

STATE OF TENNESSEE
Department of Financial Institutions
Compliance Division
400 Deaderick Street, 6th Floor
Nashville, TN 37243
(615) 741-2236

**APPLICATION FOR EXEMPTION FROM MORTGAGE LICENSING
FOR NONPROFIT ORGANIZATIONS AND EMPLOYEES**

1. **Date:** _____

2. **Check One:** () Original Application () Renewal Application

3. **Identifying Information:**

a. Name of Nonprofit Organization:

Prior Name, if name has changed since a previous filing:

b. Physical Address (do not use a P.O. Box):

c. Mailing address (if different from physical address):

d. Telephone Number (include area code):

e. Website Address:

f. Contact Person (name and title):

i. Telephone Number: _____

ii. E-Mail Address: _____

4. Qualifications for Exemption:

For the purpose of seeking an exemption, as a bona fide nonprofit organization and its employees, from the licensing requirements of the Tennessee Residential Lending, Brokerage and Servicing Act, Tenn. Code Ann. §§ 45-13-101, *et seq.*, and for the purpose of enabling the Tennessee Department of Financial Institutions to determine that such an exemption is warranted, the following representations are made:

a. The organization has the status of a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986. If this is an original application, attached is a copy of a valid IRS 501(c)(3) determination letter. If this is a renewal application, attached is a copy of the latest annual filing related to the organization's nonprofit status (e.g., IRS Form 990);

b. The organization promotes affordable housing or provides homeownership education, or similar services. Attached is a copy of the organization's articles of incorporation as filed with the Tennessee Secretary of State, along with documentation demonstrating that the organization promotes affordable housing or provides homeownership education, or similar services.

() If this is a renewal application and this paragraph is checked, the representation is made that there have been no changes to this item since the most recent submission that contained documentation, and that no additional documentation is necessary.

c. The organization conducts its activities in a manner that serves public or charitable purposes, rather than commercial purposes. Attached is documentation demonstrating or explaining how the organization serves public or charitable purposes.

() If this is a renewal application and this paragraph is checked, the representation is made that there have been no changes to this item since the most recent submission that contained documentation, and that no additional documentation is necessary.

d. The organization receives funding and revenue and charges fees in a manner that does not incentivize employees to act other than in the best interests of its clients. Attached is documentation demonstrating or explaining that the organization receives funding and revenue and charges fees in a manner that does not incentivize employees to act other than in the best interests of its clients (Note to applicant – the documentation may include, for example: a discussion about the organization's funding sources; whether fees are charged to borrowers; what fees are charged; and an explanation of the policies and procedures to ensure the client's best interests are met).

() If this is a renewal application and this paragraph is checked, the representation is made that there have been no changes to this item since the most recent submission that contained documentation, and that no additional documentation is necessary.

e. The organization compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients. Attached is documentation demonstrating or explaining how the organization compensates its employees in a manner that does not incentivize employees to act other than in the best interests of its clients (Note to applicant –

the documentation may include, for example: a discussion about the employee compensation policies; whether the compensation includes bonuses and/or commissions; and evidence of a payroll review).

() If this is a renewal application and this paragraph is checked, the representation is made that there have been no changes to this item since the most recent submission that contained documentation, and that no additional documentation is necessary.

- f. The organization provides or identifies for the borrower residential mortgage loans with terms favorable to the borrower and comparable to mortgage loans and housing assistance provided under government housing assistance programs. Attached is documentation demonstrating or explaining how the organization provides or identifies for borrowers residential mortgage loans with terms favorable to the borrowers and comparable to mortgage loans and housing assistance provided under government housing assistance programs (Note to applicant – the documentation may include, for example, the services and specific products the organization intends to offer).

() If this is a renewal application and this paragraph is checked, the representation is made that there have been no changes to this item since the most recent submission that contained documentation, and that no additional documentation is necessary.

- g. If the organization or any employee is certified or otherwise officially approved by any governmental agency, proof of any such certification or approval is attached.
- h. If the organization or any employee is currently regulated or supervised by any other state or federal regulatory authority, a description of any such regulation or supervision is attached.
- i. Attached is a list of all of the mortgage loan originators currently employed by the organization, including job descriptions and contact information.

The undersigned declares, under penalty of perjury:

1. That the undersigned is authorized to execute and submit this Application on behalf of the organization;
2. That all of the information contained in this Application and any attachments is true and correct to the best of the undersigned's knowledge, information and belief;
3. That the organization and its employees qualify for and are entitled to an exemption from the licensing requirements of the Tennessee Residential Lending, Brokerage and Servicing Act, Tenn. Code Ann. §§ 45-13-101, *et seq.* (the "Mortgage Act"); and
4. That the Commissioner may at any time, pursuant to the Mortgage Act and 12 CFR § 1008.103(e)(7)(iii), conduct an examination of the organization and its activities in order to determine whether the organization and its employees meet the criteria for exemption from the licensing requirements of the Mortgage Act, and that the organization shall pay to the Commissioner the actual expenses of any such examination.

Name of Organization

Printed Name of Authorized Signatory

Signature of Authorized Signatory

Title

Date