



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,
and Economic Development

DIVISION OF BANKING AND SECURITIES
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Dear Alaska Mortgage Broker/Lender and Mortgage Loan Originator,

In 2019, the Alaska Legislature passed House Bill 104 (HB104) which made changes to the Alaska Secure and Fair Enforcement for Mortgage Licensing Act of 2010. The Division of Banking and Securities (Division) was then tasked with creating regulations to enact HB104. While the Division wrote the regulations, staff included some housekeeping issues to update and clarify various sections of 3 AAC 14.

The updated regulations take effect on February 7, 2020.

Please take some time to visit the statutes and regulations through the links below.

<http://www.akleg.gov/basis/Bill/Text/31?Hsid=HB0104Z#>
<https://www.commerce.alaska.gov/web/dbs/> (second blue box)
<https://www.commerce.alaska.gov/web/dbs/ConsumerFinance/MortgageBrokerLendersOriginators/ReferenceInformation.aspx>

Some highlights to note for HB104:

- AS 06.60.015(b)(4) Allows a natural person, estate, trust, corporation or another entity to offer seller financing for up to five or fewer dwellings during any 12-month period. There are requirements and terms that must be met to meet this exemption.
- AS 06.60.015(c) A bona fide nonprofit organization (nonprofit) may choose to apply for an exemption. The nonprofit may not operate in a commercial context, and their MLO would also be exempt from licensing if approved. There are requirements that must be met to meet this exemption.

Some highlights to note for mortgage lending regulations 3 AAC 14:

- 3 AAC 14.060(6) Implements an expiration date for MLO prelicensing education.
- 3 AAC 14.020 Provides details for the nonprofit to apply for an exemption through the Nationwide Multistate Licensing System & Registry (NMLS). The application will be available in the NMLS in May/June 2020.
- 3 AAC 14.058 Repealed - A qualifying individual is no longer required.

Please note the **annual report** is no longer required to be filed.

The quarterly mortgage call report (MCR) will replace it.

*****Effective immediately.*****

If you have any questions, please email Tracy Reno at mortgagelending@alaska.gov.