



Ohio Administrative Code

Rule 1301:8-7-31 Nonprofit organizations exemption.

Effective: September 1, 2024

(A) In addition to the criteria set forth in division (F)(1) through (6) of section 1322.01 of the Revised Code, a bona fide nonprofit organization is also required to:

(1) Be registered and maintain current registration status with the Charitable Law Section of the Ohio Attorney General's Office; or

(2) Possess a valid letter of exemption from the Charitable Law Section of the Ohio Attorney General's Office.

(B) An organization seeking a letter of exemption as a bona fide nonprofit organization pursuant to division (F)(7) of section 1322.014 of the Revised Code has the burden of establishing entitlement to the letter of exemption.

(C) An organization seeking a letter of exemption shall be responsible for paying any applicable fees and submitting an application for a letter of exemption via the NMLS for each office where residential mortgage loans are originated for Ohio residents, Ohio property, or from a location physically in Ohio regardless of the location of the borrowers or property..

(D) The application shall include books, records, and any additional information the superintendent deems necessary to substantiate that the applicant meets the criteria in division (G)(2)(i) of section 1322.01 of the Revised Code and paragraph (A) of this rule. The applicant shall submit documentation that it has complied with the requirements of 12 C.F.R. 1026.36(f)(3), as in effect on May 1, 2024, for all employees acting as a mortgage loan originator for Ohio residents, Ohio property, or from a location physically in Ohio regardless of the location of the borrowers or property. If the superintendent determines that the nonprofit organization has met the aforementioned criteria and requirements, the superintendent shall issue a letter of exemption to the nonprofit organization which shall expire on the thirty-first day of December and may be renewed on or before that date by submitting a renewal application via the NMLS and providing all of the documentation



required by this paragraph.

(E) The nonprofit organization shall keep and maintain records of all residential mortgage loan transactions in the same manner as is required of registrants.

(F) In accordance with rule 1301:8-7-13 of the Administrative Code, the superintendent may examine the books and records of the bona fide nonprofit organization periodically to determine if it continues to meet all of the criteria in division (F) of section 1322.01 of the Revised Code.

(G) An employee of a nonprofit organization that holds a valid letter of exemption is exempt from having to obtain a mortgage loan originator license only with respect to his or her work duties to the nonprofit organization and only with respect to residential mortgage loans with terms that are favorable to the borrower.