



## **2 Hour TN SAFE: Tennessee Mortgage Laws and Regulations**



### **Course Syllabus (Online Instructor-Led)**

#### **ProEducate**

**4200 S. I-10 Service Rd., W., Suite 134**

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**Office Hours:  
Monday-Friday, 8am – 5pm CT**

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***Roy L. Ponthier, Ph.D., Ed.D., CDEI, DREI  
Executive Director***



## **Instructor Backgrounds:**

### **Roy L. Ponthier, Ph.D., Ed.D., CDEI, DREI**

- Dr. Ponthier is a licensed Louisiana real estate broker, certified real estate and appraisal instructor, and Director of Executive Training Centers, LLC, an educational services company which offers in-class training in real estate, mortgage finance and appraisal, as well as online training through ProEducate, the company's web-based education division which offers real estate and mortgage finance related courses throughout the United States.
- Dr. Ponthier holds a B.S. degree from Southeastern Louisiana College. His graduate training was taken at Tulane University (M.S. and Ph.D.) and the University of New Orleans (M.Ed. and Ed.D.). He holds the Certified Distance Education Instructor (CDEI) certification awarded by the International Distance Education Certification Center (IDECC), as well as the Distinguished Real Estate Instructor (DREI) designation awarded by the Real Estate Educators Association in recognition of exceptional effectiveness in the classroom. Dr. Ponthier has served on the faculty of three Universities, currently teaches classes for The Real Estate Law Society of Loyola University Law School and has chaired college divisions of Computer Science, as well as Education. Since 1988 he has taught real estate related subjects to more than 63,000 students. He is a member of five academic honor societies, as well as MENSA, and author of more than two dozen internationally published scientific papers. He was Director of The Center for Computer Education, Inc., which trained teachers in computer science, and was president of Worldwide Information Network, Inc., a provider of Internet and television marketing in real estate. He has owned two mortgage companies, as well as a business brokerage company and a residential and commercial real estate company.
- Since early 2009, Dr. Ponthier has served on a work group for the Nationwide Mortgage Licensing System & Registry (NMLS&R) to help develop the functional specifications for mortgage pre-licensing and continuing education programs taught in the U.S. He is a member of the Real Estate Educator's Association, The South Central Educators Group, and the Louisiana Mortgage Bankers Association, for which he is Chair of the education committee. Dr. Ponthier's achievements have been documented in Who's Who (Oxford Edition), American Men and Women of Science, and the International Who's Who in Education.

## **Course Description:**

This is a 2 hour overview of Tennessee laws and regulations relating to the residential mortgage industry. This course meets the pre-license education requirement for MLO licensing in Tennessee. This course also includes a variety of learning activities and resources, an extensive glossary, student forums, and interactive assignments, all designed to meet course objectives.

## **Course Objectives, Goals, and Purpose:**

This 2 hour course was designed to meet the requirements as set out in the Tennessee Residential Lending, Brokerage and Servicing Act. It introduces the Department of Financial Institutions of the state of Tennessee and describes the scope of its authority. It also discusses specific Tennessee law related to the licensing and activities of mortgage licensees.

## Required Course Material:

This course is entirely self-contained and does not require additional study materials.

## **REQUIRED HARDWARE and SOFTWARE:**

- All course content is available online. To access, a student will need access to the Internet via a cable modem, ISDN, DSL, or T-1 connection. The only software needed is an Internet browser such as Google Chrome, Firefox, Safari, etc.
- Any additional software, such as Adobe Reader, needed to access PDF files, is available in the course for immediate and free download.

## Completion Expectations:

### **Prerequisites:**

- There are no educational prerequisites for this course; however, students are expected to have high school level reading and mathematics ability.

### **Upon registering:**

- As part of the course log-in process, NMLS requires each student to be presented with the **NMLS Rules of Conduct for Students (ROC)**. Each student will be presented with an "I Agree" or "I Do Not Agree" option. As a condition to being able to begin the course, NMLS rules stipulate that each student must agree; failure to agree will result in the student not being able to start or complete the course. A copy of the **NMLS Rules of Conduct for Students (ROC)** form is located at the end of this syllabus.
- Students must complete the course and all final exams before the course expiration date.
  - Course completion will include completion of all group discussions and case studies.
  - The final exam questions are presented in multiple-choice format requiring a passing score of 75% or higher
- Our online Instructor-led courses have a definite fixed start date and time, as well as a definite fixed end date and time for each scheduled course.
  - The username and password will be deactivated after the course expiration date has passed.
  - Due to the fixed start date and time of the course, if the course is not completed by the scheduled end date of the course, we are unable to provide an extension for the course; however, we can provide the option to re-register for an upcoming course at a discounted tuition rate.
- Course completion will be banked on the NMLS website and the course completion certificate will be issued to the student (delivered to the student's e-mail address) within 7 days of the scheduled end of the course.

## School Policies:

### **Registration:**

- The student is responsible for verification of qualifications for licensing, before registering for a course of study.
- Registrants with any form of criminal history, including misdemeanor or felony convictions, or who are currently on parole, must contact the relevant licensing agency before registering for any pre-licensing or pre-certification course.
- An e-mail account is essential to participate in the online program.
- Any attempt to take the course under an assumed identity, or to accept assistance from others in completing any portion of the course, may result in rejection of a license application, revocation of an existing license, fines, or other penalty provided by law governing the relevant state regulatory agency to whom the student submitted documentation.

## Course Participation:

- Students are asked to please be certain that their address book is updated to include acceptance of e-mails from StudentServices@ProEducate.com and Instructor@ProEducate.com
- Instructors may not, in any venue, answer questions of a personal, professional, business, or legal nature, and students should not interpret any information received from instructors, or course content, as being legal or professional advice.
- The instructional staff will respond to questions by e-mail as quickly as possible. In general, questions received by noon on any business day are responded to by 5 pm the following business day. Students who abuse the e-mail opportunity may be dropped from the course, solely at the discretion of the school, without penalty to the school beyond refund of tuition.
- All students required to exercise “chat room netiquette” when participating in group discussions.
  - Unlike a private conversation with a single person via the Internet, the chat room means that many people will read your conversation. It’s rather like talking loudly in a crowded restaurant. One of the goals of chat room etiquette is to keep conversations short and to the point. Longer comments and questions are usually better directed in e-mails. Keep conversations on topic.
  - Rules to follow in a chat room:
    - Introduce yourself.
    - State your question clearly.
    - Be civil to others. Be friendly, and respect others in the room.
    - Give the room a chance to answer you. Patience is a virtue.
    - Do not spam or flood the room with repeated questions, statements, or links.
    - Avoid using font colors other than black.
    - Avoid typing in all caps.
    - Do not use any inappropriate or suggestive language.
    - Do not mention names of specific lenders or companies in the business.
    - Do not discuss hiring practices or job offers you have received.
    - Do not pose questions of a legal nature.
    - Do not ask or pose questions about your personal situation; ask questions pertaining only to course material.
    - Avoid disclosing or asking personal information.
    - When you are ready to leave the chat room, chat room etiquette suggests that you say a general goodbye to the group, just as you might when leaving a party.

## SCHOOL CONTACT INFORMATION:

- **By Phone:** For questions regarding **administrative** issues, the administrative offices may be contacted by phone at (504) 454-9866 or (800) 966-9866, weekdays between 8 a.m. and 5 p.m. central time.
- **By E-mail:** Ask technical or course content questions 24 hours a day by e-mailing the school office at the addresses listed below. A response will typically be received by close of business on the next business day.
  - **Help@ProEducate.com for technical assistance.**
  - **StudentServices@ProEducate.com for questions or comments about registration, administrative issues, or purchases from the online store.**
  - **Instructor@ProEducate.com for questions regarding course content.**
- **In Person:** We are in the office to assist you with administrative questions Monday - Friday 8:00 a.m. to 5:00 p.m. central time. We are located at 4200 S. I-10 Service Rd. W., Suite 134, Metairie, Louisiana 70001 (Boy Scouts of America Building).

## Learning Objectives, Lessons, Assignments, and Outline:

<b>2 Hour TN Mortgage Laws and Regulations</b>			
<b>Lesson</b>	<b>Learning Objectives</b> <i>Upon Completion of Module, each student will have an understanding of:</i>	<b>Assignments and Materials Utilized</b>	<b>Segment Time in Minutes</b>
<b><u>Learning Path 1:</u></b> Introduction and Terminology  (Tennessee Department of Financial Institutions; Tennessee State Law and Rules Definitions)	<ul style="list-style-type: none"> <li>• The powers of the Tennessee Department of Financial Institutions and the Commissioner.</li> <li>• Key terms as used in the Tennessee mortgage lending laws.</li> </ul>	Text-based lesson content; lesson quiz; forum discussions; homework assignment for instructor and student direct communication; downloadable and printable handouts; lesson follow-up provided by instructor to student via e-mail	23
<b><u>Learning Path 2:</u></b> Tennessee Mortgage Laws and Regulations  (Tennessee License Law and Regulations; Compliance and Disciplinary Action; Tennessee Home Loan Protection Act; Home Equity Conversion Mortgage Act)	<ul style="list-style-type: none"> <li>• The people who are required to be licensed to engage in mortgage lending activities and those who are exempt from the licensing requirement.</li> <li>• The requirements necessary to obtain and maintain a mortgage lender, mortgage broker, or mortgage loan originator license.</li> <li>• The grounds for denial of a license application.</li> <li>• What conduct is prohibited by a licensee and the grounds for disciplinary actions entitled to the Commissioner.</li> <li>• The practices regarding fees, disclosures, agreements, and advertising.</li> <li>• The Tennessee Home Loan Protection Act and the Home Equity Conversion Mortgage Act.</li> </ul>	Text-based lesson content; lesson quiz; forum discussions; homework assignment for instructor and student direct communication; downloadable and printable handouts; lesson follow-up provided by instructor to student via e-mail	55
Assignments	To demonstrate the student's understanding of the lesson	Forum, Homework, and Drag/Drop Exercises	15
End-of-Course Survey	Measures course presentation, materials, content and instructor	Survey questions provided	5
Final Exam	Measures student's competency	Examination in multiple-choice format with passing score of 75%	10
<b>Total Minutes</b>			108

## **2 Hour TN Mortgage Laws and Regulations Course Outline**

### **Learning Path 1**

Cover Page, NMLS Rules of Conduct for Students, and Course Syllabus

Tennessee Department of Financial Institutions

- THE DEPARTMENT OF FINANCIAL INSTITUTIONS
- DEPARTMENT STRUCTURE
- RESPONSIBILITIES AND LIMITATIONS

Tennessee Mortgage Law and Rules Definitions

- KEY DEFINITIONS
  - Branch Manager
  - Branch Office
  - Brokerage Fee
  - Commitment Fee
  - Control
  - Federal Banking Agencies
  - Fees Paid to Third Persons
  - Home Loan
  - Immediate Family Member
  - Loan Processor or Underwriter
  - Lock-In Agreement
  - Lock-In Fee
  - Loss Mitigation Specialist
  - Mortgage Lender
  - Mortgage Loan Broker
  - Mortgage Loan Originator
  - Mortgage Loan Servicer
  - Nationwide Mortgage Licensing System and Registry (NMLS)
  - Registered Mortgage Loan Originator
  - Residential Mortgage Loan
  - Unique Identifier
  
- Exercise 1
- Quiz
- Forum

### **Learning Path 2**

Tennessee License Law and Regulations

- PERSONS REQUIRED TO BE LICENSED
- LICENSEE QUALIFICATIONS AND APPLICATION PROCESS: MORTGAGE LENDERS, MORTGAGE LOAN BROKERS, AND LOAN SERVICERS
- LICENSEE QUALIFICATIONS AND APPLICATION PROCESS: MORTGAGE LOAN ORIGINATORS
- GROUNDS FOR DENYING A LICENSE
- LICENSE MAINTENANCE
- Quiz

Compliance and Disciplinary Action

- COMPLIANCE
  - Prohibited Conduct and Practices
  - Fees and Charges
  - Disclosures and Agreements
  - Commercial Instruments and Transactions
  - Advertising

- DISCIPLINARY ACTION
  - Violations — Cease and Desist Orders — Penalties
  - Consent Orders
  - Bar from Industry
- Quiz

#### Home Loan Protection Act and Home Equity Conversion Act

- Home Loan Protection Act (Title 45 - Chapter 20)
- Home Equity Conversion Act (Title 47 - Chapter 30)
- Exercise 2
- Assignment
- End-of-Course Survey

Final Exam

### **Additional Information Regarding the Online Instructor-Led Course:**

- Instructor-led courses taught online have a definite fixed start date and time, as well as a definite fixed end date and time. Consequently, students will be given access to this course no sooner than 10:00 AM Eastern Time, and course access will expire at 10:00 PM Eastern Time on the same day.
  - During the allotted class time, students will have access to the course for a period of 12 hours and may login and work on the assignments at their convenience during that period.
  - Course completion will be banked on the NMLS website and the course completion certificate will be issued to the student (delivered to the student's e-mail address) within 7 days of the scheduled end of the course.
- The NMLS unique identifier will be requested when each student first begins the course, or they may e-mail it to StudentServices@ProEducate.com at any time while enrolled in the course.
- Instructors are constantly monitoring the student's progress throughout the each module of the course.
  - Instructors will contact each student enrolled in the course via e-mail correspondence to offer encouragement and motivation, as well as assistance with course content.
  - If a student is not progressing well within the course, they will be contacted by the instructor who will offer their assistance to the student.
- During the course, students will be instructed to make postings to the online "FORUM" and complete an assignment.
  - Postings to the FORUM are a required part of the course.
  - Instructors will review student input and may respond accordingly.
- During the course, if the students have questions about the course content, they may click on the "e-mail instructor" button and send a question to the instructor.
  - Students are asked to please be very specific about the location of the content they are questioning (lesson #, topic, etc.)
    - Instructors are permitted to respond only to questions specifically related to the course content.
    - Questions regarding personal situations, unrelated to the specific course material or of a legal nature, may not be responded to.
- The "Course Resource Materials" section of the course makes forms and documents available to assist students in their studies. The course also makes a detailed glossary available to the students. Students may click on the glossary to study the definition of terms with which they are not familiar.
- Upon completion of the course material, each student will be required to respond to a course evaluation in addition to a multiple choice final examination.

## NMLS Rules of Conduct for Students (ROC) Student Copy

*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 pre-licensure 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).

STUDENT COPY