

[COMPANY]

**Secure and Fair Enforcement
of Mortgage Licensing Act**

**■ SAFE ACT ■
POLICY MANUAL**

Published by Think Compliance
info@thinkcompliance.co
thinkcompliance.co

Copyright © | Think Compliance, LLC
All rights reserved.

This publication is sold subject to the condition that no part of this publication may be reproduced, distributed, lent, resold, or otherwise circulated without the publisher's prior written consent.

The scanning, uploading, and distribution of this publication via the Internet or via any other means without the permission of the publisher is illegal and punishable by law.

Legal Disclaimer

Think Compliance, LLC does not directly or indirectly practice law, provide legal advice, or otherwise convey legal opinions. The information provided is of a general nature and is not intended to address the specific circumstances of any individual or entity. This information does not constitute a recommendation or advice, nor should this information be relied upon as a substitute for legal or professional advice.

This information and any materials are provided on an “as is” basis. While every effort has been made to ensure that this information is up-to-date, we assume no liability for the accuracy or completeness of this information which may contain technical inaccuracies or typographical errors.

We expressly disclaim all warranties, express or implied, including any warranties of merchantability or fitness of any particular purpose. In no event will we be liable for any claim or action arising from or related to your failure to comply with any laws or regulations. You assume responsibility for its actions undertaken in connection with use of this information. Your use of this information and any materials constitutes full and sufficient consideration for, and acceptance by you, of the above terms.

SAMPLE

TABLE OF CONTENTS

1. Introduction	5
1.1. Purpose	5
1.2. Scope and Application.....	5
1.3. Annual Policy Review	5
2. Internal Controls	6
2.1. Compliance Enforcement Responsibility	6
2.2. Annual Independent Compliance Audits	6
2.3. Schedule and Scope of Compliance Audits.....	7
2.4. Compliance Audit Reports	8
2.5. Corrective Action	8
2.6. Recordkeeping	9
3. Training	9
3.1. Initial Training	9
3.2. Ongoing Training.....	10
3.3. Recordkeeping	11
3.4. Service Providers.....	11
4. SAFE Act Overview	11
4.1. Background and Objectives	11
4.2. Key Terms.....	12
5. NMLS and Registry	14
5.1. Single Record Concept	14
5.2. Real-Time System.....	14
5.3. Employer/Employee Registration Responsibilities	14
5.3.1. Employee – MLO Registration Requirements.....	15
5.3.2. Employer – MLO Registration Requirements	17
5.3.3. De Minimis Exception	18
5.4. Creation of a New Company Record.....	18
5.5. Filing Date vs. Effective Date.....	19
5.6. Unique Identifier.....	19
5.6.1. [Company]’s Unique Identifier Obligations.....	19

5.6.2.	MLO Unique Identifier Obligations	19
5.7.	Mortgage Call Report	20
5.8.	Criminal Background Checks.....	20
5.9.	Fingerprints	20
6.	State Licensing Requirements	21
6.1.	State Licensing Applications.....	21
6.2.	State Licensing Minimum Requirements	22
6.2.1.	Pre-Licensing Education	22
6.2.2.	Continuing Education Requirement.....	23
6.2.3.	Written Test Requirement	23
7.	Federal Registration Requirements.....	23
8.	[Company]’s License/Registration Processes	24
8.1.	License/Registration Updates and Renewals.....	24
8.2.	Continued Verification of Licensing/Registration	24
8.3.	Employee Authorization and Attestation	24
8.4.	[Company] Attestation.....	25
8.5.	Disciplinary Action	25
9.	Pending Licensure and Registration.....	25
10.	Examples of MLO Activities.....	26
10.1.	Appendix A – Examples of MLO Activities	26
10.1.1.	Taking a loan application.	26
10.1.2.	Offering or negotiating terms of a loan	27
10.1.3.	Offering or negotiating a loan for compensation or gain	28