

a person under certain circumstances; requiring a licensee to pay to the Commissioner a certain fee; establishing the Commissioner's examination and enforcement powers; establishing certain notice and hearing requirements; establishing certain penalties for a violation of this Act; providing that the employment of a mortgage originator licensed under this Act by a mortgage lender does not relieve the mortgage lender of certain responsibilities; authorizing the Commissioner to adopt regulations to carry out this Act; defining certain terms; and generally relating to mortgage originators.

BY adding to

Article – Financial Institutions

Section 11-517(f); and 11-601 through 11-618, inclusive, to be under the new subtitle “Subtitle 6. Mortgage Originators”

Annotated Code of Maryland

(2003 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Financial Institutions

11-517.

(F) THE EMPLOYMENT OF A MORTGAGE ORIGINATOR LICENSED UNDER SUBTITLE 6 OF THIS TITLE BY A MORTGAGE LENDER DOES NOT RELIEVE THE MORTGAGE LENDER OF A RESPONSIBILITY UNDER THIS SUBTITLE, A RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE, OR A LAW GOVERNING MORTGAGE LENDING IN THE STATE.

SUBTITLE 6. MORTGAGE ORIGINATORS.

11-601.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “BORROWER” HAS THE MEANING STATED IN § 11-501 OF THIS TITLE.

(C) “FUND” MEANS THE MORTGAGE LENDER-ORIGINATOR FUND ESTABLISHED UNDER § 11-610 OF THIS SUBTITLE.

(D) “INDEPENDENT CONTRACTOR” MEANS A PERSON WHOSE COMPENSATION IS PAID WITHOUT A DEDUCTION FOR FEDERAL OR STATE INCOME TAX.

(E) “LICENSE” MEANS A LICENSE ISSUED BY THE COMMISSIONER UNDER THIS SUBTITLE.

~~(E)~~ (F) “LICENSEE” MEANS AN INDIVIDUAL WHO IS LICENSED BY THE COMMISSIONER UNDER THIS SUBTITLE.

~~(F)~~ (G) “LOAN APPLICATION” HAS THE MEANING STATED IN § 11-501 OF THIS TITLE.