



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

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**Ronald R Bodvake  
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**Work from an Unlicensed Location**

Recently the Consumer Finance Division has received questions from licensed persons about whether individuals may perform work activities from unlicensed locations, often referring to working remotely from home. However, South Carolina laws unambiguously state that persons licensed by the Consumer Finance Division may conduct business only at licensed locations or that each place of business must be licensed. See S.C. Code Ann. §§ 34-39-200(4), 34-41-80(4), 37-3-503(4), (7)(a), 37-22-140(H). This includes supervised lenders, mortgage lenders/servicers, mortgage loan originators, persons who perform check-cashing services, and persons performing deferred-presentment services. Conducting business is a broad term and, as expressed in a November 8, 2016 opinion issued by the South Carolina Department of Consumer Affairs, extends beyond originating a transaction. See Opinion on Website Licensing and Fees, Op. S.C. Dep't of Cons. Affairs No, 3.109, 503-1603 (Nov. 8, 2016) available at <https://consumerfinance.sc.gov/resources/law-codes-opinions-and-policy-statements> (stating that "[c]onstruing 'making supervised loans' in a narrow context as opposed to contemplating all activities involved in the transaction and ensuing contract fulfillment would result in an internal conflict within section 37-3-500 *et seq.*" such that collecting payments due pursuant to a supervised loan contract constitutes supervised lending activity which must be performed at a licensed location).