

# The Division Report

SOUTH CAROLINA

*State Board of Financial Institutions*

The Honorable Curtis M. Loffis, Jr.  
State Treasurer

November, 2017

## From the Commissioner of Consumer Finance

### Ronald R Bodvake

As 2017 is coming to end, I would like to encourage all of our licensees to communicate with the Division regarding any questions or concerns. The Division is constantly evolving and fine tuning licensing and examination procedures and your feedback is one way we are able to improve our process. The best way to contact the Division is to email us at [cfid@bofi.sc.gov](mailto:cfid@bofi.sc.gov). Be sure to visit the Division's website [www.consumerfinance.sc.gov](http://www.consumerfinance.sc.gov) and the [NMLS Resource Center](#) for the latest news and important information from the Division.

The Division's processing times for Mortgage Loan Originators are higher than normal since the adoption of the Uniform State Test (UST). At the present time application times are averaging under 15 days. The increase of applications has been exponential, from 85 applications in August up to 434 applications in September. Keep in mind this is not including amendments or Company and Branch applications. The Division expects new application volume to return to normal levels after this initial surge. We thank you in advance for your patience and feedback.



## IMPORTANT RENEWAL INFORMATION

- November 1, 2017 – December 31, 2017 Mortgage Lender, Branch and Loan Originator Renewal Period
- December 1, 2017 Supervised and Restricted Renewal Forms will be available on the Division's website.
- December 31, 2017 – February 1, 2018 Supervised and Restricted Renewal Period.
- December 1, 2017 Supervised and Restricted Annual Report available on the Division's website.



## Conference of State Bank Supervisors launch a major redesign of Nationwide Multistate Licensing System. 2.0

The Conference of State Bank Supervisors (CSBS) has launched a major redesign of the Nationwide Multistate Licensing System (NMLS), the core technology platform used by state regulators. The redesign will enable regulators to transform the licensing and supervision of non-bank financial institutions, including fintechs. Please see link for entire story <https://www.csbs.org/news/press-releases/pr2017/Pages/090717.aspx>. The Division will have a more indepth look at the redesign in a later newsletter.

### 2018 Mortgage Renewal Period

**11-1-2017 to 12-31-2017**

Renewals for Mortgage Lender, Branch and Mortgage Loan Originator are handled through NMLS. At this time the Division does not require any additional documentation related to the renewal. Please visit the NMLS Resource Center for additional information.

<https://mortgage.nationwidelicensingsystem.org/Pages/default.aspx>.



### Continuing Education (CE) Guide

If your Mortgage Loan Originator License was:

- Approved prior to November 1, 2017, 8 hours of non-state specific CE **IS** required for the 2018 renewal period.
- Approved after November 1, 2017, renewal is **NOT** required.

**\*\*The 1 Hour state specific CE will be enforced for the 2019 renewal period.\*\***

### South Carolina Anti-Money Laundering Act

- Money Transmitters will be regulated by the South Carolina Attorney General.
- This was an Act to amend the code of laws of South Carolina, 1976, by adding Chapter 11 to Title 35 so as to enact the "South Carolina Anti-money Laundering Act" to provide regulation and oversight of the money transmission services business most commonly used by organized criminal enterprise to launder the monetary proceeds of illegal activities, and to provide definitions, exclusions, procedures, and penalties.
- Visit the South Carolina Attorney General's website for more information  
<http://www.scag.gov/>

# How to Cancel Restricted and Supervised Licenses:

Cancelling a license: Return the original Supervised Lender's License and submit in writing on company letterhead the following:

1. Reason for surrender/cancellation.
2. Location of books and records.
3. Submit effective date of cancellation.
4. If original license is lost/destroyed state lost/destroyed.
5. If license has a dba name containing a URL address (i.e. www.\_\_\_\_.com) submit a written statement that the license posted on the website has been removed.
6. Submit a list of accounts (include account number, outstanding balance and the consumer's name) sold and/or transferred.



**\*\*NOTE: Per South Carolina Law Code 37-3-502 No servicing activity may be conducted without an active Supervised license.\*\***

---

## South Carolina Department of Consumer Affairs - Maximum Rate Filing

The Consumer Protection Code Revision Act of 1982 requires all creditors who wish to charge an Annual Percentage Rate (APR) in excess of 18% to file a Maximum Rate Schedule (MRS) with the Department. APR may be in excess of 18% requiring a Maximum Rate Schedule to be filed because of but not limited to: (1) financing that is offered at your place of business, (2) all paper work related to the sale is completed in your office at the time the sale takes place and the contract is assigned to another business, and (3) the sale is offered on credit but the credit price differs from the cash price because of a finance charge. A Maximum Rate Schedule must also be posted in the creditor's place of business. The filing fee is \$40 per location.

- Renewal period: November 1, 2017 – January 31, 2018.
- Filings expire: January 31, 2018.
- Late penalties apply after: January 31, 2018.
- Visit Consumer Affairs website for more information  
[http://www.consumer.sc.gov/business/licensing\\_registration/max\\_rate/Pages/default.aspx](http://www.consumer.sc.gov/business/licensing_registration/max_rate/Pages/default.aspx)

---

## ONLINE TOOLS

- Visit our website [www.consumerfinance.sc.gov](http://www.consumerfinance.sc.gov)
- To file Complaints (Consumer Loan, Payday Loan or Mortgage) see <http://www.consumerfinance.sc.gov/complaints/>
- FAQ's see: <http://www.consumerfinance.sc.gov/faqs/>
- Submit feedback to the Division at [cfid@bofi.sc.gov](mailto:cfid@bofi.sc.gov).
- Most common Exam Findings/Citations:  
<http://www.consumerfinance.sc.gov/content/?page=resource-center>
- Notes from the Chairman's Desk:  
<http://www.bofi.sc.gov/notesfromtheChairmansdesk/Pages/default.aspx>.

