

# MORTGAGE LOAN ORIGINATOR OATH OF APPLICANT

On \_\_\_\_\_, 20\_\_\_\_, an MU-4 license application ("Application") was submitted electronically on behalf of \_\_\_\_\_ ("Applicant"), to the Nationwide Mortgage Licensing System and Registry ("NMLSR") to apply for a Georgia Mortgage Loan Originator License.

I, \_\_\_\_\_ (name of Applicant) \_\_\_\_\_ (NMLS ID#), have reviewed the contents of the Application that was submitted on the above date. In doing so, I hereby swear or affirm that the information contained therein and attachments thereto are true and correct to the best of my knowledge. Further, the provisions of O.C.G.A. § 7-1-1000 *et seq.* have been reviewed by the Applicant, including the prohibited acts in O.C.G.A. § 7-1-1013, as well as the rules of the Georgia Department of Banking and Finance ("Department").

The purpose of the Application submitted was to induce the Department, its officials, and examiners to license the Applicant to engage in the origination of mortgage loans. Any false statement or omission of material information in connection with this Application shall be punished as provided by law including, but not limited to, denial, revocation, or suspension of the mortgage license. Furthermore, the following business practices required by law will be adhered to by the Applicant:

1. No activities requiring a mortgage loan originator license will be engaged in by the Applicant unless and until such time as he or she is properly licensed by the Department and in the employ of a licensee or exempt entity.
2. No mortgage business will be engaged in with brokers, processors, lenders, or originators that are not licensed or registered or exempt from licensure.
3. No referral fees will be paid in connection with mortgage loans.
4. Anyone receiving compensation on a 1099 basis is considered to be an independent contractor and is required to have his or her own broker or lender license.
5. The Department shall be notified within ten days of receipt of any notice of a judgment being filed against the Applicant, or administrative, civil, or criminal action being initiated by any governmental entity against the Applicant.
6. No Applicant who has been convicted of a felony will be approved for a mortgage loan originator license unless he or she has complied with the conditions in O.C.G.A. § 7-1-1004.
7. In the event of a change in the company that is sponsoring the Applicant, the NMLSR must be properly notified and updated.
8. Applicant must continue to meet the minimum standards for licensure at all times. In the event that an event occurs and Applicant is no longer qualified to be licensed, the Applicant shall notify the Department in writing within three business days.
9. Applicant acknowledges that Applicant is fully aware that to purposely withhold, delete, destroy, or alter information requested in any application or to make false statements or misrepresentations on any application filed with the Department or the NMLSR is a violation of O.C.G.A. §7-1-1013(11) and may result in the assessment of fines, the suspension or revocation of license, the denial of the application, or other administrative action or a combination of these actions.

I verify that I am the named person above and that I am authorized to attest to and submit this oath.

This \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

By: \_\_\_\_\_  
APPLICANT

Print name: \_\_\_\_\_

NMLSR Unique Identifier: \_\_\_\_\_

Sworn to and subscribed before me

this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public



Applicant Name

NMLS ID Number

### BACKGROUND CHECK AUTHORIZATION FORM

**TO WHOM IT MAY CONCERN:**

I hereby authorize the Georgia Department of Banking and Finance to obtain criminal history data for the undersigned in his/her capacity as a director, officer, principal, manager or employee of the above licensee. I understand this will be a FBI criminal background check. Also, pursuant to the provisions of Section 7-1-1004 of the Official Code of Georgia Annotated, the Department is authorized to secure information from credit reporting agencies, former employers or others regarding character, ethical reputation and financial responsibility. Such information and any conviction data received by the Department shall be used by the Department for the exclusive purpose of carrying out the responsibilities of this article, shall not be a public record, shall be privileged, and shall not be disclosed to another person or agency except to any person or agency which otherwise has a legal right to inspect the file. In order to facilitate this inquiry, I understand that I must provide the information below. The Department will notify me if further information is required. Should the data show that a violation of Section 7-1-1004 of the Official Code of Georgia Annotated exists, I understand that the Department may take appropriate steps regarding the status of the license, as well as action against any person who does not qualify for employment under the law. Further information regarding this matter is contained in Section 7-1-1004 of the Official Code of Georgia Annotated. The procedures for changing, correcting, or updating a criminal history record is set forth in Title 28, Code of Federal Regulations (CFR), Section 16.30 through 16.34.

**This authorization remains effective as long as I am employed in the mortgage industry.** A copy of this authorization shall be accepted with the same force and validity as the original.

\_\_\_\_\_  
**Type of Government ID Presented**

\_\_\_\_\_  
**ID Number/Expiration**

\_\_\_\_\_  
**Signature**

**Print Full Name**

**Print Alias**

**Street Address**

**City, State, Zip code**

**Social Security Number**

**Date of Birth**

**Sex**  
(M or F)

**Race**  
B – Black  
W – White  
I – American Indian or Alaskan Native  
A – Asian or Pacific Islander  
H - Hispanic

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Witness**



## GEORGIA DEPARTMENT OF BANKING AND FINANCE

2990 Brandywine Road, Suite 200, Atlanta, Georgia 30341

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### O.C.G.A. § 50-36-1 VERIFICATION OF LAWFUL PRESENCE CITIZENSHIP AFFIDAVIT INSTRUCTIONS

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Pursuant to the Official Code of Georgia Annotated § 50-36-1, the Georgia Department of Banking and Finance ("Department") is required to verify the lawful presence of every individual, corporation, partnership, limited liability company or other business entity submitting a new application. Legal permanent residents, qualified aliens and non-immigrants are required to reverify their lawful presence annually at renewal.

**Mortgage Loan Originators and Sole Proprietor Mortgage or Money Service Business** applicants, seeking to obtain a license or registration in his or her own name will provide affidavit testimony regarding his or her legal presence in the United States using the attached Citizenship Affidavit.

For **Mortgage Broker, Mortgage Lender, Check Casher, Money Transmitter and Seller of Payment Instrument company applicants** (corporations, partnerships, limited liability companies or other business entities), only one individual, an owner or officer with the authority to act on behalf of the company, must complete and submit a signed, notarized affidavit. The designated individual will be the "affiant," providing affidavit testimony regarding his or her legal presence in the United States.

Please note that if the individual applicant, or the designated individual for a company, 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. Additional documentation may be requested.

#### Checklist for Completion

- ✓ Print the Applicant or Licensee's Name and NMLS (Nationwide Mortgage Licensing System) number. This is the name in which the license is or will be held and its unique NMLS identifier.
- ✓ Check only one of the boxes to indicate the affiant's legal status (U.S. citizen, legal permanent resident, or qualified alien or non-immigrant). A **qualified alien or non-immigrant** must also include his or her federally issued alien number along with a Foreign Passport and I-94, or an Employment Authorization Document that contains a photograph.
- ✓ Check one of the secure and verifiable documents that will be submitted to verify the affiant's legal status and attach a legible copy (front and back) to the affidavit.
- ✓ Print the city and state in which the document was executed.
- ✓ Print the name of the Affiant and, for company applicants, his or her title for the company.
- ✓ Affiant should sign the document in the presence of a notary who will affix his or her seal to the document.
- ✓ Submit the original, signed, notarized affidavit along with a legible copy (front and back) of the secure and verifiable document selected to the Department.

**Applications will not be processed without a complete and notarized affidavit.**

**GEORGIA DEPARTMENT OF BANKING AND FINANCE**  
**O.C.G.A. § 50-36-1 VERIFICATION OF LAWFUL PRESENCE CITIZENSHIP AFFIDAVIT**

<b>Applicant NMLS Number</b>	<b>Name of Company or Individual Applying for License</b>	<b>License Type Requested</b>

By executing this affidavit under oath, as an Applicant, Licensee or Registrant, as referenced in O.C.G.A. § 50-36-1, from the Georgia Department of Banking and Finance, the undersigned verifies **one** of the following with respect to my application for a public benefit: *(Check only one of the following)*

- 1)  I am a **United States citizen**.
- 2)  I am a **legal permanent resident** of the United States.
- 3)  I am a **qualified alien** or **non-immigrant** under the Federal Immigration and Nationality Act with a federally issued alien number. My **alien number**, issued by the Department of Homeland Security or other federal immigration agency, is: \_\_\_\_\_. I understand I am also required to provide a Foreign Passport and an I-94, or an Employment Authorization Document with a photograph.

The undersigned also hereby verifies that he or she is 18 years of age or older and has provided at least one secure and verifiable document, as required by O.C.G.A. § 50-36-1, with this affidavit. The secure and verifiable document provided with this affidavit can best be classified as:

➤ *(Check only one of the following and submit a legible copy with affidavit) Color copies preferred. Qualified Aliens or Non-Immigrants must provide documents from Box 1 or Box 7.*

<b>1</b> <input type="checkbox"/>	A <b>United States passport</b> , United States passport card or a passport issued by a foreign government <u>with</u> a valid U.S. Homeland Security Form I-94, I-94A or I-94W or other federal document specifying proof of lawful presence
<b>2</b> <input type="checkbox"/>	A United States <b>military identification</b> card
<b>3</b> <input type="checkbox"/>	A <b>driver's license*</b> issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the U.S. Virgin Island, American Samoa, the Swain Islands or a driver's license issued by a Canadian government authority
<b>4</b> <input type="checkbox"/>	An <b>identification card*</b> issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the U.S. Virgin Island, American Samoa, or the Swain Islands
<b>5</b> <input type="checkbox"/>	A <b>tribal identification card*</b> of a federally recognized Native American tribe. ( <a href="http://www.bia.gov">www.bia.gov</a> )
<b>6</b> <input type="checkbox"/>	A United States <b>Permanent Resident Card</b> or <b>Alien Registration</b> Receipt Card
<b>7</b> <input type="checkbox"/>	An <b>Employment Authorization Document</b> that contains a photograph of the bearer
<b>8</b> <input type="checkbox"/>	A <b>Merchant Mariner</b> Document or Merchant Mariner Credential issued by the U.S. Coast Guard
<b>9</b> <input type="checkbox"/>	A Free and Secure Trade ( <b>FAST</b> ) card, a <b>NEXUS</b> card or A Secure Electronic Network for Travelers Rapid Inspection ( <b>SENTRI</b> ) card
<b>10</b> <input type="checkbox"/>	A <b>Certificate of Citizenship</b> (Form N-560 or Form N-561) or <b>Certificate of Naturalization</b> (Form N-550 or Form N-570) issued by the U.S. Department of Citizenship and Immigration Services (USCIS)
<b>11</b> <input type="checkbox"/>	Certification of <b>Report of Birth</b> (Form DS-1350), <b>Certification of Birth Abroad</b> (Form FS-545) or <b>Consular Report of Birth Abroad</b> (Form FS-240) issued by the U.S. Department of State
<b>12</b> <input type="checkbox"/>	An original or <b>certified copy of a birth certificate</b> issued by a State, county, municipal authority, or territory of the United States bearing an official seal

*\*provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer*

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. § 16-10-20, and face criminal penalties as allowed by such criminal statute.

Executed in \_\_\_\_\_ (**city**), \_\_\_\_\_ (**state**).

**SUBSCRIBED AND SWORN  
BEFORE ME ON THIS THE**

\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_

\_\_\_\_\_  
**Signature of Affiant**

\_\_\_\_\_  
**NOTARY PUBLIC  
My Commission Expires:**

\_\_\_\_\_  
**Printed Name of Affiant & Affiant NMLS #**

\_\_\_\_\_  
**Affiant Title**

*(Affix seal or stamp hereto)*