CA-HBOR requirements differ from federal-level requirements. The company has policies and procedures, and if applicable, its sub servicer has policies and procedures in place that comply with CA-HBOR requirements. The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name] CA-HBOR Compliance. 	Upload in NMLS under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).
Per Diem Interest: Provide a written statement confirming the company has policies and procedures in place that will ensure compliance with per diem interest related requirements. The per diem policies and procedures must comply with Section 50204(o) of the Financial Code, Section 2948.5 of the Civil Code (Per Diem Statute), and DFPI's related guidance per DFPI Release No. 58-FS (Revised). The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name] Per Diem Interest policies and procedures.	Upload in NMLS under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).
Trust Accounting: Provide a written statement confirming the company has policies and procedures in place that will ensure compliance with trust accounting related requirements, to include but not limited to, weekly and	Upload in NMLS under the Document Type Company Staffing and

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	monthly reconciliations, commingling, and debit balances. Please refer to CRMLA related sections of the Financial Code and Code of Regulations. The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name] Trust Accounting policies and procedures.	Internal Policies in the Document Uploads section of the Company Form (MU1).	
	Oversight of Sub-servicer: Provide a written statement confirming the company has policies and procedures in place that will ensure compliance with 12 CFR 1024.38(b)(3): Facilitating oversight of, and compliance by, service providers. The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name] Oversight of Sub-servicer policies and procedures.	Upload in NMLS under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).	
	Timely onboarding of loans: Provide a written statement confirming the company has policies and procedures in place that will ensure compliance with 12CFR 1024.38(b)(4) 4: Facilitating transfer of information during servicing transfers. The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name] Timely onboarding of loans policies and procedures.	Upload in NMLS under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).	
	Consumer Complaint: Provide a written statement confirming the company has policies and procedures in place to effectively and efficiently manage consumer complaints. The statement must be made on company letterhead and signed by an officer of the company. This document should be titled [State prefix] [Company Legal Name]. Consumer Complaint policies and policies and procedures.	Upload in NMLS under the Document Type Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1).	
INDIVIDUAL (MU2) DOCUMENTS UPLOADED IN NMLS			
	Disclosure Questions: Provide a complete and detailed explanation and document upload for each <i>yes</i> response to Disclosure Questions made by the company related control persons (MU2). If a <i>yes</i> response applies to multiple incidents, each incident must have its own explanation and document upload. See the Individual Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the Disclosure Explanations section of the Individual Form (MU2).	

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NMLS ID Number	
Legal Name	

REQUIREMENTS SUBMITTED OUTSIDE OF NMLS				
Complete	CA-DFPI Residential Mortgage Lend	Submitted via		
	Electronic Surety Bond: Electronic Surety Bond via NMLS in the amount of \$50,000 furnished and submitted by a surety company authorized to conduct business in California. See the ESB Adoption Table and the ESB for NMLS Licensees page of the NMLS Recourse Center for more information. Surety Bond Requirements Table		Electronic Surety Bond in NMLS	
	Aggregate Loan Amount	Bond Amount		
	\$0 - \$50,000,000 \$50,000,000	\$50,0000 \$100,000		
	Note: Unless otherwise informed, the bond requirement is \$50,000. Fingerprint Requirement: For each control person, officer, director, general partner, direct and indirect owner (10% or more), manager, member, or trustee submit: • A Notice of Officers, Directors, Partners, Control Persons, Managers, Members, Trustees, and Employees of a Residential Mortgage Lender, Residential Mortgage Lender and Servicer, or Residential Mortgage Loan Servicer form DFPI-MBL 1950.122.2 (rev 7/13) Click to download form • A copy of the completed form (rev 4/20) BCIA 8016 Request for Live Scan Service for each individual. The Request for Livescan must contain the information completed by the Livescan Transmitting Agency. Please refer to the DFPI website for further information. • If the individual has no regional access to CA Livescan Fingerprinting Services, please mail a copy of the Notice of Officers Form, completed fingerprint card, and payment to the DFPI. Standard fingerprint cards should be available at any Fingerprinting Servicer location. • Payment of \$20.00 for processing of each Livescan or \$62.00 for processing of each fingerprint card. A check for payment of processing fees must be sent and made payable to the Department of Financial Protection and Innovation Note: Natural persons who indirectly own 25% or greater of the applicant meet the definition of Control Person and must file an Individual Form (MU2) in		Mail to CA-DFPI: This item must be mailed to the Department.	

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 and Executive Officers section of the Company Form with the title of Indirect Owner. The California Department of Financial Protection and Innovation requires each person who directly or indirectly owns or controls 10% or more of the applicant to be disclosed in the Direct Owner/Executive Officer or Indirect Owner section of the Company Form (MU1). The fingerprint requirement applies to all applicable persons regardless of national origin or foreign location. Customer Authorization for Disclosure of Financial Records: Please complete and submit the ORIGINAL Customer Authorization for Disclosure of Financial Records Form MBL 1950.122.2 (Rev. 07/13). The name on the disclosure must be the same name on file with the California Secretary of State The signature must be of a person named in the Direct Owners and Executive Officers section of the Company Form (MU1) If executed outside the State of California, the signature must be notarized. Click to download form 	This document may be mailed to the Department. It also may be emailed to CRMLA.Licensing@dfpi.ca.gov with the company name and ID in the subject line. Alternatively, upload in NMLS under the Document Type Additional Requirements in the Document Uploads section of the Company Form (MU1).
Limited Offering Exemption Notice (LOEN): Provide evidence that the applicant has complied with the filing requirements of Corporations Code Section 25102. For more information, visit the Department of Financial Protection and Innovation's website for Frequently Asked Questions and Answers for Corporate Securities Law .	Mail to CA-DFPI: This item must be mailed to the Department.
DESIGNATED E-MAIL: An email address dedicated to receiving electronic mail from the Commissioner and the Department must be established. To begin this process, visit the DFPI's Self-Service DOCQNET Portal and click on the designated email instructions provided. Follow the instructions to register your company's email address.	DFPI's Self-service DOCQNET Portal

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