

**APPLICATION FOR A MORTGAGE LENDER AND/OR MORTGAGE
BROKER LICENSE PURSUANT TO CHAPTER 16 OF TITLE 6.1 OF THE CODE OF VIRGINIA**

INFORMATION AND INSTRUCTIONS

Each applicant for a license to engage in business as a mortgage lender or mortgage broker pursuant to Chapter 16 of Title 6.1 of the Code of Virginia must complete and file this form. Additional information, attachments, and/or documents must be filed on 8 1/2" x 11" paper.

The following items must be submitted with the application:

1. A check for the application fee, payable to the Treasurer of Virginia. The application fee is \$500 for each business to be conducted (\$1,000 for both mortgage lending and brokering) and is not refundable.
2. An organizational chart for the applicant showing the name, title, and duties of each position. The chart should include officers and departmental heads or managers in areas like compliance, underwriting, marketing, operations, finance, etc.
3. A completed fingerprint card and a Criminal History Records Consent and Fingerprinting Instructions form (CCB-8812) for a sole proprietor and each (i) director of a corporate applicant; (ii) member of a limited liability company or partnership applicant; (iii) senior officer of the applicant; and (iv) principal of the applicant (only one fingerprint card per person need be submitted). Also, submit a **money order, cashier's check or certified check**, payable to the Treasurer of Virginia, for \$37 per individual being investigated, to defray the cost of criminal history records checks by state and federal law enforcement (Submit only one check for the total cost of the criminal history records checks equal to \$37 times the number of fingerprint cards submitted. **Any form of payment other than a money order, cashier's check or certified check will not be accepted**). A senior officer is defined as a person who has significant management responsibility within an organization or otherwise has the authority to influence or control the conduct of the applicant's affairs, including but not limited to its compliance with applicable laws and regulations. A principal is defined as a person who owns, directly or indirectly, 10 percent or more of the applicant. The requirement for criminal history records checks is found in Section 6.1-414 of the Code of Virginia. Failure to submit all the fingerprint cards and records check fees as required above will result in denial of the application. Fingerprint cards should be obtained ONLY from the Bureau of Financial Institutions prior to applying for a license. Please e-mail your request for fingerprint cards or questions about criminal history records checks to corporatestructure@scc.virginia.gov or call (804) 371-9690. For information on fingerprinting and criminal history records checks, please see form CCB-8812 entitled Criminal History Records Consent and Fingerprinting Instructions.
4. A properly executed, current (less than 90 days old) Personal Financial Report and Disclosure Statement form for each individual required to submit a fingerprint card (see above) on form CCB-1123 (Rev. 03/08). An **outside director** (a person who is not a paid employee of the applicant or its parent and who does not own 10 percent or more of the stock of the applicant or its parent) may elect to use the limited financial report form CCB-1143 (Rev. 03/08). *The report must be executed with original signature(s).* Personal Financial Report and Disclosure Statement forms are confidential.
5. An Employment and Business Affiliation Disclosure Form, CCB-1150 (Rev. 03/08), for each director, senior officer, member, trustee, partner, and principal.
6. A current (less than 90 days old) financial report (including a balance sheet and income statement) for the applicant and for each entity owning, directly or indirectly, 10 percent or more of the applicant and a copy of the most recent year-end financial report (audited, if available) of the applicant and any entity owning 10 percent or more of the applicant. A newly organized entity should submit a beginning balance sheet and a pro forma balance sheet and income statement for the first year of operation. Sole proprietor applicants need only complete form CCB-1123 (Rev. 03/08).
7. An original surety bond in the sum of \$25,000 if the application is for a mortgage broker's license only. An original bond in the amount of \$50,000 if the application is for a mortgage lender's license or both a lender's and broker's license. The bond must be completed on form CCB-8813 and must be issued in the exact name of the applicant.
8. Evidence of registration with the Clerk of the State Corporation Commission, if a corporation, limited liability company, limited partnership, or business trust applicant. Corporate, limited liability company, limited partnership,

and business trust applicants intending to operate using a trade name must also register the trade name with the Clerk of the Commission.

9. **Mortgage Lender Applicants Only:** Certification from a **depository institution** that an applicant for a mortgage lender's license has at least \$200,000 on deposit or an established line of credit of at least \$200,000 for operation of the business, or some combination of both. If cash, submit a bank letter verifying the account balance, the type of account in which the funds are held, and that the funds are not encumbered or hypothecated in any way. If a line of credit, submit a copy of the line of credit agreement and promissory note. **Neither letters of credit nor lines of credit from sources other than a bank or other depository institution will satisfy this requirement.**
10. Authorization form(s) CCB-1149 for a reference from a bank or depository institution with which the applicant or its principals, members, partners, or trustees have had a deposit account for at least one year. (Form CCB-1149 and bank references are confidential.)
11. A detailed description of the applicant's business plan, including the plan for its proposed Virginia operations. The business plan should address, at a minimum: (1) the number of offices and employees the applicant currently has, and the projected growth in the applicant's number of offices and employees over the next three years, both in Virginia and in other states; (2) whether the applicant is ultimately responsible for the payment of all of the operating expenses of its offices (i.e. employee compensation, rent, utilities, furniture, equipment, advertising, etc.), and if all of these operating expenses are reported on the applicant's financial and accounting records; (3) a statement detailing how the applicant currently compensates its loan officers and processors, and how it plans to do so in Virginia, if different; (4) a detailed description of management's oversight of its loan officers, loan processors, and other employees; and (5) a description of the methods by which Virginia loans will be solicited, including the process used by the applicant to ensure that all of its advertisements comply with applicable state and federal laws. If the applicant utilizes the services of a marketing company, provide details of the relationship and a copy of the marketing agreement. In addition, the applicant should attach a sample copy of its branch manager/loan officer employment agreements, if applicable.

The Bureau will review the application and accompanying materials for completeness upon receipt. **Applications that are not substantially complete will be returned.** Thus, full and complete answers should be given at the outset of the application process.

You must immediately advise the Bureau of any occurrences that would alter your responses to the questions in this application. Failure to disclose any changes within ten days of becoming aware of them may result in delay or denial of your application.

As a general rule, documents filed with the Bureau of Financial Institutions become part of the public record. Except as permitted or required by law, the following shall be kept confidential: Personal Financial Report and Disclosure Statements, other documents which disclose personal account information, financial statements for sole proprietors, and information which could endanger the safety and soundness of a depository institution. Upon request, the Bureau will consider for confidential treatment any other documents or portions of the application that the applicant considers of a proprietary and personal nature. The request for confidential treatment must discuss the justification for the requested treatment, specifically demonstrating the harm (for example, loss of competitive position or invasion of privacy) that may result from public release of the information. Information for which confidential treatment is requested should be: (1) specifically identified in the public portion of the application (by reference to the confidential section); and (2) specifically separated and labeled "Confidential". The Bureau will advise the applicant if the request for confidentiality cannot be honored.

To view the entire Confidentiality Policy Statement of the Bureau of Financial Institutions or to download this application form or a related form, visit the Bureau's website at www.scc.virginia.gov/bfi.

Information about appeals: All applications are investigated by the Bureau of Financial Institutions. Certain application decisions are made by the Commissioner of Financial Institutions under delegated authority from the State Corporation Commission. In the event you wish to appeal either a determination made by the Bureau of Financial Institutions in the course of its investigation of your application or the Commissioner of Financial Institutions' decision on your application, you may request a formal review by the State Corporation Commission in accordance with its Rules of Practice and Procedure (www.scc.virginia.gov/case).

Inquiries concerning the licensing, preparation and/or filing of this application should be directed to the Bureau of Financial Institutions, 1300 East Main Street, Suite 800, Post Office Box 640, Richmond, Virginia 23218-0640. Telephone: (804) 371-9690; FAX: (804) 371-9416; email: corporatestructure@scc.virginia.gov.

**APPLICATION FOR A MORTGAGE LENDER AND/OR
MORTGAGE BROKER LICENSE**

**Bureau of Financial Institutions
State Corporation Commission
1300 East Main Street, Suite 800
Post Office Box 640
Richmond, Virginia 23218-0640**

The undersigned hereby applies to the State Corporation Commission for a mortgage lender and/or mortgage broker license pursuant to Chapter 16 of Title 6.1 of the Code of Virginia. In support of this application, the following representations are made:

1. This application is for a license to conduct (check one):

Mortgage Lending _____ Mortgage Brokering _____ Both Mortgage Lending & Brokering _____

2. Applicant Name: _____ Fed. Employer ID# _____

Applicant trading name [d/b/a], if any: _____

3. (a) Applicant Principal Mailing Address (where official correspondence will be mailed):

(b) Applicant's Website address, if any _____

4. Business will be conducted under one of the following types of organization (check one):

() Corporation () Partnership () Limited Liability Company () Business Trust () Proprietorship

5. Individual responsible for filing the application: _____

(Name and Title)

(Mailing Address)

(Daytime Phone Number and E-mail Address)

6. List the location(s) of office(s) to be licensed (Street, City or Town, and Zip Code, or other identification). Start with the principal office if you wish it to be licensed:

(Attach additional sheets as necessary)

7. Name and Mailing Address of Parent Company, if any: _____

8. Is the applicant currently conducting mortgage lending and/or brokering business in Virginia? If yes, indicate date business commenced and attach a detailed description of the Virginia business conducted to date:

Mortgage Lending Business: Yes _____ No _____ If Yes, Date _____

Mortgage Brokering Business: Yes _____ No _____ If Yes, Date _____

9. Is the applicant or any affiliated person or entity a licensed real estate broker or salesman in Virginia?

Yes _____ No _____

If yes, will the applicant act as a compensated mortgage broker in connection with real estate sales transactions in which the applicant or any affiliated person or entity acts as a real estate broker, agent, or salesman?

Yes _____ No _____

10. Has the applicant or any of its affiliates (or former affiliates), principals, directors, officers, members, trustees or partners applied for a license with this Bureau within the last ten (10) years?

Yes _____ No _____ If yes, attach complete details of the outcome of the application including dates of approval, denial or withdrawal.

11. Has the applicant or any of its affiliates (or former affiliates), principals, directors, officers, members, trustees or partners ever been refused a license to engage in any business or had any such license suspended or revoked by any state or federal agency, or surrendered a license in lieu of threatened or pending license revocation, license suspension, or other regulatory or enforcement action?

Yes _____ No _____ If yes, attach complete details of the refusal, suspension or revocation.

12. Has the applicant or any of its affiliates (or former affiliates), principals, directors, officers, members, trustees, or partners ever entered into, or otherwise agreed to the entry of, a settlement or consent order, decree, or agreement with or by a state or federal regulatory agency, or has any state or federal regulatory agency ever (i) imposed a fine upon any such person or entity, (ii) required any such person or entity to make restitution or refunds to consumers in excess of \$20,000, (iii) ordered any such person or entity to cease and/or desist from engaging in a particular act or practice, or (iv) taken any other regulatory or enforcement action against any such person or entity (excluding license revocation or suspension)?

Yes _____ No _____ If yes, provide complete details.

13. If the applicant or any of its affiliates conducts a mortgage lending and/or mortgage brokering business in other states, provide the following information. Also indicate any states in which applications are pending.

Name of State	Name of Operating Entity	Date License Was First		# of Years	
		<u>Granted, If Licensed</u>		<u>In Operation</u>	
		Mortgage Lender	Mortgage Broker	Mortgage Lender	Mortgage Broker

(Attach additional sheets as necessary)

14 (a) If the applicant is a corporation, limited liability company, limited partnership or business trust, indicate state of incorporation or formation: State: _____ Date: _____
 * Foreign corporations, limited liability companies, limited partnerships, and business trusts must register with the Clerk of the State Corporation Commission before filing this application.

(b) Name and address of applicant's Registered Agent in Virginia:

(c) If the applicant is a general partnership, indicate city/town/state of partnership and attach a copy of the partnership agreement:

15. List at least three business references (preferably from within the mortgage industry) who can attest to the character, reputation, experience, financial responsibility, and general fitness of the applicant and **each of its principals, directors, officers, members, trustees or partners.**

Contact Name/Title	Institution/Mailing Address	Phone Number

(Attach additional sheets as necessary)

16. (i) List the name, address, title and ownership of **each director, senior officer, member, trustee and partner.**
 (ii) List the same information for **any person or entity owning, directly or indirectly, 10% or more of the applicant.**

Name	Address	Title in Organization	# Shares Owned	% of Ownership

