



BRIAN SANDOVAL
Governor

STATE OF NEVADA
DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF MORTGAGE LENDING
7220 Bermuda Road, Suite A
Las Vegas, Nevada 89119
(702) 486-0780 Fax (702) 486-0785
www.mld.nv.gov

BRUCE BRESLOW
Director

JAMES WESTRIN
Commissioner

**NOTICE OF INTENT TO ACT UPON A REGULATION
NOTICE OF HEARING FOR THE AMENDMENT AND
ADOPTION OF REGULATION OF THE
DIVISION OF MORTGAGE LENDING
LCB FILE No. R120-15**

November 20, 2015

The State of Nevada, Division of Mortgage Lending (the "Division") will hold a public hearing on December 21, 2015, at 10:00 a.m. The purpose of the hearing is to receive comments from all interested person regarding the amendment and adoption of regulations that pertain to chapter 645F of the Nevada Administrative Code. The public hearing will be held on the following date, time and locations:

December 21, 2015 at 10:00 a.m.

LAS VEGAS
THE DIVISION OF MORTGAGE LENDING
7220 BERMUDA ROAD
SUITE A
LAS VEGAS, NEVADA 89119

VIA VIDEO CONFERENCE TO:
CARSON CITY
1830 COLLEGE PKWY. #100
LARGE CONFERENCE ROOM
CARSON CITY, NEVADA 89706

The following information is provided pursuant to the requirements of NRS 233B.060:

1. Purpose and need of the Proposed Regulation. To implement sections 86.2 through 86.7 of Assembly Bill 480 ("AB 480") requiring the licensing and supervision of mortgage servicers.
2. Terms or Substance of the Proposed Permanent Regulations. Authority: NRS 645F.255 and Section 86.4 of AB 480.

Regulations to be adopted are stated in the attached Proposed Regulations of the Division of Mortgage Lending, LCB File No. R120-15. The following general topics may be addressed in the proposed regulations, including, but not limited to:

- Establishing requirements and application procedures for licensure of mortgage servicers;
- Establishing fees for application and licensure of mortgage servicers;
- Prescribing grounds for disciplinary action of mortgage servicers;

- Prescribing procedures and penalties for disciplinary action of mortgage servicers; and
- Providing other matters properly relating thereto.

3. Statement of impact on Small Business

The Commissioner has determined the proposed regulation may have an adverse economic impact on small business as it will impose fees on applicants and licensees for initial licensing, annual license renewals, and license amendments, and assess costs for supervision and examination. The proposed regulation also sets minimum net worth and surety bond requirements.

The foreclosure crisis revealed the significant risk of consumer and homeowner harm that may arise from the servicing of mortgage loans. Through the passage of the proposed regulation there will be a regulatory watchdog over the many non-depository entities servicing Nevada mortgage loans to ensure that they are complying with applicable laws and properly accounting for the loans they are servicing.

To reduce the impact of the proposed regulation on small businesses, the Division conduct an analysis of the fees under its existing licensing programs and those assessed by other licensing jurisdictions, and sought comment from stakeholders in order to establish a fee structure.

4. The estimated cost to the agency for enforcement of the proposed regulation

The Division anticipates costs for the implementation and enforcement of the proposed regulation to be approximately \$425,000 in fiscal year 2016, and \$483,943 in fiscal year 2017. The estimated costs include the necessary positions to carry out the Division's licensing and supervisory responsibilities.

5. Overlap or duplication with other state, local governmental or federal agencies

Not applicable.

6. Federal Regulation:

None known at the time of this posting.

7. New Fee Established:

Mortgage Servicer Application fee - \$2,500

Supplement Mortgage Servicers License fee - \$1,000

To obtain duplicate license - \$50

To transfer ownership or change of control - \$500

Renewal fee - \$1,000

Reinstatement fee due to late renewal - \$200

Supervision fee – Nevada Servicing Dollar Volume

Volume	Per \$1,000 of Servicing Volume
\$ 1,500,000 to \$ 2,500,000	.07
\$ 2,500,001 to \$ 5,500,000	.06
\$ 5,000,001 to \$10,000,000	.05
\$10,000,001 to \$30,000,000	.04
\$ 30,000,001 to \$ 100,000,000	.03
\$100,000,001 to \$1,300,000,000	.02
More than \$1,300,000,000	.01

COMMENTS AND WRITTEN SUBMISSIONS

Person wishing to comment upon the proposed action of the Division of Mortgage Lending may appear at the scheduled public hearing or may address their comments, data, views, or arguments, in written form, to the Division of Mortgage Lending at 7220 Bermuda Road, Suite A, Las Vegas, NV 89119. Written submissions must be received by the Division of Mortgage Lending on or before December 15, 2015. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Division of Mortgage Lending may proceed immediately to act upon any written submissions.

COPIES OF PROPOSED REGULATION

A copy of this notice and the proposed regulation will be on file at the State Library, 100 Street, Carson City, Nevada, for inspection by member of the public during business hours. A copy of the proposed regulation to be considered may be obtained at the hearing or may be downloaded from the Nevada Public Notice Website at:

<https://notice.nv.gov>

The proposed regulation is also available on the Division's Web site at <http://www.mld.nv.gov/> and at the Division office at:

Division of Mortgage Lending
7220 Bermuda Rd., Suite A
Las Vegas, NV 89119

This Hearing Notice has been sent to all interested persons on the Division's mailing list for administrative regulations and posted at the following locations:

Division of Mortgage Lending
7220 Bermuda Rd., Suite A
Las Vegas, NV 89119

Department of Business and Industry
1830 College Pkwy., #100
Carson City, NV 89706

State Library
100 Stewart Street
Carson City, NV 89701

Elko Conference Center
700 Moren Way (Silver Room)
Elko, NV 89801

Churchill County Library
553 South Maine Street
Fallon, NV 89406

Elko County Library
720 Court Street
Elko, NV 89801

Eureka Branch Library
80 S. Monroe Street
P.O. Box 293
Eureka, NV 89316

Tonopah Public Library
167 S. Central Street
Tonopah, NV 89049

Washoe County Library
301 South Center Street
Reno, NV 89501

Battle Mountain Library
625 S. Broad Street
P.O. Box 141
Battle Mountain, NV 89820

Douglas County Library
1625 Library Lane
Minden, NV 89423

Goldfield Public Library
Corner of Crook & Fourth
P.O. Box 430
Goldfield, NV 89013

Humboldt County Library
85 East 5th Street
Winnemucca, NV 89445

Story County Library
95 South R Street
PO Box 999
Virginia City, NV 89440

White Pine County Library
950 Compton Street
Ely, NV 89301

Mineral County Library
110 1st Street
Hawthorne, NV 89415

Pershing County Library
1125 Central Avenue
Lovelock, NV 89419

Lincoln County Library
63 Main Street
P.O. Box 330
Pioche, NV 89043

Lyon County Library
20 Nevin Way
Yerington, NV 89447

This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://leg.state.nv.us/>.

Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copying.

Members of the public who are disabled and require special accommodations or assistance at the hearing must provide written notification, at least 5 business days prior to the hearing, to the Division at the above office address.

After the hearing, interested persons can contact Susan Slack, Administrative Assistant, at (702) 486-7251, in order to request a copy of the Summary of Comments of the December 21, 2015 Hearing.