



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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FILED

DATE: June 21, 2019

TIME: 10:52 AM

WSR 19-14-015

Agency: Department of Financial Institutions, Division of Consumer Services

Subject of possible rule making: Amending the rules (chapter 208-660 WAC) under the Mortgage Broker Practices Act (chapter 19.146 RCW).

Statutes authorizing the agency to adopt rules on this subject: RCW 43.320.040 and RCW 19.146.225.

Reasons why rules on this subject may be needed and what they might accomplish: The rules must be amended to implement amendments (Sec. 106 of S. 2155, Public Law No. 115-174) to the federal SAFE act (the federal law requiring the licensure of individual mortgage loan originators (MLOs)). In addition, the department will consolidate rules relating to MLOs, currently found in both the Mortgage Broker Practices Act and Consumer Loan Act (chapter 208-620 WAC), into a new chapter to assist licensees in finding and understanding the rules that apply to their licenses. Other amendments may include changes to the rules regulating trust accounts to reduce conflict with other state laws, and technical changes for clarity and consistency.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Consumer Financial Protection Bureau implements a number of federal laws that industry must comply with. As Washington law allows and when federal regulations provide adequate consumer protection and guidance to the industry, DFI strives to make state regulations consistent with the federal regulations

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

Name: Sara Rietcheck
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(If necessary)

Name:
 Address:
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 Fax:
 TTY:
 Email:
 Web site:
 Other:

Other: Sign up for the GovDelivery email subscription system from the DFI website. Access the rulemaking page on the DFI web site. By signing up for our GovDelivery service you will receive email containing information or links to information on DFI's web site about industry newsletters, annual assessments, rulemaking documents including

notices of comment periods and hearing dates, licensing information, interpretive and policy statements and other important industry information. If you wish to receive paper copies of rulemaking documents you must contact Sara Rietcheck at 360-902-8793 and ask to be added to a paper copy mailing list.

Additional comments:

Date: June 21, 2019

Name: Richard St. Onge

Title: Acting Director, Division of Consumer Services

Signature:

Handwritten signature of Richard St. Onge in black ink.