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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 264\*  
134<sup>th</sup> General Assembly

## Bill Analysis

[Click here for S.B. 264's Fiscal Note](#)

**Version:** As Reported by Senate Financial Institutions and Technology

**Primary Sponsor:** Sen. Brenner

Yosef Schiff, Attorney

### SUMMARY

- Permits a registered mortgage lender, servicer, or broker, or an entity exempted from registration, to allow a mortgage loan originator or any other person associated with the registrant or entity to work remotely if certain conditions are met.
- Allows the Superintendent of Financial Institutions to charge a registrant or entity an annual fee of up to \$25 per remote location to cover the costs associated with administering the bill's provisions.

### DETAILED ANALYSIS

The bill permits a registered mortgage lender, servicer, or broker, or an entity exempted from registration, to allow a mortgage loan originator or any other person associated with the registrant or entity to transact business on behalf of the registrant or entity from a location other than the registrant's or entity's principal office or a branch office if all of the following apply:

- The registrant or entity has a written policy governing supervision of the mortgage loan originator or other associated person while the originator or person transacts business on behalf of the registrant or entity from the remote location.
- Access to the registrant's or entity's platform and customer information is in accordance with the registrant's or entity's written information security plan.

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\* This analysis was prepared before the report of the Senate Financial Institutions and Technology Committee appeared in the Senate Journal. Note that the legislative history may be incomplete.

- The originator or other person does not interact with a customer at the originator's or person's residence, unless the residence is the registrant's or entity's principal office or a branch office.
- Physical records are not maintained at the remote location.<sup>1</sup>

The bill allows the Superintendent of Financial Institutions to charge a registrant or entity an annual fee to cover the costs associated with administering the above provisions. The fee cannot exceed \$25 for each remote location.

Under continuing law, a registrant or entity exempt from registration must, through its operations manager or otherwise, supervise the mortgage loan originator or other person, as well as establish procedures to avoid violations of the Residential Mortgage Loan Law by the originator or other person.

A mortgage loan originator is an individual who, for compensation or gain, or in the expectation of compensation or gain, does any of the following in relation to a residential mortgage loan:

- Takes a loan application;
- Assists or offers to assist a buyer in obtaining or applying to obtain a loan by, among other things, advising on loan terms;
- Offers or negotiates terms of a loan;
- Issues or offers to issue a commitment for a loan to a buyer.<sup>2</sup>

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## HISTORY

Action	Date
Introduced	11-16-21
Reported, S. Financial Institutions and Technology	---

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ANSB0264RS-134/ar

<sup>1</sup> R.C. 1322.43(C)(1).

<sup>2</sup> R.C. 1322.43 and R.C. 1322.01 and 1322.29, not in the bill.