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**Sent:** Thursday, September 15, 2022 11:48:38 AM

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**Subject:** Washington - Virtual Industry Work Session for MLO Home Offices Rulemaking

## External Email

Hi Mr. Phelps and Ms. Choi, thank you for always seeking input from the industry. There are two (2) items brought up earlier and I just want to share how these were addressed by other states: Phones (Idaho) & Meeting with Consumers outside of home or licensed location (Kentucky).

Mr. Zimmerman (sorry, I do not have his email) chimed in about use of personal phones. I just want to pass on Idaho's policy about phone(s) MLOs can use. While Washington will not drill down on personal cell phone area codes during exam, Idaho will not permit. I understand that WA rule applies only to WA loan origination activity but as you know, MLOs are licensed in multiple states.

### IDAHO:

Practices that would implicate the business location licensing requirements include, but are not limited to, the following:

1. Advertising, or including within any business documents or forms (except in documents used in communications directly between the individual employee and their employer), an address that is not a licensed business location;
2. Advertising, making available to the general public, or including within any business documents or forms (except in documents used in communications directly between the individual employee and their employer), a telephone number in a manner that indicates an employee conducts activities at a place other than a licensed business location (e.g. using a published residential telephone number in promotions);
3. Representing in any manner, directly or indirectly, a location at which activity on behalf of the licensee may occur, if such representation indicates the activity would occur at an unlicensed location, or would mislead a consumer to believe an unlicensed location is an authorized location from which the employee or their employer conducts licensable financial services activity.

### KENTUCKY:

→ Section 1. KRS 286.8-010 is amended to read as follows:

As used in this subtitle, unless the context otherwise requires:

(1) "Affiliate" means any person who directly or indirectly through one (1) or more intermediaries, controls, [or ]is controlled by, or is under common control with another person;

**(2) "Alternate work location":**

*(a) Means a physical location, other than the principal office or a branch, at which the employees of a licensee are authorized by the licensee to remotely engage in the mortgage lending process; and*

*(b) May include a physical location, other than the principal office or a branch, where an employee:*

*1. Completes mortgage-related activities if the location is not maintained or utilized for the purpose of conducting in-person mortgage lending business; and*

*2. Meets in person at the convenience of the borrower on an infrequent or as-needed basis in order to complete the mortgage lending process if the location is not the employee's home;*