

LOAN OFFICER APPLICATION

Ohio Mortgage Broker Act (OMBA)

Ohio Revised Code Sections 1321.21; 1322.01 to 1322.12; and 1322.99
Ohio Administrative Code Chapter 1301:8-7



Ohio Department Of Commerce Division Of Financial Institutions

77 South High Street, 21st Floor

Columbus, Ohio, 43215-6120

Telephone: (614) 728-8400

www.com.state.oh.us/dfi

WARNING: It is a crime to knowingly provide a false statement to a government official or public agency. R.C. 2921.13.

“An Equal Opportunity Employer and Service Provider”

Loan Officer Application

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EXPLANATION AND INSTRUCTIONS

Before completing this Mortgage Loan Officer License Application, you should read and be familiar with the Ohio Mortgage Broker Act, codified in R.C. Chapter 1322, and the rules relating to the Act, which are contained in Ohio Administrative Code Chapter 1301:8-7. You should pay specific attention to R.C. 1322.031 and 1322.041. These statutes, which may be accessed through the Division's website, explain the criteria and procedures for determining your qualifications for obtaining an Ohio Mortgage Loan Officer License.

Before the Superintendent will issue a Mortgage Loan Officer License to an applicant, the Superintendent must be convinced that the applicant's character and general fitness will command the confidence of the public and warrant the belief that the Loan Officer will operate honestly and fairly in compliance with the purposes of the Act. See R.C. 1322.041(A)(6). **If you have been convicted of theft, as that term is defined in R.C. 2913.01(K), you are statutorily prohibited from receiving a Mortgage Loan Officer License. See R.C. 1322.041(A)(3).**

You must answer each question on this application fully and truthfully. Any omission, untruthful answer or incomplete answer may result in your being denied the privilege of obtaining a Mortgage Loan Officer License and acting as a loan officer in the State of Ohio, or in subsequent legal action. Questions 2 through 13 must be fully answered regardless of dismissals or similar terminations, and must include all actions or legal proceedings occurring in any court in any jurisdiction. This includes any matter dismissed favorably to you, filed by you or in which you were involved in any manner other than as a witness.

If you have any doubts about whether any matter should be reported on this application, you should report it. If you are not sure of the dates, times, places, or other information requested, you should consult the court, government agency, or other entity involved to obtain the correct and full information.

If the space provided for any answer is inadequate, complete your answer on a separate sheet, specifying the question to which it relates, and attach this sheet to the application. Sign each additional sheet you provide. **The answers to your application must be verified in front of a notary public.**

Mail your completed application, along with the supporting documentation to the following address:

**Department of Commerce
Division of Financial Institutions
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120**

For DFI Use Only

Issue Date _____

File ID _____

LOAN OFFICER APPLICATION

Ohio Revised Code Sections 1321.21; 1322.01 to 1322.12; and 1322.99

Ohio Administrative Code Chapter 1301:8-7

Application Fee: \$100

Print or type using black or blue ink.

1. Company Name: _____ Company Number: _____
(Mortgage Broker Registrant) (Office Use Only)

2. Loan Officer:

Name: _____
First MI Last

Address: _____
Residence Address City State Zip

Date of Birth: _____ Social Security Number: _____

Driver License or State ID Number _____ Issuing State: _____

Home Telephone Number: _____ Fax Number: _____

Has your name ever been legally changed? Yes No

If yes, attach a certified copy of the name change order(s).

Have you ever used or been known by any other name? Yes No

If the answer is yes, furnish details.

3. Will you hold any other job (including self-employment) while you are employed as a mortgage loan officer? Yes No

If the answer is yes, furnish details.

4. Have you been arrested for, convicted of or pleaded guilty to any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, or drug trafficking, or any criminal offense involving money or securities? (Please note that a conviction for theft, as that term is defined in R.C. 2913.01(K), is a statutory bar to licensure.) Yes No

If yes, submit a detailed explanation of the facts and circumstances which gave rise to each charge and for: (i) any conviction provide a certified copy of the journal entry evidencing the disposition of each charge; (ii) any guilty plea provide a certified copy of the plea agreement; and (iii) any pending criminal charges provide a certified copy of the indictment or criminal complaint.

5. Have you ever been convicted of or pleaded guilty to any criminal offense in a state other than the state where you currently reside? Yes No

If yes, submit a detailed explanation of the facts and circumstances, which gave rise to each charge and a certified copy of the journal entry evidencing the disposition of each charge.

6. Have you ever been a defendant in a criminal action in the Federal court system? Yes No

If yes, submit a detailed explanation of the facts and circumstances, which gave rise to each charge and a certified copy of the journal entry evidencing the disposition of each charge.

7. Have you ever been subject to any adverse judgment for conversion, embezzlement, misappropriation of funds, fraud, misfeasance or malfeasance, or breach of fiduciary duty? Yes No

If yes, submit a detailed explanation of the facts and circumstances, which gave rise to each charge and a certified copy of the journal entry evidencing the disposition of each charge.

8. Have you ever had any type of approval or application to conduct business (such as a license or certificate of authority) denied, revoked, suspended, or refused to be renewed; or have you ever been fined by any state or federal regulatory authority or court in relation to any claim of misconduct in a business transaction? Yes No

If the answer is yes, furnish details.

9. Have you ever filed for personal bankruptcy? Yes No

If the answer is yes, furnish details.

10. Has any company for which you've been a director, officer, or more than 5% owner ever been convicted of any criminal offense? Yes No

If yes, submit a detailed explanation of the facts and circumstances, which gave rise to each charge and a certified copy of the journal entry evidencing the disposition of each charge.

11. Have you ever been an officer, or more than 5% owner or director of any organization which has had a license, certificate, application, approval to conduct business, or any other type of authority, denied, revoked, suspended or refused to be renewed; or of any organization that has been fined by any state or federal regulatory agency or court in relation to any claim of misconduct in a business transaction? Yes No

If the answer is yes, furnish details.

12. Has any company for which you have been a director, officer, or more than 5% owner ever been subject to any adverse judgment for conversion, embezzlement, misappropriation of funds, fraud, misfeasance or malfeasance, or breach of fiduciary duty? Yes No

If yes, submit a detailed explanation of the facts and circumstances, which gave rise to each charge and a certified copy of the journal entry evidencing the disposition of each charge.

13. Has any company for which you've been a director, officer, or more than 5% owner ever filed for bankruptcy, been insolvent, or filed for protection from its creditors? Yes No

If the answer is yes, furnish details.

14. The applicant must submit a state and FBI fingerprint background check as part of the application.

(Please refer to the Background Check/Fingerprints Explanation and Instructions.)

NOTARIZATION

State of _____

SS.

County of _____

Under penalties of perjury, I, the undersigned, do hereby swear or affirm that this application and all attachments have been prepared by me and that these documents constitute a complete, truthful, and correct statement of all information requested by the Ohio Division of Financial Institutions. I understand that any false or fraudulent representation or substantial misrepresentation will be grounds for denial of any license/registration application pending with the Ohio Division of Financial institutions or revocation of any license/registration granted by the Division of Financial Institutions, and could result in other legal action initiated against me, including but not limited to criminal prosecution.

Printed Name

Signature

Subscribed and sworn to or affirmed before me this _____ day of _____, 20 _____.

Seal or stamp must be affixed to original

Notary Public PRINTED Name

Notary Public SIGNATURE

My Commission Expires _____

NOTE: Application Fee is \$100.00

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Loan Officer Application

Ohio Mortgage Broker Act
Ohio Revised Code Sections 1321.21; 1322.01 to 1322.12; and 1322.99
Ohio Administrative Code Chapter 1301:8-7

In the Matter of the Application of

_____ (full legal name)
to apply for a license as a Loan Officer in compliance with the Ohio Mortgage Broker Act, codified in Chapter 1322 of the Ohio Revised Code (“R.C.”) and Chapter 1301:8-7 of the Ohio Administrative Code (“OAC”).

I hereby apply for a license as a Loan Officer in Ohio, pursuant to the Ohio Mortgage Broker Act. In conformity therewith, I am submitting the following (check each item being submitted) by mailing those items checked to the Division of Financial Institutions:

- (1) One original Mortgage Loan Officer License Application, properly executed;
- (2) A transcript proving completion of the pre-licensing education requirement of R.C. 1322.031(A)(4);
- (3) One original properly executed Certificate of Employment completed by the Mortgage Broker with whom the Applicant is or will be exclusively employed as a loan officer;
- (4) A fingerprint identification card or an Applicant will submit to an electronic fingerprint background check; and
- (5) A nonrefundable application fee in the amount of \$100. If paying by check or money order, make it payable to the Department of Commerce, Division of Financial Institutions.

I have read the Ohio Mortgage Broker Act, codified in R.C. Chapter 1322, and the rules relating thereto, found in OAC Chapter 1301:8-7, which pertain to mortgage brokering in Ohio. I understand that it is a crime to act as a loan officer in Ohio without first having ***obtained a loan officer license*** from the Superintendent of Financial Institutions for the Department of Commerce. I further understand that submission of my application materials does not authorize me to act as a loan officer; rather, I must first pass the loan officer examination administered by Thompson Prometric and then be ***issued a license*** by the Superintendent in order to act as a mortgage loan officer in Ohio.

I also understand that if I am issued a mortgage loan officer license, that license, or the authority granted under that license, is not assignable and cannot be franchised by contract or by any other means.

Signature of Applicant

Date

Certificate of Employment

(This form must be completed by the Operations Manager designated under the Mortgage Broker Act, pursuant to R.C. 1322.03.)

In the Matter of the Application of _____ (full legal name) to apply for or transfer of a license as a Loan Officer under the Ohio Mortgage Broker Act.

Mortgage Broker Information

Registration Number: MB - _____

Name of Company: _____

Address: _____
(Street)

(City) (State) (Zip) (County)

Telephone Number: _____ Fax Number: _____

Contact Person: _____

NOTARIZATION

I CERTIFY that _____
(Applicant First Name) (Middle Name) (Last Name)

will be employed by the above listed Mortgage Broker upon issuance or transfer of his/her mortgage loan officer license.

State of _____

SS.

County of _____

I hereby swear or affirm that I have completed the foregoing Certificate of Employment. The answers are complete and true of my own knowledge.

Subscribed and sworn to or affirmed before me this _____ day of _____, 20_____.

Operations Manager PRINTED Name

Operations Manager SIGNATURE

Notary Public PRINTED Name

Notary Public SIGNATURE

Seal or stamp must be affixed to original.

My Commission Expires _____

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Ohio Division of Financial Institutions

Ohio Mortgage Broker Act Applicants Background Check/Fingerprints Explanation and Instructions

As of January 1, 2007, the Ohio Mortgage Broker Act requires that backgrounds checks completed for registration under the Act include a national background check and a statewide check from the applicant's state of residence*.

Criminal background checks are required on the following individuals:

- **Corporation**, every 5% owner and senior officer
- **Partnership**, every partner and senior officer
- **L.L.C.**, each member and senior officer
- **Sole Proprietor**, the owner
- **Operations Manager**, the operations manager under the Ohio Mortgage Broker Act for a new company or when there is a change in the operations manager
- **Loan Officers**, the loan officer under the Ohio Mortgage Broker Act

How do you get your fingerprints taken?

In-State Applicants:

The Division of Financial Institutions has established relationships with independent companies for the electronic fingerprinting and scanning system known as "WebCheck" and "National WebCheck." Each company has a system that scans applicants' fingerprints and electronically transmits the prints to the Bureau of Criminal Identification and Investigation (BCI&I) for review. The statewide results as well as the national results of the records review are communicated directly back to the Division. The company where the fingerprints are taken charges a processing fee for this service, which is not part of the DFI application/investigation fee. To find the location nearest you and other information regarding this service contact the companies directly.

Please see our website at <http://www.com.state.oh.us/dfi/MortgageBrokerLoanOfficerforms.aspx> under "**Background Check Providers**" to view the current list.

Out-of-State Applicants:

If your place of residence is located outside Ohio, you must furnish a statewide criminal history report from your state's law enforcement department* as well as a national background check. The statewide records check must be verified on the law enforcement agency's stationery or computer printout. The reporting agency must send the report directly to the Division of Financial Institutions.

For the national background check, you have two options:

1. Go to one of our approved providers who is approved by Ohio BCII for the "National WebCheck" for electronic fingerprinting. For a list of the current approved providers, please see our website at <http://www.com.state.oh.us/dfi/MortgageBrokerLoanOfficerforms.aspx> under "**Background Check Providers.**" This is the fastest method to obtain results.
2. Request from the Division an FBI fingerprint card. Take to the card to your local enforcement agency to be printed and signed. Mail the card along with a **money order or certified check for \$24 payable to "Treasurer, State of Ohio"** to:
Ohio Bureau of Criminal Identification and Investigation
P.O. Box 365
London, OH 43140
Cash, personal third party or starter checks will not be accepted. There is a minimum 45 day turnaround timeframe for this option.

***IMPORTANT NOTE:**

If you have resided in your current state less than 5 years, you are required to provide a background check from each state you resided in during the past 5 years. The background check must be sent directly to the Division from the background check provider. We will not accept completed background checks submitted by the applicant.



Ohio Department of Commerce Division of Financial Institutions

CRIMINAL HISTORY STATEMENT

NOTE: You may submit this criminal history statement in place of completing another criminal background check **ONLY if:** (1) a completed criminal background report is currently on file with the Division; **AND** (2) the most recent report on file is no older than six (6) months.

I, _____(your name), hereby swear or affirm that I (circle one) **have / have not** been arrested for, charged with or convicted of any violation of any federal, state or local law within the last eight (8) months.

I further swear that, within the last six (6) months, I had a criminal background check completed in connection with a/an: (check one)

- | | |
|--|--|
| <input type="checkbox"/> Check-Cashing/Loan Acts Application | <input type="checkbox"/> Operations Manager Approval |
| <input type="checkbox"/> Credit Service Organization Act Application | <input type="checkbox"/> Pawn Broker Act Application |
| <input type="checkbox"/> Loan Officer License Application | <input type="checkbox"/> Precious Metals Act Application |
| <input type="checkbox"/> Mortgage Broker Act Application | <input type="checkbox"/> Premium Finance Act Application |
| <input type="checkbox"/> Mortgage Loan Act Application | <input type="checkbox"/> Small Loan Act Application |

If you indicated that you **HAVE** been arrested for, charged with or convicted of any crime within the last 8 months, provide a detailed explanation of the facts and circumstances of your case. Include the name of the arresting law enforcement agency or the court in which charges have been filed; the name of the crime with which you have been charged, and the degree of the offense; and the outcome or status of the case. In addition, you must attach a certified copy of the court journal entry that evidences the status of your case.

NOTARIZATION

STATE OF: _____

SS:

COUNTY OF: _____

I swear or affirm that the foregoing has been prepared by me and constitutes a complete and accurate statement.

Signature of Applicant

Printed Name of Applicant

Subscribed and sworn or affirmed before me this _____ day of _____, 20____.

Seal or stamp must be affixed to original

Notary Public PRINTED Name

Notary Public SIGNATURE

My Commission Expires _____

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LOAN OFFICER TERMINATION NOTIFICATION

Ohio Mortgage Broker Act
Ohio Revised Code Chapter 1322.031(E)(2)
Ohio Administrative Code Chapter 1301:8-7

Print or type using black or blue ink.

If a loan officer's employment is terminated for any reason, a mortgage broker is required to return the loan officer's original license (marked "Mortgage Broker Copy") to the Division within five (5) business days after the termination. See Ohio Revised Code 1322.031(E)(2).

MORTGAGE BROKER:

Name of Mortgage Broker: _____

MB License#: _____

LOAN OFFICER:

Name of Loan Officer: _____

Social Security # (required): _____

Date of Termination: _____

NAME of Company Representative Completing This Form

TITLE of Company Representative Completing This Form

SIGNATURE of Company Representative Completing This Form

DATE Completed

ATTACH the "MORTGAGE BROKER COPY" of the Loan Officer License in the space provided below. If for any reason you have not received the license, complete the above portion of the form and indicate below that the license was not received.

ATTACH LOAN OFFICER LICENSE

MAIL completed for to:

Division of Financial Institutions
77 South High Street, 21st Floor
Columbus, Ohio 43215-6120

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