

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/14/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/16/2015

2. COMAR Codification

Title Subtitle Chapter Regulation

09 03 09 07

3. Name of Promulgating Authority

Department of Labor, Licensing, and Regulation

4. Name of Regulations Coordinator

Jessica V Carter

Telephone Number

410-230-6112

Mailing Address

500 N. Calvert Street, Suite 406

City State Zip Code

Baltimore MD 21202

Email

jessica.carter1@maryland.gov

5. Name of Person to Call About this Document

Keisha Whitehall Wolfe

Telephone No.

410-230-6362

Email Address

keisha.whitehallwolfe@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: September 13, 2015.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Jessica Carter, Assistant Attorney General, (telephone #410-230-6112) on September 14, 2015. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Gordon M. Cooley

Title

Commissioner of Financial Regulation

Telephone No.

410-230-6361

Date

September 14, 2015

Title 09
DEPARTMENT OF LABOR, LICENSING, AND
REGULATION

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

09.03.09 Mortgage Loan Originators

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 11-602, 11-603, 11-603.1, 11-604, 11-605, 11-605.1, 11-606, 11-609, 11-612, 11-612.1, and 11-613(b); Annotated Code of Maryland

Notice of Proposed Action

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The Commissioner of Financial Regulation proposes to amend Regulation .07 under COMAR 09.03.09 Mortgage Loan Originators.

Statement of Purpose

The purpose of this action is to reduce the application investigation fee for mortgage loan originators and affiliated insurance producer-mortgage loan originators. The proposed regulation also reduces the license amendment fee for mortgage loan originators and affiliated insurance producer-mortgage loan originators.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

I. Summary of Economic Impact.

The proposed action will lead to a reduction in revenue of approximately \$381,590 annually. It is expected that the new, reduced license amendment fee will cover the cost of staff time to process amendment requests. It is expected that the separate license application fee will be sufficient to cover the cost of processing license applications, including associated investigation time.

II. Types of Economic Impact.	Revenue (R+/R-) Expenditure (E+/E-)	Magnitude
<hr/>		
A. On issuing agency:		
(1) Reduction in License Amendment Fee (Originators)	(R-)	\$79,915

(2) Reduction in License Amendment Fee -Aff Originator	(R-)	\$1,705
(3) Reduction of Investigation Fee (Originator)	(R-)	\$297,000
(4) Reduction of Investigation Fee -Aff Originator	(R-)	\$2,970
B. On other State agencies:	NONE	
C. On local governments:	NONE	

Benefit (+)	Magnitude
Cost (-)	

D. On regulated industries or trade groups:		
(1) Reduction in License Amendment Fee (Originator)	(+)	\$79,915
(2) Reduction in License Amendment Fee -Aff Originator	(+)	\$1,705
(3) Reduction of Investigation Fee (Originator)	(+)	\$297,000
(4) Reduction of Investigation Fee -Aff Originator	(+)	\$2,970
E. On other industries or trade groups:	NONE	
F. Direct and indirect effects on public:	NONE	

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

- A(1). This reduction is expected to affect approximately 1,453 licensees annually.
- A(2). This reduction is expected to affect approximately 31 licensees annually.
- A(3). This change will affect approximately 3000 applicants annually.
- A(4). This change is expected to affect approximately 30 applicants annually.
- D(1). x
- D(2). x
- D(3). This change will affect approximately 3000 applicants annually.
- D(4). This change is expected to affect approximately 30 applicants annually.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Keisha Whitehall Wolfe, Acting Deputy Commissioner, Office of the Commissioner of Financial Regulation, Department of Labor, Licensing

and Regulation, 500 N Calvert Street, Suite 402, Baltimore, MD, 21202, or call 410-230-6362, or email to keisha.whitehallwolfe@maryland.gov, or fax to 410-333-0475 . Comments will be accepted through November 16, 2015. A public hearing has not been scheduled.

Economic Impact Statement Part C

A. Fiscal Year in which regulations will become effective: FY 16

B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?

Yes

C. If 'yes', state whether general, special (exact name), or federal funds will be used:

Special (Mortgage Special Fund)

D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:

E. If these regulations have no economic impact under Part A, indicate reason briefly:

F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.

G. Small Business Worksheet:

Attached Document:

Title 09

Department of Labor, Licensing and Regulation

Subtitle 03 COMMISSIONER OF FINANCIAL REGULATION

Chapter 09 Mortgage Loan Originators

Authority: Business Regulation Article, §2-105; Financial Institutions Article, §§2-105.1, 11-602, 11-603, 11-603.1, 11-604, 11-605, 11-605.1, 11-606, 11-609, 11-612, 11-612.1, and 11-613(b); Annotated Code of Maryland

.07 Fees.

A. Application Investigation Fee. The nonrefundable investigation fee required by Financial Institutions Article, [§11-606(b)(1)] § 11-604(c)(1), Annotated Code of Maryland, is [\$100] \$1.00.

B.– C. (text unchanged)

C-1. Licensing Fees for Affiliated Insurance Producer-Mortgage Loan Originator Subject to Financial Institutions Article, §11-603.1, Annotated Code of Maryland.

(1) Application Investigation Fee. The nonrefundable investigation fee required by Financial Institutions Article, [§11-604(b)(1)] § 11-604(c)(1), Annotated Code of Maryland, is [\$100] \$1.00.

(2) – (3) (text unchanged)

D. (text unchanged)

E. License Amendment Fee. The license amendment fee required by Financial Institutions Article, §11-603(c)(2), Annotated Code of Maryland, is [\$75] \$20.

Gordon M. Cooley
Commissioner of Financial Regulation