



State of North Carolina
OFFICE OF THE COMMISSIONER OF BANKS

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GOVERNOR

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COMMISSIONER OF BANKS

January 25, 2010

To: Mortgage Loan Originators

FROM: North Carolina Commissioner of Banks

RE: Federal Criminal Background Checks through NMLS

The purpose of this letter is to inform you that all mortgage loan originators licensed in the state of North Carolina must request a federal criminal background check and provide fingerprints to the Nationwide Mortgage Licensing System and Registry (NMLS) by **March 31, 2010**.

NC Safe Act was enacted into law on July 31, 2009, in order to bring the mortgage licensing laws of the State of North Carolina into compliance with the federal *Secure and Fair Enforcement for Mortgage Licensing Act of 2008* ("SAFE Act"). The SAFE Act requires all individuals acting as mortgage loan originators to submit fingerprints to NMLS for a federal criminal history background check with the Federal Bureau of Investigation and to meet certain minimum criminal history standards.

What you need to know:

New applicants, starting today, January 25, 2010, applying for a mortgage loan originator license in the state of North Carolina must have fingerprints on file with NMLS and request a federal criminal background check to be processed by NMLS. The North Carolina Commissioner of Banks Office will not grant a license until results from the federal criminal background check have been received and reviewed against state criminal standards.

Existing mortgage loan originators must provide fingerprints to NMLS and request a new criminal background check prior to **March 31, 2010**, in order for the Department to review the criminal history response from the FBI to ensure compliance with state law.

What you need to do:

NMLS has added functionality to the MU4 filing process that allows mortgage loan originators and sponsoring companies to authorize, request, and pay for a federal criminal background check within the system. You can access this functionality by logging into your account on NMLS.

After submitting a filing with a federal criminal background check request, mortgage loan originators can schedule an appointment to have their fingerprints electronically captured at one of over 700 sites nationwide. Mortgage loan originators not located within a reasonable commuting distance of an NMLS approved capture site will be afforded an opportunity to submit paper fingerprint cards through the NMLS approved vendor.

The cost of the federal criminal history background check collected through NMLS is \$39.00. This fee includes electronic print capture at an NMLS approved site and is regardless of the number of states in which a mortgage loan originator is applying for licensure or is currently licensed at one time. Additional fees apply if a mortgage loan originator chooses to submit a paper fingerprint card.

Where you can find out more information:

Full information concerning federal criminal background check processing can be found in NMLS and at the [NMLS Resource Center](#) under “Professional Requirements.”

Information concerning the criminal standards for mortgage loan originator licensure in the state of North Carolina can be found on the [agency website](#)

Should you have any questions, please contact us at 919-733-0589 or email mortgage@nccob.org