

## 2 Hour UT SAFE: Utah Mortgage Laws

**Course Provider:**

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1400327

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# **Rules of Conduct for NMLS Approved Pre-Licensure (PE) and Continuing Education (CE) Courses**

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The Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act), requires that state-licensed MLOs complete pre-licensing (PE) and continuing education (CE) courses as a condition to be licensed. The SAFE Act also requires that all education completed as a condition for state licensure be NMLS approved. Since 2009 NMLS has established course design, approval, and delivery standards which NMLS approved course providers are required to meet. To further ensure students meet the education requirements of the SAFE Act, NMLS has established a Rules of Conduct (ROC). The ROC, which have been approved by the NMLS Mortgage Testing & Education Board, and the NMLS Policy Committee, both of which are comprised of state regulators, are intended to stress that NMLS approved education be delivered and completed with integrity.

## **Rules of Conduct**

As an individual completing either pre-licensure education (PE) or continuing education (CE), I agree to abide by the following rules of conduct:

1. I attest that I am the person who I say I am and that all my course registration information is accurate.
2. I acknowledge that I will be required to show a current government issued form of identification prior to, and during the course, and/or be required to answer questions that are intended to verify/validate my identity prior to, and during the course.
3. I understand that the SAFE Act and state laws require me to spend a specific amount of time in specific subject areas. Accordingly, I will not attempt to circumvent the requirements of any NMLS approved course.
4. I will not divulge my login ID or password or other login credential(s) to another individual for any online course.
5. I will not seek or attempt to seek outside assistance to complete the course.
6. I will not give or attempt to give assistance to any person who is registered to take an NMLS approved prelicensure or continuing education course.
7. I will not engage in any conduct that creates a disturbance or interferes with the administration of the course or other students' learning.
8. I will not engage in any conduct that would be contrary to good character or reputation, or engage in any behavior that would cause the public to believe that I would not operate in the mortgage loan business lawfully, honestly or fairly.
9. I will not engage in any conduct that is dishonest, fraudulent, or would adversely impact the integrity of the course(s) I am completing and the conditions for which I am seeking licensure or renewal of licensure.

I understand that NMLS approved course providers are not authorized by NMLS to grant exceptions to these rules and that I alone am responsible for my conduct under these rules. I also understand that these rules are in addition to whatever applicable rules my course provider may have.

I understand that the course provider or others may report any alleged violations to NMLS and that NMLS may conduct an investigation into alleged violations and that it may report alleged violations to the state(s) in which I am seeking licensure or maintain licenses, or to other states.

I further understand that the results of any investigation into my alleged violation(s) may subject me to disciplinary actions by the state(s) or the State Regulatory Registry (SRR), including removal of any course from my NMLS record, and/or denial or revocation of my license(s).

# 2 Hour UT SAFE: Utah Mortgage Laws

## Course Syllabus

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### ***Course Description***

The Utah Division of Real Estate (DRE) require those who hold a Utah mortgage license to completed a two-hour course on Utah mortgage laws and regulations as a requirement for annual license renewal. This online course covers the required topics as defined by the DRE for 2018 license renewal through the NMLS.

This two-hour course will cover the Residential Mortgage Practices and Licensing Act and its recent changes, the mortgage administrative rule changes that went into effect in 2017, new Utah Real Estate Purchase Contract for residential property transactions, and review mortgage licensee disciplinary actions.

### ***Topics and Learning Objectives***

This course consists of five modules and a final exam:

1. Overview of the DRE and DFI (15 minutes)
2. Residential Mortgage Practices and Licensing Act (30 minutes)
3. Mortgage Administrative Rule Changes (10 minutes)
4. The Utah Real Estate Purchase Contract (REPC) (15 minutes)
5. Mortgage Licensing and Disciplinary Actions (20 minutes)
6. Final exam (10 minutes)

**Total study time: 2 clock hours (100 minutes)**

### **Module 1: Overview of the DRE and DFI**

Two state agencies regulate the mortgage industry in our state: the Division of Real Estate (DRE) and the Department of Financial Institutions (DFI). The DRE is tasked with licensing of mortgage loan originators, brokers, and lenders under the Utah Residential Mortgages Practices Act, Utah Code Title 61, Chapter 2c. The DFI covers the registration of mortgage servicers and the regulation of financial institutions under the Financial Institutions Act, Utah Code Title 7. In this module we'll briefly cover these two agencies and their purpose.

At the end of this module, you will be able to:

- Outline the mission of both the DRE and the DFI
- Identify the sections within the DRE
- Describe the structure of the division's Residential Regulatory Mortgage Commission

## **Module 2: Residential Mortgage Practices and Licensing Act**

In this module we'll review the Utah Residential Mortgage Practices and Licensing Act, Utah Code § 61-2c-101 through § 61-2c-510. We'll also review the DRE's administrative procedures, prohibited conduct under the licensing act, education requirements, and recordkeeping requirements.

At the end of this module, you will be able to:

- Describe the DRE's enforcement authority over mortgage licensees by overseeing adjudication hearings
- List the actions and violations that can result in a DRE citation
- Review the initial licensing requirements and annual maintenance requirements under the Residential Mortgage Practices and Licensing Act
- Outline the records that must be maintained by licensed entities
- Summarize recent regulation changes that affect all industries

## **Module 3: Mortgage Administrative Rule Changes**

To keep up with the ever-changing industry, new regulations may need to be passed to add new requirements or clarify existing regulations. In this module we'll review some new Utah mortgage industry rules that were implemented in 2017.

At the end of this module, you will be able to:

- Recognize the new licensing regulations for lending managers
- Describe the requirements for new licensee post-education license training

## **Module 4: The Utah Real Estate Purchase Contract (REPC)**

The current, revised, and official version of the Utah Real Estate Purchase Contract (REPC) to contract for the sale of Utah residential real estate was approved by the DRE, the Utah Real Estate Commission, and the Utah Attorney General's Office effective September 1, 2017. This new version of the contract is effective with all real estate purchase offers occurring on and after January 1, 2018.

This module focuses on the mortgage- and financing-related changes applicable to the most current version of the Utah Real Estate Purchase Contract (REPC).

At the end of this module, you will be able to

- Identify the latest changes made to the DRE-drafted Real Estate Purchase Contract.

## **Module 5: Mortgage Licensing and Disciplinary Actions**

The Utah Division of Real Estate is requesting education providers to cover several cases of disciplinary actions taken against mortgage licensees. These can cover cases relating to the initial application for a mortgage license, renewing their mortgage license, or improper conduct while a licensee was participating in mortgage-related business.

At the end of this module, you will be able to:

- Recall activities that resulted in disciplinary action against an applicant or licensee.

### ***NMLS ID Required***

You must have an NMLS ID to receive credit for this course. You will need this number before you begin the course.

If you already have an NMLS ID but don't remember what it is:

- Login into NMLS
- Click on the **Composite View** tab.
- Click **View Individual** on the sub-header row.
- The number that appears in parentheses after your name is your NMLS ID number.

If you do not have an NMLS ID and need to obtain one, use the instructions available in the NMLS Resource Center:

<https://mortgage.nationwidelicensingsystem.org/licensees/resources/LicenseeResources/Create-an-Individual-Account-Quick-Guide.pdf>

### ***Technical Requirements***

Students only need a computer with a functioning and accessible internet connection. This course works on all modern browsers and operating systems including Microsoft Internet Explorer, Google Chrome, Mozilla Firefox, Apple Safari, and Opera. Students are responsible for all hardware and internet service charges.

### ***Completion Requirements***

This is an online mastery-based course. Students must complete all reading materials, question assessments, and pass end-of-section quizzes to make progress. Quizzes require an 80% or higher passing score, and can be taken as many times as necessary in order to pass.

Completion of the course requires passing a final examination of 15 multiple choice questions with a minimum score of 70%. Students that fail a final exam may retake the final exam as many times as needed to pass. The course is expected to take approximately 2 clock hours to complete.

### ***Course Activities***

The course contains segments that include reading, question assessments, quizzes, and a final exam. Students are expected to interact and complete all activities to make course progress.

Students will be provided with the course content online. Students will be tested at the end of each section to determine if they are meeting the objectives and developing a working knowledge that will help them to successfully use what they are learning.

### ***Testing and Completion Expectations***

Online, timed, and active participation is required to apply the learned material to case study material. Students will be tested periodically through the course to verify they understand the course material. Assessments are graded automatically upon student submission.

A final exam is given at the end of the two-hour. The final exam consists of 15 questions in multiple choice format. The student must score 70% or above. Course credit will not be issued until the final exam has been successfully passed. Final exams may be retaken without limit if failed.

### ***Issuance of Credit***

After successfully passing the final exam, OnlineEd will notify the Nationwide Mortgage Licensing System (NMLS) that the continuing education has been completed by the student. It is OnlineEd policy to have credit uploaded to the NMLS by the end of the following business day.

The student will have a printable course completion certificate available after passing the course final exam. The certificate is for the student's personal records and is not confirmation that the NMLS has received the notification that the student has completed the course final exam.

### ***Policies on Cheating and Misrepresentation***

Misrepresentation of personal identity is strictly forbidden for all OnlineEd courses. Falsifying personal information, forgery, and misrepresentation may result in immediate suspension. Additional actions by state and federal agencies may include loss or suspension of a license, failure to grant a license, fees, or criminal prosecution.

Cheating on courses that supply completion certificates, designations, or official credit is not tolerated. OnlineEd is not obligated to continue to furnish credit or continued support for students caught cheating on any part of the coursework or testing.

### ***Breaks***

This course is a self-paced online course. Students are free to stop for a break at any time during the course for any length of time. Progress in the course is saved automatically. Breaks and periods of inactivity will not count towards the required seat time. Students will automatically be logged out after 6 minutes of inactivity and the inactive time will not count towards seat time.

### ***Availability***

This online course is available all day, every day after enrollment unless there is scheduled system maintenance. Courses are made available to students immediately upon purchase. Instructor and technical support are available during normal office hours of 8:00 am to 5:00 pm Pacific Time on Monday through Friday, excluding holidays. Online access to this course is available for 365 days from

the enrollment date unless stated otherwise.

If this course is not completed within the given amount of time, a reinstatement fee may be charged. Course content will continue to be available to students after course completion.

### ***Instructor Support***

Students will be assigned a course instructor at registration. Students may contact the course instructor by email if they have questions regarding the course content. Technical support questions should be directed to OnlineEd, Inc. and not to the instructor. Students are not required to use this service. OnlineEd reserves the right to refuse instructor support to students that abuse this service.

### ***Refund Policy***

All tuition and fees paid for the course are refundable when: (a) the course of instruction is discontinued by OnlineEd and such discontinuation has prevented a student from completing the course; or (b) the enrollment of the student was procured as a result of any misrepresentation in promotion materials of the school, or representation made by an owner or employee of the school. All refunds will be completed within 30 days after the effective date of enrollment termination. Refunds will not be given to any student after the student has successfully registered in a course or courses, as once registered, student has access to the registered courses. In hardship cases, OnlineEd may issue a refund at its sole discretion. OnlineEd does not issue retroactive partial refunds for courses that are subsequently discounted or put on sale after a student makes a purchase.

### ***Introduction to the Provider***

#### **OnlineEd**

OnlineEd, Inc. is an NMLS approved course provider based in Portland, Oregon, and has been offering courses over the Internet since 1998.

#### **NMLS Provider ID: 1400327**

This course is developed and published by OnlineEd, Inc. Completion certificates and other school functions will also be handled by OnlineEd, Inc.

All of our teaching and instruction is done via the Internet and through our unique course management system. We actually write and publish our own course material for an exclusive online experience. All course materials are written by knowledgeable, experienced industry professionals and instructors.

OnlineEd has physical offices in Portland, Oregon, and Las Vegas, Nevada, and is not a call center, shady P.O. box, or other fly-by-night operation. Feel free to give us a call during office hours and talk with an actual person!

#### **Contact information:**

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### **Our Mission Statement**

“To provide superior distance education that exceeds industry standards and expectations in course content and delivery methods to those who seek to enter a new profession and those engaged in a profession.”