



Mortgage Loan Originators and Installment Lenders Teleworking FAQ

The Division of Financial Institutions (Division) would like to share some information for Mortgage Loan Originators working under the Residential Mortgage Lending Act and lenders operating under the Consumer Installment Loan Act and General Loan Law affected by the current public health emergency caused by COVID-19.

Information on COVID-19 is available from the state of Ohio here: <https://coronavirus.ohio.gov>.

Information on state regulatory responses to this emergency is available from the Conference of State Banking Supervisors (CSBS) here: <https://www.csbs.org/tag/covid-19>.

Q: May Ohio licensed Mortgage Loan Originators (MLOs) work from home instead of a licensed location?

A: Yes. Ohio law permits work from home for MLOs, provided that they are reasonably overseen by a registered or exempt company, and do not engage in activities that would lead their home office to be classified as a branch office of the company. The definition of “branch office” can be found in Ohio Revised Code 1322.01(G). An MLO may not “hold out to the public as a licensee’s place of business” any location that is not a licensed location. For example, an MLO may not use his or her home address location on business cards, stationery, or advertising, have posted public signs or open hours, or otherwise suggest to the public that mortgage transactions are made at their home.

Q: May employees working for a company licensed under the Consumer Installment Loan Act (CILA) or the General Loan Law (GLL) make loans via internet and phone while working from home during the state of emergency instead of a licensed location?

A: Yes. The Division will not enforce the requirements in CILA and the GLL and associated administrative code provisions that loans be made at a licensed location during the current state of emergency provided that employees overseen by the company make the loans. The licensed company must oversee all loan origination activities. Provided that the company has technology solutions in place to oversee this activity, it may be done remotely during the state of emergency.

Q: Are employees required to log in to the loan origination system (LOS) or software through a VPN connection only?

A: MLOs and other employees must be reasonably supervised by the companies they work for, and the companies must have reasonable measures in place to ensure information security under applicable federal and state requirements. The Division cannot provide specific guidance regarding IT security.

Q: May a loan be closed in the parking lot of a licensed location during the state of emergency under CILA or GLL?

A: Yes. The Division will not enforce the requirements in CILA and the GLL and associated administrative code provisions that loans be made at a licensed location during the current state of emergency provided that employees overseen by the company make the loans.

Q: How can my company request an extension for filing an Annual Report or notify the Division of the company's current status?

A: Please contact DFICFExam@com.ohio.gov with any questions, extension requests, or notifications.

Q: Is my company required to maintain minimum staffing levels?

A: The Division cannot provide specific guidance to companies as to appropriate levels of staffing during the declared state of emergency. However, the Division **will not enforce** the requirement found in Ohio Administrative Code 1301:8-7-13(C) mandating Residential Mortgage Loan Act (RMLA) registrants maintain office hours from 9 a.m. to 5 p.m. on the second Thursday of February, April, June, August, October, and December during any state of emergency declared by a county, municipality, state, or the federal government.

Q: Are state-licensed consumer lenders, mortgage lenders, pawnbrokers, check cashers, and providers of similar financial services “essential” under the current Stay-At-Home Order?

A: Yes. “Financial and insurance institutions” were defined by the Order as “Essential Businesses and Operations.” The definition of “financial and insurance institutions” included “bank, currency exchanges, consumer lenders, including but not limited, to pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products.” Any entity that remains open must comply with the requirements in the Order to protect the public’s health and safety. An FAQ on the Stay-at-Home Order is [here](#). The Order is available [here](#).

Additional questions can be directed to the Division by emailing DFICFExam@com.ohio.gov