



OH Third Party Processing and/or Underwriting Exemption New Application Checklist (Company)

CHECKLIST SECTIONS

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GENERAL INFORMATION

Who Is Required to Have This License?

A person, other than an independent contractor, which performs only clerical or support duties as defined in 12 U.S.C. 5102(5)(B), as in effect on January 12, 2014, of a loan processor or underwriter for one or more unaffiliated, registered mortgage companies or entities exempt from registration pursuant to division O.R.C. section 1322.04.

Refer to the [Ohio Residential Mortgage Lending Act \(RMLA\)](#) and the [administrative rules implementing the RMLA](#) for the Ohio specific language and requirements. Refer to the [Division's website](#) for additional information and links. PLEASE KEEP IN MIND THAT THIS CHECKLIST IS NOT A SUBSTITUTE FOR REVIEWING THE APPLICABLE STATUTE AND RULES.

This document is a summary of some of the Ohio exemption requirements. All applicants have a duty to be familiar with all aspects of the RMLA and should read the statute and administrative rules prior to applying to the Ohio Division of Financial Institutions for an exemption.

Activities Authorized Under This License

This license authorizes the following activities:

- Third Party Mortgage Loan Processing
- Third Party Mortgage Loan Underwriting

Document Uploads Guidance

Documents that must be uploaded to the *Document Uploads* section of the Company Form (MU1) in NMLS are indicated in the checklist below. When uploading documents:

- Follow the guidance in [Document Upload Description and Examples](#).
- Only upload documents relevant to the company application.

- Only upload documents where there is a selectable document category. If inappropriate documents are uploaded that should not be, you will be contacted by your regulator and asked to remove them from NMLS.
- Do not upload the same company documents multiple times. Generally, unless the document is state-specific, if the document has already been uploaded for another state, a new upload is not required unless changes have been made.
- If a document previously uploaded has been revised, delete the old document and replace it with the new document (history of the old document will remain in NMLS).
- For state-specific documents (e.g., Surety Bonds), be sure to indicate the applicable state.

Helpful Resources

- [Company Form \(MU1\) Filing Instructions](#)
- [Document Upload Description and Examples](#)
- [Individual Form \(MU2\) Filing Quick Guide](#)
- [Financial Statements Quick Guide](#)
- [Payment Options Quick Guide](#)
- [License Status Definitions Quick Guide](#)

Agency Contact Information

Contact a licensing staff member at (614) 644-6484 or webdfi-cf@com.state.oh.us.

THE APPLICANT IS FULLY RESPONSIBLE FOR ALL OF THE REQUIREMENTS OF THE EXEMPTION FOR WHICH THEY ARE APPLYING. THE AGENCY SPECIFIC REQUIREMENTS CONTAINED HEREIN ARE FOR GUIDANCE ONLY TO FACILITATE APPLICATION THROUGH NMLS. SHOULD YOU HAVE QUESTIONS, PLEASE CONSULT LEGAL COUNSEL.

LICENSE FEES - Fees collected through NMLS are NOT REFUNDABLE OR TRANSFERABLE.

Complete	OH Third Party Processing and/or Underwriting Company Exemption	Submitted via...
<input type="checkbox"/>	<p>OH License/Registration Fee: \$0</p> <p>OH Application Fee: \$0</p> <p>NMLS Initial Processing Fee: \$100</p>	<p>NMLS (Filing submission)</p>

REQUIREMENTS COMPLETED IN NMLS

Complete	OH Third Party Processing and/or Underwriting Company Exemption	Submitted via...
<input type="checkbox"/>	<p>Submission of Company Form (MU1): Complete and submit the Company Form (MU1) in NMLS. This form serves as the application for the license/registration through NMLS.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Financial Statements: Upload an audited or unaudited if certified financial statement prepared by a Certified Public Accountant/Signed by an executive officer in accordance with Generally Accepted Accounting Principles dated within 90 days of your fiscal year end. Financial statements should include a balance sheet, income statement, and statement of cash flows and all relevant notes thereto. If applicant is a start-up company, only an initial statement of condition is required.</p> <p>Note: Financial statements are uploaded separately under the Filing tab and <i>Financial Statement</i> submenu link. See the Financial Statements Quick Guide for instructions.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Other Trade Name: If operating under a name that is different from the applicant’s legal name, that name (“Trade Name”, “Assumed Name” or “DBA”) must be listed under the <i>Other Trade Names</i> section of the Company Form (MU1). The Ohio Division of Financial Institutions does not limit the number of other trade names; however, the trade, fictitious or assumed name must be on file with the Ohio Secretary of State’s Office.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Resident/Registered Agent: The Resident/Registered Agent, or statutory agent must be listed under the <i>Resident/Registered Agent</i> section of the Company Form (MU1) and must match the information currently on record with the Ohio Secretary of State’s Office.</p>	<p>NMLS</p>
<input type="checkbox"/>	<p>Primary Contact Employees: The following individuals must be entered into the <i>Contact Employees</i> section of the Company Form (MU1).</p> <ol style="list-style-type: none"> 1. Primary Company Contact 2. Primary Consumer Complaint Contact 	<p>NMLS</p>

3. Primary Company Pre-Exam Contact		
Note	Non-Primary Contact Employees: Ohio does not require any non-primary contacts to be listed in the <i>Contact Employees</i> section of the Company Form (MU1).	N/A
Note	Bank Account: Bank account information is not required. The <i>Bank Account</i> section of the Company Form (MU1) can be left blank.	N/A
<input type="checkbox"/>	Disclosure Questions: Provide a complete and detailed explanation and document upload for each “Yes” response to Disclosure Questions made by the company or related control persons (MU2). See the Company Disclosure Explanations Quick Guide for instructions.	Upload in NMLS in the <i>Disclosure Explanations</i> section of the Company Form (MU1) or Individual Form (MU2).
Note	Qualifying Individual: The <i>Qualifying Individual</i> section refers to the individual that is designated by the company as the Supervisor per Ohio Administrative Code 1301:8-7-32 . The Supervisor must be identified on the company’s MU1 filing in the Qualifying Individual section. The Supervisor must obtain a Mortgage Loan Originator license under the Ohio Residential Mortgage Lending Act and be sponsored by the company in the NMLS.	N/A
<input type="checkbox"/>	Control Person (MU2) Attestation: Complete the Individual Form (MU2) in NMLS. This form must be attested to by the applicable control person before it is able to be submitted along with the Company Form (MU1). Note: in order for the Division to contact and/or provide information (regarding application, renewal, etc.) to a Control Person, that individual must be listed on the Company Resolution form that is submitted in conjunction with the Company Attestation.	NMLS
Note	Credit Report: Individuals in a position of control are NOT required to authorize a credit report through NMLS.	N/A

REQUIREMENTS/DOCUMENTS UPLOADED IN NMLS		
Complete	OH Third Party Processing and/or Underwriting Company Exemption	Submitted via...
<input type="checkbox"/>	Surety Bond: Submit a company bond – on the Division’s form - in the amount of \$50,000 furnished by a surety company authorized to conduct business in Ohio. The name of the principal insured on the bond must match exactly the full legal name of applicant, including any Other Trade Names. Click to download form. A Third Party Processing Company applicant must carry a surety bond in compliance with Revised Code 1322.32 . This document should be named <i>TP/UW Surety Bond</i> .	Upload in NMLS: under Surety Bond in the <i>Document Uploads</i> section of the Company Form (MU1).

<input type="checkbox"/>	<p>Ohio Attestation. Download, execute, and submit to the Division. Click to download form.</p> <p>This document should be named <i>Ohio TP/UW Attestation</i>.</p>	<p>Upload in NMLS: Upload all documents in NMLS under Company Staffing and Internal Policies in the Document Uploads section of the Company Form (MU1</p>
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REQUIREMENTS SUBMITTED OUTSIDE OF NMLS		
Complete	OH Third Party Processing and/or Underwriting Company Exemption	Submitted via...
<input type="checkbox"/>	<p>Designate each location supervisor: send notification of the individual's name for every location. Failure to do so will result in immediate deficiency.</p>	<p>Email to OH: Webdfi-cf@com.state.oh.us</p> <p>Subject line "TP Ohio Location Supervisors"</p>