

441-880-0310

Mortgage Loan Originator Continuing Education Requirements; Curing Deficiencies; License Sanctions for Failure to Maintain Continuing Education

A mortgage loan originator shall take and maintain continuing education courses in order to take an application for a residential mortgage loan or negotiate the terms of a residential mortgage loan, consistent with the requirements of this rule.

(1) (a) An applicant for a mortgage loan originator shall complete a minimum of 20 hours of pre-licensing education courses approved by the Nationwide Mortgage Licensing System and Registry before submitting an application to obtain a mortgage loan originator's license in this state. The twenty hours must include a minimum of three hours of instruction on federal law and regulations, three hours of instruction on ethics, two hours of instruction related to lending standards for the nontraditional mortgage product market, and four hours of instruction on Oregon laws and rules.

(b) Pre-licensing education will expire if three (3) years pass without receiving licensure or registration as a mortgage loan originator in any jurisdiction, or if licensure or registration is surrendered, not renewed, allowed to lapse, or through other action or inaction which results in an applicant lacking a valid license or registration in any jurisdiction for three years or longer.

(c) If pre-licensing education expires, an applicant must retake the pre-licensing education course prior to submitting an application for a mortgage loan originator license.

(2) A mortgage loan originator shall take a continuing education course or courses approved by the Nationwide Mortgage Licensing System and Registry. A mortgage loan originator shall complete at least ten hours of continuing education per calendar year. The ten hours must include a minimum of three hours of instruction on federal law and regulations, two hours of instruction on ethics, two hours of instruction related to lending standards for nontraditional mortgage products, and two hours of instruction on Oregon laws and rules.

(3) A mortgage loan originator who fails to meet the continuing education requirement shall not take an application for a residential mortgage loan or negotiate the terms of a residential mortgage loan until the requirements contained in this rule are satisfied.

(4)(a) A mortgage loan originator may submit a written request to make up missing hours in continuing education due to hardship or illness. A written request shall:

(A) Describe the hardship or illness; and

(B) Describe why the mortgage loan originator was unable to meet requirements for continuing education.

(b) In all requests under this rule, the mortgage loan originator has the burden of proving the hardship or illness responsible for the missing hours in continuing education.

(c) The director shall consider and may grant a request, but the director shall not grant a request for the following:

(A) Failure or inability to pay applicable fees to obtain or maintain a mortgage loan originator license;

(B) A suspension of business activities as a mortgage loan originator; or

(C) Incapacity due to imprisonment.

(5) Nothing in this rule affects the director's authority to require by order a mortgage loan originator to make up missing hours in continuing education under ORS 86A.218 or to decline to renew the person's mortgage loan originator license.

(6) The director may deny, suspend, make inactive, or refuse to renew the mortgage loan originator's license until the mortgage loan originator makes up any missing hours of continuing education required this section.

DRAFT