

Jurisdiction:	Does the Jurisdiction require licensure for	Discussion
Alabama	Yes	<p>(a) On and after January 1, 2002, no person shall transact business in this state directly or indirectly as a mortgage broker unless he or she is licensed as a mortgage broker by the department, or is a person exempted from the licensing requirements pursuant to Section 5-25-3.</p> <p>Ala.Code 1975 § 5-25-4</p>
Alaska	NO	
Arizona	Yes	<p>A. A person shall not act as a mortgage broker if he is not licensed under this article.</p> <p>A.R.S. § 6-903</p>
Arkansas	Yes	<p>(a)(1) It is unlawful for any person located in Arkansas, other than an exempt person, to act or attempt to act, directly or indirectly, as a mortgage broker, mortgage banker, loan officer, or mortgage servicer without first obtaining a license from the Securities Commissioner under this subchapter.</p> <p>A.C.A. § 23-39-503</p>
California	Yes	<p>No person shall engage in the business of a finance lender or broker without obtaining a license from the commissioner.</p> <p>West's Ann.Cal.Fin.Code § 22100</p> <p>It is unlawful for any person to engage in the business, act in the capacity of, advertise or assume to act as a real estate broker or a real estate salesman within this state without first obtaining a real estate license from the department.</p> <p>West's Ann.Cal.Bus. & Prof.Code § 10130</p>
Colorado	YES	<p>Colorado has enacted a mortgage broker registration statutes. The licensing requirement goes into effect on January 1, 2007.</p>
Connecticut	Yes	<p>(a) No person shall engage in the business of making first mortgage loans or act as a first mortgage broker in this state unless such person has first obtained the required license in accordance with the provisions of sections 36a-485 to 36a-498a, inclusive.</p> <p>C.G.S.A. § 36a-486</p> <p>(a) No person shall engage in the business of making secondary mortgage loans or act as a secondary mortgage broker unless such person has first obtained the required license under sections 36a-510 to 36a-524, inclusive.</p> <p>C.G.S.A. § 36a-511</p>

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Delaware	Yes	<p>Subject to the provisions of subsection (b) of this section, every person desiring to transact the business of a mortgage loan broker shall be required to obtain a license under this chapter; provided however, that a person who acts as a mortgage loan broker with respect to 5 or fewer mortgage loans within any 12-month period shall be deemed not to be transacting the business of a mortgage loan broker.</p> <p>DE ST TI 5 § 2102</p>
District of Columbia	Yes	<p>No person shall engage in business as a mortgage lender or mortgage broker, or both, or hold himself out to the public to be a mortgage lender or mortgage broker for 60 days after September 9, 1996, unless such person has first obtained a license under this chapter.</p> <p>DC ST § 26-1103</p>
Florida	Yes	<p>Each natural person who acts as a mortgage broker for a mortgage brokerage business must be licensed pursuant to this section. To act as a mortgage broker, an individual must be an associate of a mortgage brokerage business. A mortgage broker is prohibited from being an associate of more than one mortgage brokerage business.</p> <p>West's F.S.A. § 494.0033</p>
Georgia	Yes	<p>On and after July 1, 1993, it is prohibited for any person to transact business in this state directly or indirectly as a mortgage broker or a mortgage lender unless such person:</p> <p>(1) Is licensed or registered as such by the department;</p> <p>(2) Is a person exempted from the licensing or registration requirements pursuant to Code Section 7-1-1001; or</p> <p>(3) In the case of an employee of a mortgage broker or mortgage lender, such person has qualified to be relieved of the necessity for a license under the employee exemption in paragraph (11) of Code Section 7-1-1001.</p> <p>Ga. Code Ann., § 7-1-1002</p>
Hawaii	Yes	<p>(a) No person shall act as a mortgage broker or mortgage solicitor without a license therefor as provided in this chapter, and no person not licensed under this chapter shall charge or receive any commission, fee, or bonus in connection with arranging for, negotiating, or selling a mortgage loan.</p> <p>HI ST § 454-3</p>
Idaho	Yes	<p>(1) Any person, except a person exempt under section 26-3103, Idaho Code, who engages in mortgage brokering or mortgage lending activities without first obtaining a mortgage broker or mortgage lender license in accordance with this chapter, shall be guilty of a felony.</p> <p>ID ST § 26-3104</p>

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Illinois	Yes	<p>(a) No person, partnership, association, corporation or other entity shall engage in the business of brokering, funding, originating, servicing or purchasing of residential mortgage loans without first obtaining a license from the Commissioner in accordance with the licensing procedure provided in this Article I and such regulations as may be promulgated by the Commissioner.</p> <p>205 ILCS 635/1-3</p>
Indiana	Yes	<p>(a) Any person desiring to engage or continue in the loan brokerage business shall apply to the commissioner for a license under this chapter.</p> <p>IC 23-2-5-4</p>
Iowa	Yes	<p>A person shall not act as a mortgage banker or mortgage broker in this state or use the title "mortgage banker" or "mortgage broker" without first obtaining a license from the administrator.</p> <p>I.C.A. § 535B.4</p>
Kansas	Yes	<p>(a) Mortgage business shall only be conducted in this state at or from a mortgage company licensed by the commissioner as required by this act. A licensee shall be responsible for all mortgage business conducted on their behalf by loan originators or other employees.</p> <p>KS ST § 9-2203</p> <p>(g) "Mortgage business" means engaging in, or holding out to the public as willing to engage in, for compensation or gain, or in the expectation of compensation or gain, directly or indirectly, the business of making, originating, servicing, soliciting, placing, negotiating, acquiring, selling, or arranging for others, or offering to solicit, place, negotiate, acquire, sell or arrange for others, mortgage loans in the primary market.</p> <p>KS ST § 9-2201</p>
Kentucky	Yes	<p>1) (a) It is unlawful for any person to transact business in this state, either directly or indirectly, as a mortgage loan company or mortgage loan broker if he is not licensed under this chapter and registered in accordance with KRS 294.255, unless that person is exempt under KRS 294.020 and, if required by KRS 294.020(3) to file a claim of exemption, has filed a claim of exemption and the filed claim of exemption has been allowed by the executive director.</p> <p>KRS § 294.030</p>
Louisiana	Yes	<p>A. Beginning January 1, 2000, no person shall engage in any residential mortgage lending activity in this state unless such person has first obtained a license in accordance with the provisions of this Chapter.</p> <p>LSA-R.S. 6:1086</p>

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		<p>(11) "Residential mortgage lending activity" means an activity, including electronic activity, engaged in for compensation or with the expectation of compensation in connection with a residential loan transaction, including the origination or funding of a residential mortgage loan and the negotiation and placement, or offering to negotiate, place, or find a residential mortgage loan for another person.</p> <p>LSA-R.S. 6:1083</p>
Maine	<p>Yes*</p> <p>It's called registration, but it is required prior to doing business. Therefore, "Yes."</p>	<p>§ 10-201. Registration and annual reregistration</p> <p>A person desiring to engage or continue in business in this State as a credit services organization shall apply to the administrator for registration under this article on or before January 31st of each year. The application must be in a form prescribed by the administrator. The administrator may refuse the application if it contains erroneous or incomplete information.</p> <p>ME LEGIS 164 (2005)</p> <p>A. "Credit services organization" means any person who, with respect to the extension of consumer credit by others, provides or offers to provide, in return for the separate payment of money or other valuable consideration, any of the following services:</p> <p>(1) Improving a consumer's credit record, history or rating;</p> <p>(2) Arranging for or obtaining an extension of credit for a consumer; or</p> <p>(3) Providing advice or assistance to a consumer with respect to subparagraph (1) or (2).</p> <p>9-A M.R.S.A. § 10-102</p>
Maryland	Yes	<p>A person may not act as a mortgage lender unless the person is:</p> <p>(1) A licensee;</p> <p>(2) A person exempted from licensing under this subtitle; or</p> <p>(3) A person registered under § 11-522 of this subtitle.</p> <p>MD Code, Financial Institutions, § 11-504</p> <p>(j) (1) "Mortgage lender" means any person who:</p> <p>(i) Is a mortgage broker;</p> <p>(ii) Makes a mortgage loan to any person; or</p> <p>(iii) 1. Engages in whole or in part in the business of servicing mortgage loans for others; or 2. Collects or otherwise receives payments on mortgage loans directly from borrowers for distribution to any other person.</p> <p>(2) "Mortgage lender" does not include:</p>

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		<p>(i) A financial institution that accepts deposits and is regulated under Title 3, Title 4, Title 5, or Title 6 of this article;</p> <p>(ii) The Federal Home Loan Mortgage Corporation;</p> <p>(iii) The Federal National Mortgage Association;</p> <p>(iv) The Government National Mortgage Association; or</p> <p>(v) Any person engaged exclusively in the acquisition of all or any portion of a mortgage loan under any federal, State, or local governmental program of mortgage loan purchases.</p> <p>MD Code, Financial Institutions, § 11-501</p>
Massachusetts	Yes	<p>No person shall act as a mortgage broker or mortgage lender with respect to residential property unless first obtaining a license from the commissioner; provided, however, that any person who is employed by or associated with a licensed mortgage broker or mortgage lender in the capacity of a mortgage broker or mortgage lender under the direction of said licensed mortgage broker or mortgage lender shall not be required to obtain such license.</p> <p>M.G.L.A. 255E § 2</p>
Michigan	Yes	<p>Sec. 2. (1) A person shall not act as a mortgage broker, mortgage lender, or mortgage servicer without first obtaining a license or registering under this act, unless 1 or more of the following apply:</p> <p>(a) The person is solely performing services as an employee of only 1 mortgage broker, mortgage lender, or mortgage servicer.</p> <p>(b) The person is exempted from the act under section 25.</p> <p>(c) The person is licensed as a class I licensee under the consumer financial services act, 1988 PA 161, MCL 487.2051 to 487.2072.</p> <p>M.C.L.A. 445.1652</p> <p>Sec. 2. (1) Except for a person licensed under the consumer financial services act, 1988 PA 161, MCL 487.2051 to 487.2072, a depository financial institution, or an exclusive broker, a person shall not act as a broker, lender, or servicer without first obtaining a license or registration as provided by this act.</p> <p>M.C.L.A. 493.52</p>
Minnesota	Yes	<p>(a) Beginning August 1, 1999, no person shall act as a residential mortgage originator, or make residential mortgage loans without first obtaining a license from the commissioner according to the licensing procedures provided in this chapter.</p> <p>M.S.A. § 58.04</p>

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		<p>"Residential mortgage originator" means a person who, directly or indirectly, for compensation or gain or in expectation of compensation or gain, solicits or offers to solicit, or accepts or offers to accept an application for a residential mortgage loan through any medium or mode of communication from a borrower, or makes a residential mortgage loan. "Residential mortgage originator" includes a lender as defined in subdivision 11 and a broker as defined in subdivision 13.</p> <p>M.S.A. § 58.02</p>
Mississippi	Yes	<p>(1) On and after July 1, 2000, no person or natural person shall transact business in this state, directly or indirectly, as a mortgage company unless he or she is licensed or registered as a mortgage company by the department or is a person exempted from the licensing requirements under Section 81-18-5.</p> <p>Miss. Code Ann. § 81-18-7</p> <p>(m) "Mortgage company" means any person or entity who directly, indirectly or by electronic activity, solicits, places or negotiates mortgage loans for others, or offers to solicit, place or negotiate mortgage loans for others. Unless indicated otherwise, the use of the word "company" in this chapter means "mortgage company" as defined in this paragraph (m).</p> <p>Miss. Code Ann. § 81-18-3</p>
Missouri	Yes	<p>No person shall engage in the business of brokering, funding, originating, servicing or purchasing of residential mortgage loans without first obtaining a license from the director, pursuant to sections 443.800 to 443.893 and the regulations promulgated thereunder.</p> <p>V.A.M.S. 443.805</p>
Montana	Yes	<p>All persons and entities desiring to conduct business as a mortgage broker or to work as a loan originator shall apply to the department for a license and pay a license fee under the provisions of this part on or after July 1, 2004.</p> <p>MT ST 32-9-108</p>
Nebraska	Yes	<p>(1) No person shall act as a mortgage banker or use the title mortgage banker in this state unless he, she, or it is licensed or has registered with the department as provided in the Mortgage Bankers Registration and Licensing Act or is licensed under the Nebraska Installment Loan Act.</p> <p>NE ST § 45-705</p>

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		<p>(6) Mortgage banker means any person not exempt under section 45-703 who, for compensation or gain or in the expectation of compensation or gain, directly or indirectly makes, originates, services, negotiates, acquires, sells, arranges for, or offers to make, originate, service, negotiate, acquire, sell, or arrange for ten or more mortgage loans in a calendar year</p> <p>NE ST § 45-702</p>
Nevada	Yes	<p>1. A license as a mortgage broker entitles a licensee to engage only in the activities authorized by this chapter.</p> <p>N.R.S. 645B.035</p>
New Hampshire	Yes	<p>397-A:3 License Required. Any person not exempt under RSA 397-A:4 that, in its own name or on behalf of other persons, engages in the business of making or brokering first mortgage loans secured by real property located in this state shall be required to obtain a license from the banking department. Persons licensed as mortgage bankers may engage in the mortgage broker business without obtaining a separate license.</p> <p>NH LEGIS 255 (2005)</p>
New Jersey	Yes	<p>a. No person shall act as a mortgage banker or mortgage broker, engage in the secondary mortgage loan business or engage in the consumer loan business without first obtaining a license under this act, except that a person licensed as a mortgage banker may act as a mortgage broker or mortgage solicitor, and a person licensed as a mortgage broker may act as a mortgage solicitor.</p> <p>N.J.S.A. 17:11C-3</p>
New Mexico	Yes	<p>It is unlawful for any person to transact business in the state of New Mexico, either directly or indirectly, as a mortgage loan company or loan broker without first filing an application with the director and obtaining a registration certificate under the Mortgage Loan Company and Loan Broker Act.</p> <p>It's called registration, but it is required prior to doing business. Therefore, "Yes."</p> <p>N. M. S. A. 1978, § 58-21-3</p>
New York	Yes	<p>(b) No person, partnership, association, corporation or other entity shall engage in the business of soliciting, processing, placing or negotiating a mortgage loan or offering to solicit, process, place or negotiate a mortgage loan in this state without first being registered with the superintendent as a mortgage broker in accordance with the registration procedure provided in this article and by such regulations as may be promulgated by the banking board or prescribed by the superintendent.</p> <p>McKinney's Banking Law § 590</p> <p>It's called registration, but it is required prior to doing business. Therefore, "Yes."</p>

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North Carolina	Yes	<p>(a) Other than an exempt person, it is unlawful for any person in this State to act as a mortgage broker or mortgage banker, or directly or indirectly to engage in the business of a mortgage broker or a mortgage banker, without first obtaining a license from the Commissioner under the provisions of this Article.</p> <p>NC LEGIS 2005-316 (2005)</p>
North Dakota	Yes	<p>Except as otherwise herein provided, a person other than a money broker licensed and authorized under this chapter may not provide loans or leases as a form of financing, or advertise or solicit either in print, by letter, in person, or otherwise in North Dakota, the right to find lenders or provide loans or leases for persons or businesses desirous of obtaining funds for any purposes.</p> <p>ND ST 13-04.1-02</p>
Ohio	Yes	<p>(A)(1) No person, on the person's own behalf or on behalf of any other person, shall act as a mortgage broker without first having obtained a certificate of registration from the superintendent of financial institutions for every office to be maintained by the person for the transaction of business as a mortgage broker in this state.</p> <p>It's called registration, but it is required prior to doing business. Therefore, "Yes."</p> <p>R.C. § 1322.02</p> <p>In addition, under the Ohio Mortgage Loan Act, brokers are not subject to the registration requirement except in connection with tablefunded transactions.</p>
Oklahoma	Yes	<p>Unless exempt from licensure under the Mortgage Broker Licensure Act, a person may not engage in the business of a mortgage broker without first obtaining and maintaining a license under the Mortgage Broker Licensure Act.</p> <p>59 Okl.St. Ann. § 2084</p>
Oregon	Yes	<p>(1) It is unlawful for any person to engage in residential mortgage transactions in this state as a mortgage banker or mortgage broker unless the person is licensed under ORS 59.840 to 59.980. A person who is a mortgage banker or mortgage broker under ORS 59.840, but who does not engage in residential mortgage transactions in this state, is not required to obtain a license under ORS 59.840 to 59.980.</p> <p>O.R.S. § 59.845</p>

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Pennsylvania	Yes	<p data-bbox="824 254 1468 548">(a) License required.--On and after the effective date of this act, no person shall act as a mortgage banker, loan correspondent, mortgage broker or limited mortgage broker in this Commonwealth without a license as provided for in this chapter, provided, however, that any person licensed as a mortgage banker may also act as a loan correspondent or mortgage broker and any person licensed as a loan correspondent may also act as a mortgage broker without a separate license. A person licensed as a mortgage broker may only perform the services of a mortgage broker.</p> <p data-bbox="824 600 1013 627">63 P.S. § 456.302</p> <p data-bbox="824 659 1468 768">(2) No person shall engage in the business of being a secondary mortgage loan broker until after first obtaining a license from the secretary in accordance with the provisions of this act.</p> <p data-bbox="824 800 967 827">7 P.S. § 6603</p>
Rhode Island	Yes	<p data-bbox="824 833 1468 1119">No person shall engage within this state in the business of: (1) making or funding loans or acting as a lender or small loan lender; (2) brokering loans or acting as a loan broker; (3) selling checks for a fee or other consideration; (4) cashing checks for a fee or other consideration which includes any premium charged for the sale of goods in excess of the cash price of the goods; (5) providing electronic money transfers for a fee or other consideration; or (6) providing debt management plan(s) without first obtaining a license from the director or the director's designee.</p> <p data-bbox="824 1178 992 1205">RI ST § 19-14-2</p>
South Carolina	Yes	<p data-bbox="824 1207 1468 1377">Section 40-58-30. (A) A mortgage broker, as defined in Section 40-58-20(3), or an originator, as defined in Section 40-58-20(14), may not engage in the business of processing, placing, or negotiating a mortgage or offering to process, place, or negotiate a mortgage in this State without first being licensed with the administrator.</p> <p data-bbox="824 1409 1024 1436">SC LEGIS 7 (2005)</p>
South Dakota	Yes	<p data-bbox="824 1442 1468 1640">Any person who engages in the business of a mortgage banker or mortgage broker shall obtain an original license to engage in such business under the terms and conditions of this chapter, shall apply therefor under oath, on forms prescribed by the division, and shall pay an original, nonrefundable license fee as set by rules of the commission promulgated pursuant to chapter 1-26.</p> <p data-bbox="824 1671 1000 1698">SDCL. § 54-14-2</p>

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Tennessee	Yes	<p>(a) No person shall act as a mortgage lender, mortgage loan broker, mortgage loan servicer, or mortgage loan originator in this state without first complying with the applicable licensing or registration requirements under this chapter; provided, however, that no contractor or home improvement contractor or other person who supplies materials and renders services in the improvement of real property shall engage in the business of making mortgage loans or of being a mortgage loan servicer or mortgage loan broker in this state.</p> <p>T. C. A. § 45-13-103</p>
Texas	Yes	<p>(a) A person may not act in the capacity of, engage in the business of, or advertise or hold that person out as engaging in or conducting the business of a mortgage broker in this state unless the person holds an active mortgage broker license or is exempt under Section 156.202.</p> <p>V.T.C.A., Finance Code § 156.201</p> <p>(a) A person must hold a license issued under this chapter to:</p> <p>(1) engage in the business of making, transacting, or negotiating loans subject to this chapter; or</p> <p>(2) contract for, charge, or receive, directly or indirectly, in connection with a loan subject to this chapter, a charge, including interest, compensation, consideration, or another expense, authorized under this chapter that in the aggregate exceeds the charges authorized under other law.</p> <p>V.T.C.A., Finance Code § 342.051</p>
Utah	<p>Yes</p> <p>Statues refer to registration and notification, but registration or notification is required prior to doing business. Therefore, "Yes."</p>	<p>(1) Unless exempt from this chapter under Section 61-2c-105, an individual or entity may not transact the business of residential mortgage loans, as defined in Section 61-2c-102, without obtaining a license under this chapter.</p> <p>U.C.A. 1953 § 61-2c-201</p> <p>(e)(i) "Business of residential mortgage loans" means for compensation to:</p> <p>(A) make or originate a residential mortgage loan;</p> <p>(B) directly or indirectly solicit, place, or negotiate a residential mortgage loan for another; or</p> <p>(C) render services related to the origination of a residential mortgage loan including:</p> <p>(I) taking applications; and</p> <p>(II) communicating with the borrower and lender.</p>

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		<p data-bbox="824 279 1084 306">U.C.A. 1953 § 61-2c-102</p> <p data-bbox="824 338 1453 485">(1) Except as provided in Subsection (2), no person may engage in the business of making mortgage loans nor may any person engage in the business of being a mortgage loan broker or servicer, without first filing written notification with the department and paying the fees required by this chapter.</p> <p data-bbox="824 537 1076 564">U.C.A. 1953 § 70D-1-10</p>
Vermont	Yes	<p data-bbox="824 575 1458 627">(a) No person shall without first obtaining a license under this chapter from the commissioner:</p> <p data-bbox="824 659 1450 772">(1) engage in the business of making loans of money, credit, goods or things in action and charge, contract for or receive on any such loan interest, a finance charge, discount or consideration therefor;</p> <p data-bbox="824 804 1154 831">(2) act as a mortgage broker; or</p> <p data-bbox="824 863 1192 890">(3) act as a sales finance company.</p> <p data-bbox="824 921 1013 949">VT ST T. 8 § 2201</p>
Virginia	Yes	<p data-bbox="824 978 1466 1234">No person shall engage in business as a mortgage lender or a mortgage broker, or hold himself out to the general public to be a mortgage lender or a mortgage broker unless such person has first obtained a license under this chapter. However, subject to such conditions as the Commission may prescribe, an individual who is a bona fide employee or exclusive agent of a person licensed under this chapter may negotiate, place or find mortgage loans without being licensed as a mortgage broker.</p> <p data-bbox="824 1266 1081 1293">Va. Code Ann. § 6.1-410</p>
Washington	Yes	<p data-bbox="824 1297 1466 1411">(1) A person may not engage in the business of a mortgage broker, except as an employee of a person licensed or exempt from licensing, without first obtaining and maintaining a license under this chapter.</p> <p data-bbox="824 1442 1094 1470">West's RCWA 19.146.200</p>
West Virginia	Yes	<p data-bbox="824 1472 1458 1669">(a) No person shall engage in this state in the business of lender, broker or loan originator unless and until he or she shall first obtain a license to do so from the commissioner, which license remains unexpired, unsuspended and unrevoked, and no foreign corporation shall engage in business in this state unless it is registered with the secretary of state to transact business in this state.</p> <p data-bbox="824 1730 1070 1757">W. Va. Code, § 31-17-2</p>

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Wisconsin	Yes	<p>(1m) Registration required. A person may not act as a mortgage banker, loan originator or mortgage broker, use the title "mortgage banker", "loan originator" or "mortgage broker", or advertise or otherwise portray himself or herself as a mortgage banker, loan originator or mortgage broker, unless the person has been issued a certificate of registration from the division.</p>
		W.S.A. 224.72
Wyoming	Yes	<p>(a) With the exception of those persons exempt pursuant to W.S. 40-23-105, on and after July 1, 2005, no person shall engage in mortgage lending activities or mortgage brokering activities without first obtaining a license in accordance with this act.</p>
		WY ST § 40-23-104