



**The South Carolina  
State Board of Financial Institutions  
Consumer Finance Division**

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**Ronald R Bodvake  
Commissioner of  
Consumer Finance**

Attn:

RE: Examination and report of loan activity under license #

The Division is in receipt of a list(s) of loans made, purchased or serviced in South Carolina. The Division has selected a sampling for review.

From these loans, please submit copies of the following documents by:

**INFORMATION**

1. Provide a list of all regulatory examinations conducted by other states from through . The list is to include the agency name, date of exam, type of exam, and any findings.
2. Provide copies of all complaints filed by South Carolina consumers against the institution since .
3. Provide a sample of each piece of marketing material used to advertise to South Carolina consumers during the scope of the examination, including but not limited to:
  - print materials (brochures, direct mailings, flyers, etc.),
  - radio or television transcripts, telemarketing scripts,
  - email solicitations, and
  - internet advertisements

**OPERATIONS**

4. List all locations from which the company conducts business in South Carolina. Identify and describe any other companies sharing the company's business space in each South Carolina location listed.
5. List and describe all loan products offered to South Carolina consumers.



6. Provide procedures for loans subject to Section 32 of Regulation Z to the Truth in Lending Act.
7. Provide any policies and procedures specific to South Carolina.
  - Attorney/Homeowners Insurance Agent Preference Form
  - Notice to Consumer of Agency to Receive Complaints
  - Net Tangible Benefit Requirements
8. Provide a list of all institutions with whom you regularly do business that originate or make mortgage loans and/or service mortgage loans, along with the estimated percentage of transaction activity conducted with each:
  - If you are a lender, the list should include the name and NMLS # of each third-party originator you have accepted transaction submissions from and each service provider which you have a servicing agreement in place.
  - If you are a servicer, the list should include the name and NMLS # of each lender, investor or sub-servicer with which you have a servicing agreement in place.
9. Provide a list of affiliated companies, including but not limited to title or settlement companies, appraisal companies, etc., and describe the activities of each listed affiliate.

#### **ACTIONS / EXAMS**

10. List and describe any regulatory actions taken against the institution, affiliates, and subsidiaries from                    through                    .
11. To the company's knowledge, is there any pending regulatory action against the institution for alleged violations?
12. List all civil suits or actions against and on behalf of the company, pending or resolved during the scope of this examination? Do not include judicial foreclosures in this list.

#### **HUMAN RESOURCES**

13. Be prepared to make available upon request copies of all current policies, plans, and procedures regarding compensation of Originators, Processors, and Underwriters.
14. How does the company monitor and perform reviews of loan transactions to determine that only licensed MLOs are performing MLO activity and that MLO Unique Identifier numbers are reflected accurately on mortgage loan applications and/or mortgage loan modification applications? How does the institution ensure that corrective action is taken if an MLO becomes ineligible for licensure? Provide policy.



15. What is the company's process for monitoring and controlling the transfer of loan activity from formerly licensed MLOs to currently licensed MLOs?
16. Does management monitor both company and MLO advertisements (including any social media or any other independent form of advertisement) for consistent disclosure of the Unique Identifier? Provide policy.
17. Does the company have policies and procedures in place to monitor third-party originator compliance with SAFE? Does the company review third-party originations to determine that both the originating institution and the MLO are properly licensed at the time of loan origination? Provide policy.
18. Please provide copies of policies and procedures for the following:
  - a. Monitoring set in place for employee information changes, such as: name, address, phone number, and other personal information.
  - b. How does the institution monitor and perform reviews of loan modification transactions to determine that only licensed MLOs are performing MLO activity and that MLO Unique Identifier numbers are reflected accurately on mortgage loan modification applications?
  - c. How does the institution ensure that corrective action is taken if an MLO becomes ineligible for licensure?

**INFORMATION TECHNOLOGY / CONSUMER SECURITY**

19. Provide the company's business continuity plan in place to ensure functionality in the event of bad weather/emergency disasters (i.e. floods, power outages, and destruction of buildings), and unforeseen situations (employee sabotage).
20. How is your customers' information stored and protected against outside threats? What mechanisms are in place to ensure consumer privacy when employees depart from the company? Provide policy.
21. What vendor protocols are enforced to ensure consumer privacy?

The Division will send a separate email that will provide a link where the requested documentation may be uploaded. Contact with Division with any questions or concerns.